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CONTENTS

Strategic Discussions

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Foreign Area Officer Discussions

**Writing from the Horizon:
The Strategic Imperative of
FAO Scholarship in
Shaping Army Decisions**
by COL Matt Kopp, 48J
page 6

Overcoming FAO Traps
by LTC Wes Chaney, 48J
page 12

**Vietnam Combat and the
Importance of Trust**
by COL(R) John
Haseman, 48P page 24

In-Region Training Discussions

**Fixing IRT Without
Leaving the Embassy**
by MAJ Calvin Price, 48B
page 87

**The RAND Security
Cooperation
Prioritization and
Propensity Matching
Tool:
Background,
Assessment, and
Applications**
by MAJ Matthew
Hughes, 48B page 34

**China's Atlantic
Gambit: Power
Projection Beyond the
Indo-Pacific Through
Strategic Deception**
by COL Mike Gacheru,
48J page 46

**An Analysis of the
United States – Thailand
Defense Alliance**
by LTC Pete
Roongsang, 48P page
61

**U.S. Attempts to Deter
Assad from Using
Chemical Weapons:
Misperception in Action**
by Jeff Jager, USA
Retired, Page 75

U.S. Attempts to Deter Assad from Using Chemical Weapons: Misperception in Action

LTC Jeff Jager, US Army Retired

On 21 August 2013, the regime of Syrian President Bashar Al Assad used chemical weapons (CW) to attack the rebel stronghold of Ghouta,[1] killing 1,429 civilians[2] and initiating a crisis with the United States (U.S.) that seemed destined to lead to U.S. military strikes.[3] Russia brokered a diplomatic deal by 9 September, in which Syria promised to give up its CW to avoid U.S. intervention. This averted those strikes. US President Barack Obama, who had appeared set on military action,[4] decided not to use military force. Not enforcing the “red line”[5] he established against CW use cost Obama dearly in terms of credibility and reduced America’s global influence.[6] While Obama[7] and other revisionists[8] cast the U.S. threat of force as deterring Assad, Assad neither gave up his CW stockpile[9] nor stopped using CW. Why did the U.S. not use military force against Syria in the fall of 2013? The answer, at least partially, derives from the concept of misperception in international relations, most influentially described by Robert Jervis.[10] Most clearly, Obama misperceived international norms against CW use and misperceived the value of his established “red line” in deterring Assad.

History of the Crisis

The catastrophic events of 11 September 2001 ushered in a new era of global U.S. interventionism. The U.S. Congress passed an Authorization for Use of Military Force (AUMF) to counter those responsible, which opened a “floodgate of presidential power”[11] that has reverberated across the world since. Evidence of Assad’s massacres of civilians emerged at the beginning of the Arab Spring in 2011.

Despite the immense power to intervene unilaterally authorized by the 2001 AUMF, Obama pursued a Syria policy of, essentially, doing nothing.[12] In August 2011, Obama finally voiced a policy preference for Syria: that Assad step down to create space for negotiations. However, the U.S. took no action to pursue this policy.[13] In October 2011, France, Germany, and the UK submitted a draft proposal to the United Nations (UN) Security Council (SC) condemning Syria’s assault on its own civilians; Russia and China immediately blocked this proposal.[14] In February 2012, the U.S. tried a similar tactic at the UNSC, this time to condemn Syria for its human rights violations; Russia and China also blocked this effort.[15] Five months later, the UK and the U.S. presented a joint proposal against Syrian violence along with a plan to address it, which again Russia and

China intervened top.[16] These represent but a few select Western efforts at the UNSC and elsewhere to address the widening crisis in Syria, all of which failed. They also set the scene for Assad's announcement, in the face of advancing rebel forces on Damascus in late July 2012, that Syria possessed an active CW capability and had the willingness to use it.[17]

On 20 August 2012, Obama gave a defining speech of his presidency, proclaiming that the U.S. had "been very clear to the Assad regime...that a red line for us is we start seeing a whole bunch of chemical weapons moving around or being utilized. That would change my calculus." [18] Obama followed this with equally forceful language in a speech on 3 December 2012, in which he for the first time messaged that Syria would be "held accountable" [19] for CW use. Assad apparently was not listening: 23 December 2012 [20] witnessed the first documented use of CW by Syria, [21] the first of many CW attacks, including one on 19 March 2013 in Aleppo [6] and others throughout the spring. [22] On 25 April 2013, the U.S. intelligence community (IC) confirmed that Assad had been responsible for the use of CW. [23] Calls for U.S. action increased with the escalating conventional violence and introduction of CW use in Syria, and Obama's strong rhetoric against it. Still, Obama did not act.

In May 2013, given the lack of action at the UNSC, the UN General Assembly passed a resolution calling for an end

to the violence in Syria. [24] Momentum for a U.S.-led intervention started to pick up in June 2013, with the announcement that the IC had identified several CW attacks attributable to the Syrian regime since 2012. [25] Also in June, Obama replaced two of his senior advisors. Susan Rice assumed duties as his National Security Advisor and the Senate confirmed Samantha Power as the U.S.

Ambassador to the UN. Both Powers and Rice had established reputations as liberal interventionists committed to the concept of a responsibility to protect (R2P) based on humanitarian grounds. [26] Obama's first concrete actions to address the catastrophe in Syria, consisting of a decision to provide lethal support to the anti-regime rebels, followed in mid-June 2013. [27]

This decision for U.S. intervention occurred at the same time as UNSC efforts finally started to produce meaningful agreements. On 18 August 2013, the UN team that Syria (and Russia and China at the UNSC) had agreed to allow to enter Syria to investigate claims of CW use arrived, specifically to check claims of CW attacks in Aleppo in April and Idlib in May. [28] This appeared to provide Assad an opportunity to send a message: on 21 August 2013, Syria attacked civilians in Ghouta with CW, [29] killing 1,429. [30]

Obama largely had ignored the conventional violence in Syria and earlier reports of CW use. However,

the Ghouta attack appears to have changed his calculus.[31] Yet, in the first ten days after this despicable act, Obama made no public remarks on Syria's CW use. Administration officials, though, started to indicate that Obama was considering military strikes and that the U.S. would act unilaterally, in line with expanded presidential war-making powers.[32] By 24 August, the IC had reported to Obama that CW rockets fired at Ghouta originated from regime positions and senior administration officials coalesced around a 48-hour air campaign to start on 2 September.[33] On 26 August, Secretary of State John Kerry stated publicly that the Syrian regime had used CW.[34] The hard evidence of CW use by Syria seemed to fulfill Obama's desire for absolute proof of Syrian CW use,[35] a requirement for a president extremely wary of another Iraq.[36] For its part, Syria denied[37] use of CW, blamed the rebels,[38] and watched as the U.S. and UK deployed warships to the Eastern Mediterranean.[39]

The UK again proposed military intervention in Syria at the UNSC on 28 August.[40] With Russia and China opposed to intervention[41] and continuously blocking resolutions, the UNSC deadlocked.[42] The U.S. confirmed, on 28 August, that the Syrian regime had used CW in Ghouta.[43] The announcement substantially strengthened evidence that had previously emerged. With strikes appearing imminent, the Speaker of the U.S. House of Representatives, John

Boehner, formally requested that Obama seek an AUMF from Congress, and Obama and Boehner spoke multiple times to consult on the matter.

“this menace must be confronted,”

Momentum for U.S. military intervention began to fade on 30 August, when the UK Parliament rejected Prime Minister Cameron's request for approval for military strikes in Syria.[44] The UK withdrew the warships it had deployed to the Eastern Mediterranean, and U.S. ships replaced them.[45] A senior administration official stated that Obama desired an AUMF and planned not to strike without formal authorization.[46] President Obama dismissed Secretary of Defense Hagel's plans for a strike on Damascus, indicating a shifting perspective.[47] After learning of Cameron's defeat in Parliament, Obama sought out the most anti-interventionist official in his administration, White House Chief of Staff Denis McDonough, to accompany him on a walk. Upon return, Obama informed his staff, to their surprise, that he would seek legislative approval for a Syria strike, with a vote intended for 9 September.[48] The next day, on 31 August, senior White House staff sought the advice of American foreign policy elites about an AUMF, which many advised against.[49] On 31 August, Obama made his first public remarks about Syria's use of CW and his plans for responding.[50] Making the case the “this menace must be confronted,”[51] Obama announced his

decision to take military action against the Assad regime and to seek an AUMF from Congress.[52] The next day, Kerry testified to the Senate Foreign Relations Committee about the Administration's plans and revealed that, in addition to an air campaign, the U.S. intended to deploy ground troops to secure Syria's CW.[53]

Interstate and intrastate negotiations and discussions continued for the next six days, and culminated with a lunch between Obama and Russian President Vladimir Putin on 7 September, during which Putin proposed an alternative to U.S. strikes: that perhaps Syria giving up its CW voluntarily could persuade the U.S. to call off military intervention.[54] Discussions between Kerry and Russian Foreign Minister Sergey Lavrov, who spoke directly on nine separate occasions between 21 August and 7 September,[55] preceded this high-level meeting. On 9 September, Kerry made the Russian proposal public.[56] Seizing on this opportunity, Lavrov made the Russian proposal formal, and Putin publicly claimed responsibility for it.[57] Later that day, Obama requested Congress postpone the AUMF vote,[58] effectively ending the crisis by removing the option of military intervention.

“Hypotheses on Misperception.”[59]

Jervis, in a seminal 1968 article, presented fourteen hypotheses that describe sources of misperception and offers methods to manage risks associated with each.[60] For Jervis, in

international relations a requirement exists for one actor to guess the actions of others, which necessitates the development of mental constructs that can help predict others' intentions. Inaccuracies in these mental constructs lead to misperception regarding the actions and intentions of others.[61] Jervis observed that misperception almost always accompanies armed conflict,[62] making his approach resonate for the 2013 Syria crisis, for which at least four of his hypotheses are relevant.

Firstly, Jervis hypothesized that actors' worldviews and theories shape the way they interpret information; that is, that decision-makers see what they expect to see.[63] The limitations of human cognition result in decision-makers not understanding how their biases impact their perceptions.[64] This is compounded by the ambiguity of information that exists in international relations, which increases an actor's reliance on their worldviews, especially if the actor has a high degree of confidence in their beliefs.[65] To guard against this source of misperception, Jervis suggested that decision-makers be open to new data.[66]

Secondly, Jervis hypothesized that decision-makers are unwilling to change course, as they are too highly committed to conventional wisdom, unwilling to accept new information, [67] and overestimate common interests.[68] Compounding these issues, actors often only have access to ambiguous information, sometimes

contradictory, that permits more than one interpretation, and actors “consciously and explicitly”[69] ignore at least some information.[70] Jervis hypothesized that decision-makers strive for awareness of their biases and accept new information, especially that which opposes their established views, to guard against this source of misperception.[71]

Thirdly, Jervis hypothesized that actors from different backgrounds, cultures, and political environments likely misunderstand the messages they send each other.[72] This source of misperception plays a palpable role in deterrence, as “threats of coercive war can misfire if the state does not understand what the opponent values.” [73] If a decision-maker cannot understand the views of the counterpart the decision-maker desires to deter, the probability of deterring that counterpart decreases.[74]

Fourthly, Jervis hypothesized that decision-makers heavily invested in their chosen course of action, based on the amount of time and effort required to reach a decision, believe in the clarity of their message and that other actors understand it, which they might not, given lack of obvious message clarity. [75] This belief creates a range of issues, especially given the difficulty inherent in decoding an adversary’s true intentions from those the adversary desires others to believe.[76] Jervis’ baseline recommendation to counter sources of misperception applies to this hypothesis and the three others

identified above equally well: because decision-makers cannot overcome fully uncertainties in international relations, decision-makers should develop “policies that will not fail disastrously even if they are based on incorrect assumptions.”[77]

Misperception #1: A Norm Against CW Use?

International legal prohibitions against CW use abound, including the 1899 Hague Convention, the 1925 Geneva Protocol, and 1993 Chemical Weapons Convention (CWC).[78] High awareness of these de jure norms exist, and in the lead up to the fall 2013 crisis, Obama pointedly referenced them in his public messaging to Assad,[79] perhaps because Obama believed in them strongly,[80] including in R2P.[81] This “Obama Doctrine of humanitarian intervention”[82] derived from beliefs in universal human rights,[83] which shaped Obama’s view of a just war theory modified to account for current events,[84] consistent with the “American Liberal Tradition”[85] that drove his Administration’s foreign policy decision-making.[86] These de jure norms legally bound Syria, given Syria’s status as a party to the Charter of UN, the UN Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, and the Geneva Protocol, all of which prohibit CW use.[87] While Syria only ratified the CWC after the 2013 crisis, these de jure international norms dictated that Syria had a responsibility not to use CW.[88]

In fact, though, an international norm against CW use does not exist. Lack of major international response against regimes that have used CW, including Assad's use of CW prior to 2013, Egypt in the 1960s, and Iraq in 1980s,[99] demonstrates that no de facto norm has emerged from these de jure norms. Russia and China do not accept the concept of R2P, as exemplified by the Syria crisis.[100] The international community, in its lack of a response to Assad's CW use, decided that "the massacre of the Syrian population by the Assad government does not justify international humanitarian intervention." [101] The U.S. Administration acknowledged that intervention in Syria in response to Assad's CW use would be illegal under international law,[102] as did the UK, despite its efforts to obfuscate this point in the legal case it presented on the matter.[103] Most tellingly, Syria's use of CW prior to, during, and after the fall 2013 crisis without facing meaningful consequence shows that no de jure norm against CW use exists.

Obama's world view in this case constrained him into seeing what he desired to see

Obama's misreading of de jure and de facto international norms against CW use provides one of the better of the many examples of misperception in the fall 2013 crisis. As per the first and second of Jervis' hypotheses above, Obama's world view in this case constrained him into seeing what he desired to see, namely, that a set of

rules (including a norm against CW use) shapes international relations. Committed to this theory, Obama was unwilling to accept contradictory information, including that continuously provided by Russia, China, and Syria (along with past CW use gone unpunished) that, if recognized, may have changed his perspectives. His beliefs in common interests and his unwillingness to counter conventional wisdom about de jure norms against CW use translated to a fixation on Syrian CW use as a basis for intervention. Had Obama followed Jervis' advice to acknowledge bias and accept new information, he may have arrived at a more legitimate reason to intervene in Syria.

Misperception #2: A "Red Line" That Wasn't.

In international relations, for a deterrent threat to compel another actor to abandon a certain course of action or choose a different option, the deterrence-seeking state must demand a specific change, threaten a military or other substantial response if the actor-to-be-deterred opts not to make this specific change, and communicate the threat at the state-to-state level.[104] Obama's "red line" against CW use only met the last of these three requirements, and as such was unlikely to succeed.[105] To compound this issue, as Jervis' third hypothesis above suggests, the different backgrounds, cultures, and political environments of the actors involved amplify the potential for misperception in

deterrence.[106] Unfortunately, Obama's actions never matched his rhetoric against CW use.[107]

While Obama clearly believed his statements that CW use by Syria would change the U.S. approach to the crisis and thus deter Assad,[108] the available evidence suggests Assad remained undeterred. The Obama Doctrine described above may have had a rhetorical flourish, but detecting its meaning proved more difficult to detect,[109] given the "yawning chasm between the administration's tough talk and its ineffectual actions." [110] This gap created challenges for U.S. credibility,[111] as Obama's "centrist, cautious, and compromising" [112] mindset and "aspirational rhetoric" did not deter Assad.[113]

The lack of clarity in Obama's message to Assad reflects Jervis' fourth hypothesis above: decision-makers believe in the clarity of their messages to others even when said message clarity does not exist. Obama's strong belief in international and domestic norms,[114] including the desire for UN or Congressional authority for military intervention, muddled the message Obama attempted to send to Assad. The vagueness of the language Obama used to communicate his deterrent threat created ambiguity about the consequences of CW use. Even though Obama may have intended this ambiguity to control domestic foreign policy discussion,[115] Obama did not understand clearly that outsiders like Assad might consume domestic

messaging differently. If not even Obama's policy-makers knew where Obama drew his 'red line,' how could Syria?[116]

Furthermore, Obama's belief in U.S. hegemony prevented him from "understanding clearly the larger world." [117] Part of this misunderstanding derived from the differences in background and values between Obama and Assad. Simply stated, the Assads played by their own rules, not by de jure international norms. Assad, like his father before him, subscribed to "Hama rules." [118] Named after the 1982 massacre of more than 25,000 civilians and the destruction of Hama by Assad's father, [119] these rules reflect the premise that "the only way to survive was by letting others know that if they violated you in any way, you would make them pay, and pay dearly." [120] Saddam Hussein's gassing of the Kurds in 1988 [121] provides an example of Hama rules in action, as does Assad's use of CW against civilians in 2013. With its mix of tribalism and brutal authoritarianism, Hama rules succeed because the strongmen implementing them know when to stop: just before crossing any line that might provoke a response or intervention from the outside.[122] To his detriment, Obama never grasped this basic difference in perspectives and, by not responding to Assad's use of conventional weapons against civilians or first reports of CW use, may have actually signaled to Assad that the U.S. would not intervene in 2013, just like it did not

intervene in 1982.[123] The 21 August 2013 CW attack in Ghouta, just three days after the UN CW inspectors arrived to Syria,[124] demonstrates Assad's "record of audaciousness"[125] in pushing the line but not crossing it. Obama's admirable moral fiber meant that he could not understand that Assad's morality (or lack thereof) allowed Assad to use CW.[126] With no U.S. response to Assad's initial use of CW attacks in late 2012, which Assad designed as small scale and hard-to-attribute to test Obama's "red line," [127] Assad clearly did not feel deterred.

Assad clearly did not feel deterred.

Obama's expectation that his deterrence strategy would work was pure misperception. Assad acknowledged this on 22 September 2013, days after Obama took military intervention off the table: "American officials--they say something in the morning and they do the opposite in the evening. You cannot take them at their word, to be frank. We don't listen to their statements, we don't care about it, we don't believe it." [128]

Conclusion

In the crisis that developed in fall 2013 after Syria blatantly used CW to attack civilians, crossing the "red line" Obama had attempted to establish, several hypotheses proposed by Jervis on misperception in international relations help explain the U.S. decision not to intervene militarily to punish or deter Assad. Most prominently, Obama

misperceived the nature of the international norm against CW use. Due to his belief in the international system and constrained by his world view, Obama focused on the de jure nature of this norm, ignoring that de facto no such norm actually exists. Separately, Obama misperceived the value of his established "red line" in deterring Assad, a misperception steeped in differences in background, culture, and politics that Jervis argues drives or exacerbates misperception in deterrence situations.[129] These two examples of misperception in the 2013 Syria crisis provide substantial support for several of Jervis' hypothesis. Learning from this discussion, policy-makers, practitioners, and implementers aware of the basic theory of deterrence and Jervis' hypotheses on misperception can strive to avoid the mistakes the Obama Administration made in attempting to deter Assad from CW use.

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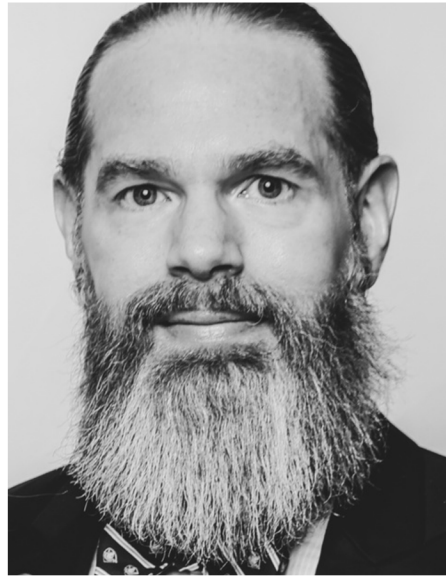
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