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PEACE POLICE

BY

GEORGE KENT

SAN FRANCISCO STATE COLLEGE

Any proposal for the governing of the future world must consider the place of organized military force. There will be some such force. How is it to be managed? If a supranational military force is to be established to maintain peace, many serious problems would have to be solved before it would be operational. Raising the army and the arsenal would be as difficult as deciding how they are to be used. The question of command is paramount: when and where should the force be applied?

HOW DECIDE?

The answer to the question of command, the criterion for the application of the force, should be unambiguous. The presence or absence of the critical factor should be readily decidable so that the force could be applied when needed, without delay. To meet these requirements, the signal for the application of the international military force should, insofar as possible, be based on questions of fact rather than on subjective judgment and consensus.

In the United Nations, years of effort devoted to defining aggression have proven fruitless. Abstract principles of justice are never adequate when dealing with real conflicts. The force's commands should not be made to depend on such things as the identification of aggressors or the allocation of blame or determinations of fairness in particular instances. These are all very subjective judgments; they vary a great deal, depending on who is asked to make the judgment. Depending on their sympathies, different observers will come to predictably different conclusions in measuring events against these criteria. The observation of the criterion for the use of the force should not depend on the political interests of the observers.

In saying the criterion should be based on questions of fact, we mean that it should be based on observations which are only minimally influenced by the choice of observer, where virtually anyone who is asked to report will report the same thing. What criterion will serve?

The concept of policing is often invoked in proposals for supranational military forces. But the interpretation of the meaning of policing has been inadequate. A policeman who sees two men pummeling each other does not stop to ask who started the fight, or whether the fight is justified. He tries to stop it with no more evidence than the
observation of fighting. He sees only the fighting itself. Otherwise, like the goddess of justice herself, he is supposed to be blindfolded, impartial to the combatants.

The mandate for the supranational force, the peace police, should be nothing more or less than a right and obligation to intervene wherever the use of force is manifest. The criterion for the intervention of the supranational police should be the observation of the actual use of force. Except for this criterion, the policing action must be entirely non-discriminatory.

WHO DECIDES?

Policing is effective if it is swift and certain. The force should be applied as automatically as possible, without lengthy debate or litigation over the question of whether the criterion for its application has been met. When action is required, the response of the force should be determined by an independent agency rather than by any single nation or group of nations.

Because of these requirements, the international force cannot be composed of national forces on an ad hoc basis. In contrast to collective security arrangements, there must instead be established some permanent, independent agency having the forces at its disposal. At the time of taking action, the commanders must not be responsive to the wills of particular nations. If, for example, a small nation is invaded by the troops of a neighboring nation, it must not be left to the will of the other nations to decide whether to intervene in its behalf. The responsibility and obligation for policing should be incorporated entirely in this independent force, a force whose command structure should be highly insulated from individual nations.

MOTIVATIONS OF THE AGENCY

The objective of the international policing agency would be solely to frustrate the use of force. Nations would be prevented from achieving gains of any kind through the force of arms. Although the agency would not react when a nation only threatened to use force against another, it would react if that nation tried to execute its threat. If the agency was effective, after a time it would become predictable that the use of arms would be thwarted. When that expectation was developed, threats of the use of force would no longer be credible.

The agency’s motivation would be similar to that of pacifists who would mill about, unarmed, on battlefields. The attempt at frustration is based on the judgment that the use of force itself is wrong. No other moral judgment is made.

Indiscriminately frustrating the use of force may lead to or support injustices in particular cases. But unless it is assumed that the just are especially likely to
initiate violence, there is no systematic prior bias against just causes. Like arbitration schemes, policing provides a method for dealing with conflicts which is better than no method at all. It is better to risk occasional injustices than to assure regular catastrophes.

The continuing, effective operation of the agency would lead to the disarmament of nations. It is futile to believe that armaments could be controlled by restraining the capabilities of nations to arm themselves. Technology may be slowed, but it can never be halted or reversed; weapons cannot be un-invented. It is the motivation, the will to use arms which must be controlled. The international policing agency would accomplish this. If the use of national military force was systematically frustrated, the motivation to have such a force would in time decline.

The ultimate basis of the peace police agency's operation would be deterrence. The principles of deterrence do not have to be feared, but can be applied to worthwhile ends. National force can be deterred by international force, and by this means the motivations for maintaining national military establishment can be diminished.

Nations frustrated in the use of arms would certainly seek other means to achieve their goals. Guerrilla tactics, subversion and the like might flourish precisely because they are so difficult to frustrate. The intensification of these other activities is a price that must be tolerated for the silencing of the larger weapons. But if the conduct of war could be restricted to the guerrilla level, if the scale of military activity could be sharply limited, that would be a high achievement. With this agency, the sources of conflict would not be dissolved, but the temptation to wage war as the ultimate recourse would be reduced. That would be the objective of this proposed agency.

**MOTIVATIONS OF THE NATIONS**

It is by the will of nations acting within their sovereign rights that this international police force would be established. In accepting its existence, nations would forego the privilege of deciding when the police should act. They would instead agree to its mandate for acting if and only if there was manifest use of force. Nations would retain their sovereignty and integrity except for being subject to this limited policing.

The balance of costs versus gains is familiar in every town. One of the costs in hiring policemen is that each citizen subjects himself to policing. Although each of them knows that he too would be subject to arrest if he attempted burglary, almost every citizen sees the advantage of having a community police force. Even when being ungracious about a traffic ticket, few citizens would want their local police forces abolished.

The citizen's support of the police is itself a renunciation of the intent to
burgle. Similarly, a nation’s subscribing to the international force described here would signal a renunciation of the intent to use force for the achievement of national objectives.

Individual nations would have the option of not participating in the policing system. Non-participants would not be obligated to contribute to the agency forces. Member nations would be guaranteed assistance in defense against attack by any member or non-member nations, but not-member nations would not enjoy the agency’s protection. Thus nations would have the option of not joining but would, because of its structure, be highly motivated to join. (Perhaps we should study the organization of protection rackets to learn how to establish security outside the law!)

Nations can come to see that, if the policing agency is properly constituted, it is worthwhile to voluntarily forego the use of force. A nation might give up its right to use force in its own interest if it is convinced that would end the use of force by others against its own interests.

CONSTITUTING AND RESTRICTING THE AGENCY

Nations contemplating the proposal of an international police agency would be seriously concerned with the question of whether the agency would, through time, stay within its mandate. With such great power at its disposal, might it not be tempted to try for world domination? Even if it did not go that far, wouldn’t the nations of the world justifiably fear encroachments on their sovereignty?

There are great danger inherent in monopolies of force. While it may produce great stability in the short run, monolithic power seems inevitably to breed rebellion in the ranks, for whatever reasons, resulting in ultimate division. There seems to be an inviolable law of nature and history that consolidation and unification is followed by division and disintegration. The dividing process is often catastrophic. Rather than encouraging conformity with some universal standard, the solution is some kind of organization of diversity. Any supranational agency with governmental powers must accommodate diversity.

To accomplish this, the policing organization must, except for its narrowly prescribed strengths, be generally weak. The agency would have the power and authority to act in specified ways, in cases of observation by specified observers of the manifest use of force. It would be prohibited from taking pre-emptive actions; it would not do

1) The prisoner’s dilemma of formal game theory can be solved in the same way. Both parties will be motivated to contribute to hiring an agent who will apply punishment in case of non-cooperation. The introduction of the agent alters the payoffs in the matrix so that it is then always better for both parties to choose the cooperative alternative. The socially superior outcome is then obtained, and it is highly stable.
anything against a nation which was only threatening, brandishing its weapons. It would have no right to intervene in cases involving the use of other than military power. It would be required to use the minimum force necessary to prevent nations from gaining anything through the use of force. It would be prohibited from taking punitive actions. The agency's mandate would require it to act under certain conditions and to not act otherwise. The limits of the agency's actions would be clearly specified.

The consequences of exceeding those limits would be set out in advance. Some excesses would, by the terms of its constitution, lead to the disbanding of the agency. The rules and procedures for actions in cases of violation of the agency's mandate would have to be carefully prescribed in the constitution. This could include procedures for dismantling the organization. The viability of the police force must be made to depend on its success in performing its function. Even apart from constitutional provisions, if the agency failed to operate satisfactorily nations would presumably quit it in sufficient numbers to ends its existence. The agency should be designed so that its failure would lead to its dissolution and replacement with an alternative at least no worse than the present system.

The fears of loss of sovereignty are understandable, but they can be allayed. Because the mandate, to act only in case of manifest use of force, is so clear, it is possible to constitute the agency with satisfactory guarantees. The agency would not be autonomous, but would draw its power from the nations, from their resources and from their consent to being policed. The agency could not exist and function without the agreement and support of the collectivity of nations. It would not be instituted and maintained by the nations of the world unless its weakness was assured.

If nations view themselves as faced with a choice between the preservation of sovereignty in its pristine purity or relinquishing some sovereign powers, they will choose the latter when they come to see it as promising superior security and welfare. Hopefully, as the threat of disastrous war increases, that choice will be made. It will be made sooner if the costs and risks to nations are minimized.

REVOLUTION AND CIVIL WAR

If the use of force was to be frustrated everywhere in the world, without exception, this would include the suppression of attempted revolution or civil wars, just as between nations, force would no longer be allowed to fulfill the functions it had previously served within nations. Armed revolutions, no matter how just they might seem to outside observers, would no longer be permitted. Other methods, such as strikes, or non-violent demonstrations, would have to be found to right these wrongs.

Difficult problems would have to be solved. To what extent should governments be permitted to use force in controlling demonstrations or other domestic disturbances? How big does a riot have to be before it is an insurrection? When is the use of force
by domestic police to be suppressed? It would often be difficult to distinguish proper police action from the illegitimate use of force.

Suppose the international police agency included in its mandate the task of suppressing revolution within nations. A given civil uprising would far more readily be defined as a revolution by the established government than by those who sympathized with the revolutionaries. If the international police force was to be subscribed to by governments, it would be at the expense of the revolutionaries. In this sense there would be a systematic bias against revolutionaries. Established, status quo governments would advocate the creation of this international force. It would not be supported by revolutionaries or by nations having an interest in promoting revolution in other countries.

Because of this, supporting the plainly suppressive international police force would be a most convincing way of renouncing interest in promoting revolutions abroad. It would also require a willingness to sacrifice what sometimes might be judged to be a just revolutionary cause. Agreeing to suppress all revolutions, without regard to the merits of the issues in particular cases, would favor and reinforce the status quo powers.

One might argue that the international force would be favored by those who choose peace over justice, while it would be opposed by those with the opposite priorities. While there is an important grain of truth here, the slogan is misleading. It is not a simple matter of choice of one or the other. There is every reason to believe that enhanced security for all nations would also lead to the improvement of the welfare of all.

In view of the problems noted here, perhaps it would be best to at least initially limit the peace police action to cases where force was used between nations. The agency would prohibit the use of force by one nation against another, across national boundaries. It would not intervene in domestic violence and revolutions, but it would prohibit intervention by outside nations. The agency's sole function would be to confine domestic violence.

One cost in this plan would be that nations would have to forego the privilege of intervening for one side in a civil war. But if it was effective, the agency would provide the great service of relieving the major powers—primarily the United States—of the policing function. These nations could then avoid the heavy cost of policing, and also escape the imputation of sinister motives from critics at home and abroad.

IMPLEMENTATION

The international policing agency could be instituted through a slow process of organic growth. The beginning, the seed, might be established by any pair of contiguous middle-sized states. Through negotiations they could agree to establish a small standing army composed of a mixture of men and matériel from both nations. In accordance
with the constitution previously outlined, the array's intervention would be limited to cases in which one of the nations was attacked from outside its borders, by the second nation or by some third, outside nation. The effect of the pact would be much the same as that of an ordinary mutual security alliance except that an independent force-in-being would be established. Each nation's support of the agency would communicate that it had no intention of attacking its associate.

Once this pair of nations had worked out the constitution for a small agency and operated it for a short period, a third nation in the area might be invited to join. If necessary, the constitution of the agency might be modified to accommodate the requirements of this third nation. The constitution would be similarly modified, incrementally, to satisfy the requirements of more and more newcomers. After some growth, the agency would be past its experimental, adaptive stage, and would be seen as a positively useful and viable international organization. Requests for constitutional accommodations would become less demanding. Nations would join the agency for the protection and security it offers.

The virtue of this method of implementation is that it would not require anything near unanimous consent of nations at the outset. No nation would be asked to buy an unseen product. They could watch it function. This slow innovation period would also provide generous opportunities for adaptation of the organization to special circumstances, and would allow it to build a backlog of experience. If any peacekeeping organization is to be established at all, it will probably have to be through organic growth of this kind. Its nurturance can be planned.

AMBIGUITY

The manifest use of force is an unambiguous and fair a criterion as can be conceived for the application of supranational police force. Because of questions of feasibility and of desirability, the agency could ignore the use of force wholly within one nation. The international police could be obligated to act only in cases of the use of force by one nation against another.

But even that can sometimes be ambiguous. With the passing of classical forms of warfare and the rise of tactics of infiltration and subversion, the questions of who is on which side and who is helping whom often cannot be answered with certainty. What should the agency do if, for example, it suspects that a country is surreptitiously helping one faction in another country's civil war? War itself has become ambiguous.

Many of these problems can be handled. The agency could, for example, police the entryways into the country so that further infiltration or deliveries of matériel could be minimized. While the agency may not be capable of stopping all intervention, it certainly would be capable of forcing it down to a level at which it is not obvious. This itself would be a great accomplishment.
It would be a serious mistake to reject a peace proposal because it does not work perfectly. The criterion, manifest use of force, can sometimes be ambiguous but nevertheless it is often not ambiguous. It is certainly clear in the most important cases, case of large-scale use of force. The question is not whether this plan is perfect and foolproof, but whether it is better than what we have now, and whether any other plan is better.

A COMMENT BY L. SOHN

L. SOHN: There can be no doubt that the establishment of an international police force will be fraught with great difficulties. Various safeguards would have to be built into the structure of the international force to ensure that it would fulfill its role in an impartial and objective manner, that it would not be dominated by any group of nations, and that it would obey the orders of the competent supervisory organs. To avoid any unnecessary risks, it might be useful to experiment first with a small force, and to build it up only after all the important problems have been solved to the satisfaction of all concerned.

Among the safeguards which should be considered in creating an international force, the following might prove workable:

a. The number of nationals of any nation serving in the force should at no time exceed certain small percentage (e.g., three per cent), and some limits might be put also on the total number of nationals from certain groups of nations (e.g., members of NATO or parties to the Warsaw Treaty).

b. The immediate direction of the force should not be in the hands of any single person, but should be entrusted to a committee of five or seven persons, all of whom should be nationals of small nations, and the majority of whom should come from the noncommitted nations.

c. Units of the force should be composed to the greatest possible extent of nationals of different nations: for instance, it might be provided that no national unit in the force should exceed fifty persons.

d. The world might be divided into some fifteen regions, and no less than five per cent or more than ten per cent of the total strength of the force should be stationed in any region of the world.
e. Units of the force should be stationed in separate international bases, which would be scattered throughout the world and should be located exclusively in the territories of small nations, preferably on islands or easily defendable peninsulas.

f. There should be a standing committee of the political supervisory body to which would be entrusted the important task of keeping a close watch over the activities of the force; the selection of commanding officers and control over promotion should be in civilian hands.

Even more difficult might be the problem of determining the best means for controlling the use of an international force. It is important to provide maximum assurance of effective use, but to establish at the same time guarantees against misuse. An obstructionist minority should not be permitted to block the use of force in an emergency, but the majority should not be allowed to violate minority rights through an arbitrary use of the force. As far as possible, an action by the force in a crisis should be almost automatic, and no immediate decision by a political body should be necessary. One could envisage, for instance, the following approach to this problem:

The current practice of establishing a United Nations "presence" in crucial spots should be extended to all nations of the world, and several United Nations observers should be stationed in the territory of each nation. Their number would vary in proportion to the size of each national territory and to the likelihood of a conflict with a neighboring nation. If a particular observer group should have a reason to believe that a military action by the nation in which it is stationed, or by a neighboring nation, is imminent, it would notify the command of the international force and would request that a contingent of the force be deployed in the threatened area. Unless the command of the force should have evidence to the contrary, it should consider such a request as sufficient proof of an emergency and should dispatch the necessary troops to the trouble spot. Similarly, if there should be an armed attack by one nation against another, the command of the force would immediately receive reports on the subject from the two observer groups in the nations involved in the attack. The command would request the two parties to the conflict to cease hostilities and would send sufficient contingents of the international force to establish a neutralized zone between the two fighting armies. Only if both, or one, of the belligerents should make it impossible for the international force to establish such a zone, would action by a political body be necessary.

In any case, each request for the use of the international force would have to be transmitted simultaneously to the competent political body, either to the United Nations or to a separate international security organization, linked to but essentially independent from the United Nations. All decisions of such a political body approving the use of the force or ordering the cessation of such use should require a high majority,
but there should be no veto. If a considerable minority should oppose the decision, it might be entitled to appeal to an international tribunal for an injunction. Should the tribunal find that there was no sufficient basis for the use of force, it would issue an injunction and might even assess damages against the international organization which authorized such use.

One can, of course, easily imagine other methods of control over the use of an international force, and careful provisions on the subject should be embodied in the treaty establishing the force. The size and functions of the force should slowly increase, in proportion to progress toward complete disarmament.