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Military Power in the Post-Modern State.

Par/By Colonel Christian Rousseau

Abstract

This paper argues that the prosecuting of the Long War (1914-1990) has ushered in a new Revolution in Constitutional Affairs affecting the military element of national power of the resulting post-modern state. To present this argument the paper investigates the symbiotic relationship between war and the state, and shows that the phenomenon of total war is a corollary of the nation-state. It then surveys the instruments of national power developed and used during the Cold War to carry on the conflict below the nuclear threshold and demonstrates how the adoption of this strategy fundamentally affected the constitutional order of the victorious side. In the last part the paper defines the resulting post-modern state.

Military Power in the Post-Modern State.

By Colonel Christian Rousseau

Recent trends like the advent of globalization, the increasing number of failed states and the recent transgressing of the sacrosanct concept of state sovereignty over internal affairs have compelled some pundits, including serious academics, to muse over and even announce the impending death of the state.[1] A critical look at the arguments and the facts however, reveals that, as in the case of Mark Twain, the reports are proving greatly exaggerated.

"Thinking about foreign affairs -- like any other kind of thinking --requires a conceptual map which, as maps do, simplifies the landscape and focuses on the main features."[2] The indiscriminate extension of the concept of the modern nation-state to that of the State itself seems to be at the root of this gloomy prognosis. The origin of the nation-state is commonly associated with the Peace of Westphalia in 1648 that ended the Thirty Years' War and recognized the constitutional system of states. While the Peace of Augsburg (1555) and that of Westphalia (1648) can be properly regarded as the birth of the State, recognizing as they did the concept of its exclusive sovereignty, it would be a stretch to see the concept of Nation associated with the constitutional order of the time.[*] Multiple transformations were required of the State before it could be said to be truly representative of the Nation. The constitutional order of the State has thus mutated in significant ways in the past and the present unease with regards to its uncertain future is linked to a new metamorphosis.

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[*] This essay will use the definition of the **State** given by Max Weber: An administrative and legal order claiming binding authority, not only over its citizens but also to a very large extent, over all action taking place in the area of jurisdiction. Reliant on the efficiency of an administrative staff (or bureaucracy) to function, this compulsory association with a territorial basis claims for itself a monopoly over the legitimate use of violence within its frontiers. **Nation** is used in its conventional meaning of a large group of People sharing the same culture, language or history and inhabiting a particular state or area. **Constitutional order** is a categorization of the state determined by its basis for legitimacy or freedom of action. The **Nation-state** or **modern state** is a constitutional order of the state that seeks popular allegiance on the grounds that the state exalts the nation and improves its material welfare. In this constitutional order, the nation, i.e., group welfare and security, primes over individual needs. It follows that the concept of state sovereignty, and the consequent separation of domestic and foreign affairs, implies a prohibition on external interference in the former. See Robert Cooper, "Europe: The Post-Modern State and World Order." *NPQ: New Perspective Quarterly*, Vol 14, No 3 (Summer 1997).

This paper will argue that the prosecuting of the Long War (1914-1990)[3] has ushered in a new Revolution in Constitutional Affairs affecting the military element of national power of the resulting post-modern state.

To present this argument we will first investigate the symbiotic relationship between war and the state, and show that the phenomenon of total war is a corollary of the nation-state. We will then survey the instruments of national power developed and used during the Cold War to carry on the conflict below the nuclear threshold (and still win it) after the advent of nuclear weapons and their delivery means rendered total war impractical. In the third part, we will show how the adoption of this strategy fundamentally affected the constitutional order of the victorious side while the last part will define this post-modern state.

Part 1- Symbiosis between state and war

> There are four kinds of military forces – cavalry, heavy infantry, light-armed troops, and the navy. Where the territory is suitable for the use of cavalry, there is favourable ground for the construction of a strong form of oligarchy: the inhabitants of such a territory need a cavalry force for security, and it is only men of large means who can afford to breed and keep horses. Where territory is suitable for the use of heavy infantry, the next and less exclusive form of oligarchy is natural: service in the heavy infantry is a matter of the well-to-do rather than for the poor. Light armed troops, and the navy are wholly on the side of democracy
>
> Aristotle[4]

As indicated by the above quotation, the idea that there is a relationship between forms of warfare and forms of the state is not a new one. Closer to us, Max Weber, the turn of the century social theorist, took up the idea and linked it to the formation of the modern State in Europe. He remarked that the "medieval knight made feudal organization inevitable; then its displacement by mercenary armies and later by disciplined troops led to the establishment of the modern State."[5]

Weber introduced the concept of states establishing a monopoly over the use of force as a necessary condition for law and to protect its jurisdiction from foreign violence. He

defined the state as “an administrative and legal order” claiming “binding authority, not only over [its] citizens… but also to a very large extent, over all action taking place in the area of jurisdiction.” Reliant on the efficiency of an “administrative staff,” or bureaucracy to function, this “compulsory association with a territorial basis” claims for itself a monopoly over the legitimate use of violence within its frontiers.[6]

There is an inseparable link between the state and the notion of the me and cqui.756.8reta takiuthority, not T

The last constitutional form to emerge before the nuclear age was what we have come to recognize as the nation-state. However, since the transformation process bestows on successive iteration of the State the various responsibilities of its predecessor in the form of entrenched expectations and entitlements, the nation-state came with significant baggage. In the words of Philip Bobbitt:

> The princely state [1494-1572] promised external security, the freedom from domination and interference by foreign powers. The kingly state [1567-1651] inherited this responsibility and added the promise of internal stability. The territorial state [1649-1789] added the promise of expanding material wealth, to which the state-nation [1776-1870] further added the civil and political rights of popular sovereignty. To all these responsibilities the nation-state [1861-1991] added the promise of providing economic security and public goods to its people.[10]

The form of warfare that has come to be associated with the nation-state is that of total war, calling for the full mobilization of a state's economic, social, political and psychological resources. Total war "embodies the idea that there exists certain values, perceived as ultimate, in defence of which individuals and nations must be prepared to fight with no observance of restraints."[11] The very concept of total war is indicative of the solidarity the nation-state had managed to achieve as a constitutional order. To be effective at waging total war, the state's capacity to extract the sacrifices required depends on some of the trappings of democracy, like mass education, political awareness, and literacy.[12] This has had the effect however, of taking the decision-making ability about war and peace away from the small and internationally oriented elite that used to control such decisions. In the words of the British diplomat Robert Cooper:

> Balance-of-power thinking could be maintained in the Treaty of Utrecht or the Congress of Vienna or in Bismarck's Treaty with Austria after the War of 1866. But already in 1871 the influence of popular national feeling was playing a part; Bismarck's annexation of Alsace-Lorraine, against his own better judgment, showed that the Bismarckian days, when states could be juggled and balanced, had come to an end. By the time of the Versailles Conference, the kind of peace negotiations that Talleyrand and Metternich had conducted were no longer possible.[13]

The State (its constitutional order) and Strategy (the instruments of war it develops and employs) are symbiotically connected. The nation-state dominated the constitutional

order of the age of total war by virtue of its powers of organization and control. Despite the horrific destruction, total war could be conceived as a rational political activity when fought over values and ideas that were at the core of the society threatened. The advent of nuclear weapons however, and the concept of mutually assured destruction changed all that. What societal value or idea would be worth the very destruction of the society it portends to protect? In the nuclear age, "to embark upon war against each other could not possibly be regarded as continuing a rational policy by other means."[14] Total war had therefore evolved to its logical conclusion and it appeared as though the State had found its final form in that of the nation-state. Over the last five centuries it had evolved more and more robust institutions to wage war more and more effectively and was now at a point where engaging in armed conflict against a peer competitor would imperil its very existence. The overt East-West competition that emerged with the end of the Second World War could therefore not be practically resolved using the instruments of total war. In the next section we will investigate the Cold War strategy used by the West to prosecute the conflict below the nuclear threshold and still win it.

Part 2 – Cold War Strategy

To keep from having to resort to total war, leaders on both sides of the Cold War confrontation attempted to devise ways to proceed with the struggle while remaining below the nuclear threshold. To understand how this change in strategy was to eventually affect the constitutional order of the State, we will first survey military power and then the soft power of ideas and institutions and then look at the issues surrounding technology and knowledge management.

Military Power

Two areas are of interest when looking at the West's response to the military challenge of the Cold War, the response in Europe and that of elsewhere. Europe, vital ground for both protagonists, is where the concept of flexible response evolved as a strategy to deal with Warsaw Pact numerical superiority in conventional forces. NATO strategy was

based on a refusal in advance to accept the verdict of battle if it went against the West. It was suspected that the Alliance would be unable to blunt a Warsaw Pact offensive, and so it declared itself ready to escalate to nuclear exchange if it faced defeat.[15] In this vein, the Eisenhower administration placed a significant emphasis on nuclear offensive capabilities. Kennedy, for his part, accepted the logic of the critics of massive retaliation and created a military that allowed options short of resort to all-out thermonuclear strikes. In this pursuit of flexibility he increased U.S. conventional capabilities to make it easier for the United States to respond to limited aggression around the Eurasian periphery. "Over the course of the next twenty-five years, the synthesis embodied in flexible response would prove to be remarkably resilient."[16]

Military response in other areas than Europe was less constrained but remained very much under strict control in the nuclear age. Even before the boom in nuclear capabilities, the American changing attitude towards the use of nuclear weapons, after Hiroshima and Nagasaki, could be glimpsed from their experience in Korea. Considering the limited Soviet capabilities at the time the war broke out, the US still possessed in effect an atomic monopoly. Yet despite the reverses United Nations troops suffered it refrained from using them, inaugurating the taboo on the use of nuclear weapons in limited wars. In fact the very notion of a "limited" war was defined by the Korean War experience.[17]

Military power was not the only element of importance in the Cold War confrontation. The USSR collapsed, after all, weapons and armed forces fully intact. It was deficiencies in other kinds of power that caused the Soviet Union to fold and American pre-eminence in those non-military elements of power was a critical factor underlying the Cold War competition.[18] We will now take a look at the soft power of ideas and institutions.

Soft Power - Ideas and Institutions

John Lewis Gaddis, the renowned Cold War historian explained the end of the conflict this way:

> The events of 1989-1991 make sense only in terms of ideas. There was no military defeat or economic crash; but there was collapse of legitimacy. The people of one Cold War Empire suddenly realized that its emperors had no clothes on. As in the classic tale, though, that insight resulted from a shift in how people thought, not from any change in what they saw.[19]

It was soon after the end of WW II that Western leaders appreciated that investing in the world of ideas was the way to tip the scales in their favour in the emerging conflict with the Soviets.[20] By the end of 1945 they had come to the realization that further efforts to negotiate or compromise with Stalin were likely to fail.[21] In the words of George Kennan, an American diplomat and the principal architect of the strategy of containment: "We have no choice to lead our section of Germany – the section of which we and the British have accepted responsibility – to a form of independence so prosperous, so secure, so superior, that the East cannot threaten it."[22] This strategy of containment sought to prevent the Soviet Union from controlling defeated, but still potentially dangerous, WW II enemies through their simultaneous reviving and transformation into democracies. Kennan placed Germany and Japan at the core of the strategy because of their industrial-military potential. The formula of fostering prosperity was also applied in the reconstruction of allied countries in the rest of Western Europe with the European Recovery Program, otherwise known as the Marshall Plan. By organizing European institutions with the power to transcend sovereignties and coordinate policies, it reduced barriers to the free flow of goods, services, and capital and allowed natural market mechanisms to promote rational integration.[23] This was arguably the most successful of all United States initiatives during the Cold War, in that democratization and economic prosperity proved to be a most effective method of stabilization. The West discovered that democratizing Germany and Japan, and opening a path to rapid economic development for all, that did not require authoritarian politics, not only contained Soviet power but also helped undermine its justification.[24]

In all of this, Washington's willingness to weigh economic and long-term geopolitical objectives was a decisive factor. Its efforts to promote European integration and Japanese rehabilitation was sure to create future economic competitors but the threat presented by the Soviets "made the Americans more willing than in the 1920s to manage the world economy, and it made the West European and the Japanese more receptive to American management."[25]

Washington's handling of the North Atlantic Treaty Organization – and NATO's management of Washington, went along the same line. The Truman and Eisenhower administrations ran the alliance in ways that reflected democratic culture and much as they did Congress at home: by cutting deals instead of imposing wills.[26] In the words of Joel Sokolsky "flexible response was not simply the official name given to NATO's strategy adopted in 1967; it was, in a profound sense, the way the alliance approached all its seemingly intractable and inherently contradictory problems of a strategic and, above all, political nature."[27]

The Americans thus constructed a kind of empire – an empire built in their democratic image. Used to the bargaining and deal-making, the coercion and conciliation, that routinely takes place in a democratic system, they did not automatically regard resistance as treason. As a consequence, their example spread easily.[28] In the words of Joseph Joffe, "The genius of American diplomacy in the second half of this century was building institutions that would advance American interests by serving others."[29]

This approach has had an effect on US foreign policy that has lasted beyond the end of the Cold War. This tradition of diplomacy through multi-lateral institutions like UN, NATO, the G7, the WTO, the World Bank, the IMF, and so on has more or less imposed that strategy on present US policy makers. Consensus must be sought; resolutions must get through the Security Council to "legitimate" the policies that are in the U.S. national interest. While Washington would have the power to act unilaterally in most instances,

the advantage of securing multi-lateral legitimacy is considered worth the diplomatic labour it takes.[30]

Technology and Knowledge Management

While elements of Soft Power were pursued at the political level, the military strategic level attempted to deal with the overwhelming quantitative advantage of the Soviet conventional forces through a qualitative edge. From that viewpoint, the Cold War became a sort of technological race for military advantage with the United States devoting enormous resources to achieving and maintaining an advantage over the Soviet Union in military technology. Research and development was the beneficiary of a massive four-decade flow of resources.[31]

A distinguishing feature of the Cold War research system in the US was the way in which it mobilized private energies on a large scale for public purposes with roughly three-quarters of the annual government defence research budget expended in corporate and university laboratories.[32] This approach to the conduct of government-funded research, "the federal research contract" has been described as "the single most important institutional invention of the war."[33] This significant reliance on private, profit-making enterprises to conduct Defence R&D as opposed to state-owned arsenals explains why the United States consistently remained more innovative than its rival.[34]

The true strategic impact of the US research system however goes beyond fostering innovation in the defence sector. The system effectively gave birth to private sector research. Whereas the federal government dominated the scientific and technological enterprise during the first half of the Cold War with contributions worth between one-half and two thirds of the total dollars spent each year on research, by the late 1970s the proportions had reversed with industry and academia spending the lion's share of research dollars. "In the closing two decades of the Cold War the presence of a large, vibrant, and independent civilian high-technology sector emerged as a decisive strategic advantage for the West."[35]

While the American military made these R&D outlays in order to be ready to meet a more numerous foe on the battlefield the technological investment paid off in unexpected ways. There is evidence that throughout the later part of the Cold War, Soviet military planners diverted to the military sector an ever-greater share of scarce scientific and technological resources in an attempt to keep pace with the West. This in turn contributed to the "continuing slowdown in productivity growth and in national economic expansion."[36]

More dramatic still is the result of the Soviet forecasts, in the early 1980s, of the imminent military technical revolution. The then chief of the general staff, Marshal Nikolai Ogarkov, predicted that this technical revolution centred as it was on information technology and the advent of terminally guided precision munitions would give conventional weapons a level of effectiveness comparable to that of small tactical nuclear weapons. This appears to have been particularly stressful for the Kremlin planners as it jeopardized their comfortable numerical superiority. There is evidence that anxiety over the prospect of this military technical revolution compelled the Soviet military to acquiesce in Mikhail Gorbachev's catastrophic attempt to reform the Soviet economic and political system.[37]

This combination of military, economic and soft power was eventually successful and kept the conflict below the nuclear threshold. The War officially ended with the November 1990 Paris Conference on Security and Cooperation in Europe (CSCE) and the signature by the thirty-four members of an agreement providing for parliamentary institutions in all participating states. The Paris conference also witnessed a real innovations in diplomacy -- confidence-building measures -- with the signature of the Conventional Armed Forces in Europe (CFE) treaty and its intrusive verification instruments.[38] A year later, on December 25, 1991, the Soviet Union formally dissolved.

Part 3 – Evidence of Change to the Constitutional Order

Now that we have the seen the strategy that won the Long War, we can investigate the effect this epochal struggle[39] has had on the constitutional order of the victorious side. To understand the changes imposed on the state, we need to look at the evidence of change in the concept of sovereignty and the basis on which the State rests its legitimacy.

Between globalization, the waning ability of great powers to control their environments when dealing with non-state trans-national actors and the emergence and even enforcement of a new set of norms governing the behaviour of states; the concept of sovereignty, "cuius regio, eius religio,"[40] seems everywhere under attack indicating a change to the basis on which the State rests its legitimacy.[41] We will look at four developments that cast doubts on the sovereignty of the old nation-state. (1) The relevance of war and military forces in the face of weapons of mass destruction (WMD) proliferation; (2) the growth of a world economic regime that ignores borders in the movement of capital investment to a degree that effectively challenges the State in the management of its economic affairs; (3) the recognition of human rights as norms that require adherence within all states, regardless of their internal laws; and (4) the creation of a global communications network that penetrates borders electronically and threatens national languages, customs, and culture.[42]

Change in the Relevance of War

As early as 1848 John Stuart Mill linked growing commercial relations with the obsolescence of war. He saw the rise in importance of private interests acting as a natural break to violence and the quick increase in commerce as the principal guarantee for world peace. While the thesis proved premature, there is growing evidence that the present expansion of free trade, associated to the market economy, as opposed to 17th century mercantilism, is transforming the nature of international relations[43] and that the nature of international relations is in turn devaluating military power.

Beside war for strategic resources like oil and water in the Middle East, what is the point of conquering land and people for an economically sophisticated power? Conquering lands and people do not bring the riches it once did.[44] Saddam's soldiers found that out in 1990; by the time they reached Kuwait City, the money was gone - whisked away at the speed of a modem. Populations have also lost their value in the post-agrarian, post-mass army age. "What counts is highly trained and highly motivated people. But machine guns do not motivate. Worse, knowledge workers are almost as mobile as money. In short, conquest isn't what it used to be."[45]

Nation-states' military potency is also under assault with the proliferation of WMD that progressively undermine their ability to protect the nation from foreign attack. In the words of the renowned British military historian Michael Howard:

> "Even the great nation-states that possessed the cohesion and discipline to fight and survive the two World Wars were already becoming obsolete. It did not require a mass effort of national dedication to produce the weapons that destroyed Hiroshima and Nagasaki, nor could a similar effort have prevented them."[46]

Even if no state can expect to match the American arsenal, an increasing number have access to a variety of low cost launchers and WMD warheads. While such states could not compete and win against the nuclear big five, by threatening to use such weapons against gathering concentrations of U.S. or Allied forces abroad, they can paralyse American policy.

> "Had Saddam Hussein been possessed of a working nuclear arsenal, the United States would have been far less willing to station half a million troops, a sizeable fraction of its air forces, and a large naval armada within easy reach of Iraq's borders… [this] will not be lost on most world leaders."[47]

Having just asserted that military power had lost some of its value, it is important to nuance the statement by recalling that military forces conserve a large part of their utility as an instrument of political power in a world characterized by the rarity of essential resources and territorial exiguity.[48] While military power has lost a significant amount of its fungibility, particularly within Europe as evidenced by the successful implementation

of the CFE Treaty,[49] it is still important elsewhere to promote and preserve the stability on which rests the present world order.

Change in the Economic Regime

While the diminishing potency of military power is only affecting the nation-state's freedom of action at the margins, the economic front is where the game has changed most profoundly. The Allied strategy we have seen earlier, of making their side, including the former WW II foes for which they were responsible, so prosperous as to placate Soviet influences, encouraged them, at first gradually but then rapidly, to shift away from controls on the private movement of capital to ultimately permit its virtually uninhibited flow among developed states. In this they only extrapolated their domestic economic practices to all states within the alliance.[50] It turned out that what had been true within a single state proved true in the international system.

> The effect of the reduction on direct controls and taxes on capital movements, the liberalization of long-standing regulatory constraints on financial services, the expansion of relationships with offshore financial harbours, and the 'disintermediation' that accompanied these steps made the states much wealthier.[51]

The price that accompanied such a move, however, was the establishment of a world market no longer structured along national lines but rather in a way that is trans-national and thus operates independently of states.[52]

This "globalization" is proving most attractive economically. As Thomas Friedman notes:

> When it comes to the question of which system today is the most effective at generating rising standard of living, the historical debate is over. The answer is free-market capitalism. Other systems may be able to distribute and divide income more efficiently and equitably, but none can generate income to distribute as efficiently as free-market capitalism.[53]

To access the system though, states have to don what Friedman has called the "the Golden Straitjacket" and as countries adopt these limiting requirements, their economies

grow but their political manoeuvre room shrinks. Globalization undercuts their ability to erect regulatory and "redistributive" institutions.[54]

The result is that, while the old game of nation-states was zero-sum: my gains are your losses; the new game sees all win and lose together:

> In the old days, Britain and Napoleon's France blockaded each other's trade because the strategic imperative dwarfed the economic one. Today, Europe and America threaten each other with economic warfare when negotiations stall. But threats are where the conflict usually stops because everyone is deadly afraid of destroying the global trading system.[55]

These developments not only limit the political manoeuvre room, i.e. sovereignty, of the old nation-state but erode its very legitimacy as it appears less and less credible as the engine by which a continuous improvement in the welfare of its people can be achieved. Every round of deficit elimination challenges the nation-state's promise to economically shelter/protect its citizens.[56]

Change in the Recognition of Human Rights

"When Russia reasserted its statehood in 1999 by its invasion of Chechnya, the West, in criticizing its actions, did little to help the Chechens but rather more… to weaken the principle of national sovereignty."[57] NATO's action in Kosovo the same year confirmed the West's view that intervention on humanitarian grounds took precedence over sovereignty, even at the risk of being seen as an indirect promotion of Western values.

While Kosovo is a powerful lesson in how the new norms of legitimacy operate to erode the traditional concept of sovereignty, many more episodes point in the same direction. The examples of the inspection regimen imposed on Iraq, the prospect of regime change there and the prosecution and house arrest of General Pinochet in the UK, despite the fact that the government of Chile, nowadays a fairly respectable democracy, had decline to put him on trial for misdeeds committed mostly in his own country show that these new

norms legitimate intervention to a degree seldom envisaged in previous diplomatic history.[58]

There even appears to be mounting pressure to institutionalize the concept of humanitarian intervention. Kofi Annan, the secretary general of the United Nations, used the General Assembly in 1999 to call for "a new consensus on the age-old problem of intervention and a plan of action for responding to humanitarian tragedies." As a response the International Commission on Intervention and State Sovereignty (ICISS) was formed and tabled its report in 2001.[59] It offers that "sovereignty is no longer conceived as undisputed control over territory, but rather as a conditional right dependant upon respect for a minimum standard of human rights" and adds that "intervention is permissible – and indeed necessary – if it is aimed at protecting civilians and restoring the effective sovereignty of states."[60]

This recognition of universal "human rights" – a new criterion of legitimacy that had emerged in the West during the struggle against totalitarianism - is a major derogation from the state sovereignty that had been the basis of international relations since the Peace of Westphalia.[61]

Change in Global Communications

What makes humanitarian intervention so pressing that it trumps state sovereignty is the dreaded "CNN effect" made possible by a sophisticated system of international telecommunications. This has had the effect of wrestling the control of "ideas" (deciding what is right from what is wrong) from the clutch of the nation-state. For example, the primary news source for 60 percent of educated Chinese is foreign broadcasts despite the efforts of the People's Republic to control the content of information going to its people.[62] Continuing the trend, computer technology and the Internet have further decentralized the availability of information and opened up new channels of information that the nation-state cannot control frustrating governmental attempts to use the law to

enforce moral rules. "Canada, for example, [is] unable to enforce its strict blackout rules on the news coverage of sensational criminal trials."[63]

When surveying all of the changes that undermine the sovereignty of the old nation-state, it is the increased influence of the news media, more than any other development that has contributed most to the de-legitimization of the nation-state. The media's ability to disrupt the nation-state's history - that process of self-portrayal that forms the basis for legitimacy – is the most corrosive of developments. "No State that bases its legitimacy on claims of continuity with tradition, that requires citizen self-sacrifice, that depends on a consensus of respect, can prosper for very long in such an environment."[64]

The choice of strategy of the victorious side in the Long War affected its constitutional order and altered the basis on which the State rests its legitimacy in significant ways. Changes in the concept of sovereignty are blurring the separation between domestic and foreign affairs, which is anathema to the nation-state's abhorrence of external interference in internal matters. This then set the scene for the emergence of a post-modern constitutional order that can operate and thrive under the new conditions. In the next section we will attempt to define this new post-modern state.

Part 4 – Defining the Post Modern State

To define the new constitutional order, we will first describe its salient characteristics, then how it uses its elements of national power and finally explore the type of military that make sense for the post modern-state.

As with all dynamic systems, even those at equilibrium, the successful State adapts to its environment and in turn changes the environment to fit its needs. Today's unipolarity[65] generates incentives for cooperation among countries and the post-modern state thrives on cooperation.[66] It embraces openness and does not emphasize sovereignty or the separation of domestic and foreign affairs. The European Union is an example of a collection of post-modern states with a "highly developed system for mutual interference

in each other's domestic affairs" where "security is based on transparency, mutual openness, interdependence and mutual vulnerability."[67] Participation in the CFE Treaty is another example of the new ground being broken by post-modern states in allowing intrusion in areas normally within state sovereignty. "The legitimate monopoly on force, which is the essence of statehood, is thus subject to international -- but self-imposed-constraints."[68] For the post-modern state "sovereignty is no longer seen as an absolute."[69]

On the economic front, fostering creativity is the main concern of the post-modern state. The Long War highlighted the requirement to be "not merely an industrial society but a creative society, with the capital to exploit that creativity."[70] It follows that in the post-modern state, "the marketplace becomes the economic arena, replacing the factory. In the marketplace, men and women are consumers, not producers."[71] Or in the words of the Cooper: "individual consumption replaces collective glory as the dominant theme of national life."[72] Considering this characterization of the new constitutional order, with its emphasis on cooperation and the contraction of governmental intrusion in the economic sphere to allow market forces to generate the requisite creativity; the descendant of the nation-state can be aptly named the market-state.[73]

The evolution to post-modern state, or market-state is by force of circumstances limited to already successful states. Failing states and those facing centrifugal forces, be that due to poor governance (what Fortmann would call kleptocracies)[74] or inability to retain the requisite monopoly of violence, cannot aspire to it. Even for successful states the move to post-modernism is not guaranteed. Cooper sees all three types of states: pre-modern, modern and post-modern coexisting for the foreseeable future.

Application of Power by the Post-Modern State

Markets can only flourish in a stable political environment. The new constitutional order, reliant as it is on the efficiency of markets, puts a premium on stability and will deploy or flex its elements of national power to promote and preserve this stability. It follows that

the biggest effect the new constitutional order has on the elements of national power is to limit their appropriateness to cases where they reinforce stability, domestic and international, and where they do not impede the creativity that market forces can provide.

The market-state recognizes that trans-national problems, including economic, environmental, terrorist and criminal activity cannot be resolved by national means alone and solutions require regional and even global mechanisms of cooperation and coordination. It has proven ready to subordinate some sovereignty to multilateral bodies to regulate interactions between actors and is willing to intervene through, or in concert with, other international actors (World Bank, IMF, NATO) to ensure the stability requisite for its emancipation.

However, there "is nothing inevitable about the survival of the post-modern state in what remains basically a hostile environment."[75] Interventionism will be required to ensure its continued prosperity and we need to get used to the idea of double standards in how we view interventions.

> Among ourselves we operate on the basis of laws and open cooperative security. But when dealing with more old-fashioned kinds of states we need to revert to the rougher methods of an earlier era--force, pre-emptive attack, deception, whatever is necessary for those who still live in the 19th-century world of every state for itself.[76]

The aim of post-modern intervention however, will not be to subdue populations. It is too costly an endeavour for this market sensitive constitutional order. Whereas the 19th century great powers carved out and ruled colonial empires with a handful of troops, in the socially mobilized and nationalistic world of the Cold War, the two superpowers of the day found the costs of maintaining troops in Vietnam and Afghanistan unsupportable. “In each case, the cause was less an increase in the power of the weaker state than the costliness for outsiders of ruling actively antagonistic populations.”ationa

Military Power

While the Revolution in Military Affairs (RMA) has been at the centre of most discussions on the need for transformation in the military, the changed structure of international politics is more likely to drive the future development of the military art than are advances in technology.[79]

When stability is at stake, deterrence, assured retaliation and overwhelming conventional forces, which laid the basis for victory in the Cold War, cannot provide a similar stability in the era of the market-state because the source of the threats "are now at once too ubiquitous and too easy to disguise. We cannot deter an attacker whose identity is unknown to us, and the very massiveness of our conventional forces makes it unlikely we will be challenged openly."[80]

When employing force to promote and preserve stability, the key capability of a military intervention is "the ability to take and hold strategically important territory, or at least to control those that live there."[81] Land strategy is therefore the first consideration of a campaign with air and sea strategies assessed in terms of their impact on the former. The potential exception is coercive strategies based on the use of airpower alone. The success of coercion however, is not entirely reliable as it depends on the responsiveness of the target and the credibility of the threat.[82]

Developing a relevant military is also subject to post-modern values. The market-state influence can be clearly seen in the now dominant approach to the building of "a military instrument capable of such sharp and efficient direction that it can mitigate war's terrors and bring hostilities to swift and relatively clean conclusions, before too much damage has been done."[83] This shifts the balance between quality and quantity in favour of quality making this new military dependent primarily on long voluntary service.[84] In that vein, the favoured model sees professional forces engaging in battles for information advantage and using standoff strikes to reduce the need to commit too many forces to

close combat. This high political pay-off, low human cost form of combat rests on the expectation of limiting the number of casualties suffered and imposed.[85] Special Forces are best suited for these types of encounters and in all militarily sophisticated countries Special Forces have grown. "Even regular infantry formations have adopted the tactics of Special Forces--very small units, dispersion, and the extensive use of fire brought to bear from the air or rear areas."[86]

Another market-state innovation is the incorporation of civilian expertise and services within military forces for logistics purposes or even to maintain and operate high-technology weapons.[87] The mass armies of the nation-state that drew on large numbers of poorly paid conscripts or volunteers led by middle-class officers have given way to new hybrid organisations composed of highly trained professional soldiers and "militarized civilian contractors."[88] This is "taking us back toward the 18th century, toward an era when small professional armies fought small professional wars."[89] The strategy favoured in the era of the market-state therefore, is what Edward Luttwak has termed "post-heroic warfare" emulating the casualty-avoiding methods of the 18th century and imposing a correspondingly modest ceiling on aims.[90]

War, in step with the changing strategic requirement, is poised "to become again, as it once was, an affair of states rather than of peoples"[91] but, like the market that requires access to information to guaranty its efficiency, the market-state will have to keep its public informed. "The media now approaches wars as public spectacles to be covered from all sides" and once "forces are engaged, media coverage becomes incessant, even when hard news is absent."[92] As a consequence war managers are forced to give increased emphasis to the theatrics and manage perceptions. "Having watched with amazement NATO's success in shaping opinion about war in Kosovo, the Russian government and military made a rigorous, extensive, and largely successful effort to manage Russian perceptions of the latest war against Chechnya."[93]

The post-modern state that emerged from the Long War is one that thrives on cooperation but it requires stability to prosper. It will therefore choose to intervene internationally to

promote and preserve that stability. The military forces that won the Cold War are not particularly well suited for the type of interventions anticipated. A more appropriate model for market-states militaries is one of small professional forces capable and ready to engage even when limited aims are pursued, much like the methods of 18th century cabinet wars.

Conclusion

The State (its constitutional order) and Strategy (the instruments of war it develops and employs) are symbiotically connected. The nation-state dominated the constitutional order of the age of total war but the advent of nuclear weapons and the attendant concept of mutually assured destruction changed all that. Even as the introduction of nuclear weapons made war between nation-states impractical, the West developed ways to prosecute the Cold War below the nuclear threshold and win. The formation of NATO, the extension of the US nuclear umbrella in reassuring ways and the extension of the military struggle to the science and technology laboratories where the US established a significant competitive advantage set the condition for the application of what proved to be the decisive element of power in the contest. Investment in the Soft Power of ideas and institution building not only contained Soviet power; it undermined its very justification denying it legitimacy and delivered that legitimacy to the winning side.

The choice of strategy of the victorious side in the Long War affected its constitutional order and altered the basis on which the State rests its legitimacy in significant ways. The new unipolarity and the innovations the US and its Allies had to integrate to win the struggle gave birth to the post-modern state. This new constitutional order emphasizes international cooperation to promote political stability and laissez-faire economics in order to foster the creativity that proved so pivotal in winning the Long War. In this constitutional order, military forces conserve a large part of their utility as an instrument to promote and preserve the stability on which rest the viability of the market-state. The preferred model is one of small professional forces capable and ready to engage even when limited aims are pursued, much like the methods of 18th century cabinet wars.

Because unipolarity, or American hegemony, is at the centre of this system, how the United States relates to the concept of the post-modern state is worth highlighting. It is doubtful that the US will ever completely embrace all the transformation required by a market-state, as Washington remains cautious about post-modern concepts that affect security. "The knowledge that the defence of the civilized world rests ultimately on its shoulders is perhaps justification enough for the US caution."[94]

The primacy of the nation-state, and its way of war, are dead. The quicker we recognize this, the better position we will be in to take advantage of the new reality. While gallons of ink have flowed in military journals and in staff colleges to describe the consequences of the revolution in military affairs, it is the revolution in constitutional affairs that has most affected the military element of national power.

Endnotes

[1] See for example Samuel Huntington, "The Clash of Civilizations," *Foreign Affairs*, Vol 72, no. 3 (Summer 1993); Robert Kaplan, "The Coming Anarchy," *Atlantic Monthly*, Vo

only a last resort for a free society, but it is also an act which cannot definitively end the fundamental conflict in the realm of ideas… Military victory alone would only partially and perhaps only temporarily affect the fundamental conflict." NSC 68: United States Objectives and Programs for National Security, April 14, 1950. Originally cited in Bobbitt, 48.

[21] Gaddis, 20.

[22] George F Kennan, *Memoirs: 1925*-1950 (Boston: Atlantic, Little Brown, 1967), 258. Originally cited in Gaddis, 117.

[23] Michael J. Hogan, *The Marshall Plan: America, Britain, and the reconstruction of Western Europe, 1947-1952* (Cambridge: Cambridge University Press, 1987), 427-428.

[24] Gaddis, 199-200. See also Hogan, 429

[25] Gaddis, 196-197.

[26] Gaddis, 200-201.

[27] Joel J. Sokolsky, "Glued to its Seat: Canada and its Alliances in the Post Cold War Era." In *Forging a Nation: Perspectives on the Canadian Military Experience*, Bernd Horn ed. (St-Catherines, ON: Vanwell Publishing, 2002), 398.

[28] Gaddis, 289.

[29] Joseph Joffe, "How America Does It." *Foreign Affairs*, Vol 76, No 5 (September/Octo 0 10.02 418.05028 5159 Tj10.401,8

undesired market forces. See Edward Luttwak, "Power Relations in the New Economy." *Survival*, Vol 44, No 2 (Summer 2002), 15-16.
[57] Strachan, 369.
[58] Bell, 62.
[59] *The Responsibility to Protect: Report of the International Commission on Intervention and State Sovereignty* (Ottawa: International Development Research Council 2001).
[60] Jennifer Welsh et al. "The Responsibility to Protect : Assessing the Report of the International Commission on Intervention and State Sovereignty." *International Journal*, Vol 57, No 4 (Autumn 2002), 493.
[61] Michael Howard, "Forward." In Bobbitt, xvii.
[62] Bobbitt, 223-224.
[63] Bobbitt, 227.
[64] Bobbitt, 225-226.
[65] What William Wohlforth has called the true Pax Americana. See Wohlforth, 39.
[66] Wohlforth, 38.
[67] Cooper (Summer 1997), 52-53
[68] Parties to the treaty have to notify the location of their heavy weapons (which are in any case limited by the treaty) and allow challenge inspections. See Cooper (Summer 1997), 52
[69] Cooper (Summer 1997), 52
[70] Bobbitt, 229.
[71] Bobbitt, 230.
[72] Cooper (Summer 1997), 56
[73] Authors have given the post-modern state different names according to what they see differentiates it most from the nation-state. Bobbitt coined the phrase "market-state" while Guéhenno refers to the "network-state" and Cooper calls it the "post balance of power" or "post modern" state. I have chosen to utilize Bobbitt's terminology because in my view it is the one that characterizes the post-modern state the best. See Jean-Marie Guéhenno. *La fin de la démocratie* (Paris: Flammarion, 1993); and Cooper (Summer 1997).
[74] Fortmann, 86
[75] Robert Cooper, "The Post-Modern State and the World Order." *NPQ: New Perspective Quarterly*, Vol 14, No 4 (1997 Special Issue), 54
[76] Cooper (1997 Special Issue), 51
[77] Nye, 162
[78] Freedman (Winter 1998-99), 48
[79] Freedman (Winter 1998-99), 39
[80] Bobbitt, xxiv.
[81] Freedman (Winter 1998-99), 48-49
[82] Freedman (Winter 1998-99), 48-49
[83] Freedman (Winter 1998-99), 44
[84] Cohen (March/April 1996), 47
[85] Freedman (Winter 1998-99), 44
[86] Cohen (March/April 1996), 47-48
[87] In fact a rediscovery since militarising every person associated with war making is an industrial age/nation-state phenomenon. However, that would be the topic of another paper
[88] Eliot Cohen, "Defending America in the Twenty-First Century." *Foreign Affairs*, Vol 79, No 6 (November/December 2000), 55
[89] Freeman Dyson, *Weapons and Hope* (New York, 1984), 55. Originally cited in Craig, Gordon A. and Felix Gilbert. "Reflections on Strategy in the Present and Future." In *Makers of Modern Strategy: from Machiavelli to the Nuclear Age*, Peter Paret ed. (Princeton, NJ: Princeton University Press, 1986), 868. On the same theme of the nature of war in the post-modern world, see Cooper (1997 Special Issue), 50
[90] Edward Luttwak, "Toward Post-Heroic Warfare." *Foreign Affairs*, Vol 74, No 3 (May/June 1995), 114-115. See also Cooper (1997 Special Issue), 53
[91] Bobbitt, 235-236.
[92] Freedman (Winter 1998-99), 53

[93] Graham Allison, "The Impact of Globalization on National and International Security." In *Governance in a Globalizing World*, Joseph S Nye and John D. Donahue eds. (Washington, DC: Brookings Institution Press, 2000), 82

[94] Cooper (Summer 1997), 55

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