

The Perils of Multilateralism? American Influence in Multilateral Interventions

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Abstract

This paper addresses fundamental questions at the heart of current debates over the use of military force. Many policy makers and policy analysts claim that the costs of managing military operations through multilateral organizations are high and that the benefits are low. We analyze the archetypical case (Kosovo in 1999) that purportedly demonstrates these costs. We find that the costs to the U.S. of multilateral military intervention have been over-stated. Principal agent theory permits a careful analysis of the formal authority relations between military commanders and their civilian bosses. We use this case to illustrate our empirical claims and to develop new theoretical claims grounded in a principal agent framework about the costs and benefits of various forms of international delegation.

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When the Bush Administration came into office, it was clearly suspicious of multilateral efforts, particularly in the realm of military interventions. Paul Wolfowitz was known for his preference for ad hoc coalitions and unilateralism long before he was nominated as Deputy Secretary of Defense.¹ One of Secretary of Defense Donald Rumsfeld's first reactions to 9/11 was an op-ed piece where he stated that, "This war will not be waged by a grand alliance united for the single purpose of defeating an axis of hostile powers. Instead, it will involve floating coalitions of countries, which may change and evolve. ... In this war, the mission will define the coalition – not the other way around."² During the run up to Iraq, Secretary of State Colin Powell affirmed the general stance of the administration: "Multilateralism cannot become an excuse for inaction."³

The North Atlantic Treaty Organization's [NATO] interventions in the Balkans are widely perceived to be the foundation of the Bush administration's aversion to formal multilateral interventions. From the Bush perspective, the complexities and impediments of alliance warfare far outweigh its benefits, and should be avoided.⁴ We take a contrary position. Multilateralism may be more complex, but depending on how it is institutionalized, it may actually assure American control over the conduct of military interventions by U.S. *and allied forces*. By examining the authority structures governing the senior leadership of military

¹ Patrick E. Tyler, "U.S. Strategy Plan Calls For Insuring [sic] No Rivals Develop; A One-Superpower World", **New York Times**, New York, N.Y.: Mar 8, 1992, 1.

² Donald H. Rumsfeld, "A New Kind of War." **New York Times**, Sept 27th, 2001, A21

³ Michael R. Gordon, "Serving Notice of a New U. S., Poised to Hit First and Alone." **New York Times**, Jan 27, 2003, A1.

⁴ For an example see Bob Woodward, *State of Denial* (New York: Simon and Shuster, 2006), 91.

operations, we can understand the degree to which multilateral organizations like NATO are a political liability for U.S. decision-makers.

We argue that institutionalized multilateralism embodied in NATO procedures actually empowers the U.S., while also sharing burdens and providing international legitimacy. Our test case is the Kosovo conflict; the Bush administration's poster child for all that is wrong with multilateral interventions. We show that the Kosovo conflict empowered the U.S. relative to its European partners through an understudied type of principal-agent relationship between NATO military commanders and their civilian superiors. In this context, military commanders are the agents of two principals; one an international organization (IO) with informal, norm-based decision rules and the other a powerful member state possessing the ability to act either independently or within the IO. In principal-agent parlance, the military agent reported to two principals, one a collective principal (the North Atlantic Council) and the other a single principal (the U.S. government) that was also a member of the collective principal. We argue that such hybrid principal-agent relationships actually provide advantages to powerful states like the U.S. when participating in multilateral interventions; advantages that offset most of the bargaining costs and the requirements for compromise within NATO.

This paper contributes to a variety of current academic and policy debates. We describe and reinterpret the conventional wisdom regarding the chain of command within international organizations involved in multilateral interventions. To date, no one has explored the implications of the hybrid principal-agent relationships found in NATO for U.S. influence during the Kosovo conflict. From a practitioner's perspective, these insights are progressively more relevant, as both homeland defense and the use of force increasingly involve both international organizations and individual states in a variety of chains of command. By studying the

management of military operations by international organizations, we can offer informed advice to NATO policy makers as they seek to improve the effectiveness and legitimacy of their operations around the world, including the ongoing NATO operations in Afghanistan. The implication of our argument for the U.S. is more concrete. NATO interventions should not be feared. Instead, understanding patterns of civil-military relations in NATO suggests that the U.S. can better pursue its interests using the alliance than it can by acting unilaterally.

This paper unfolds as follows. We first consider the case for and against multilateral interventions using NATO. We then review the logic of principal-agent relations, which is particularly appropriate for understanding the dynamics of different types of civil-military relations, and by extension, the possibility of U.S. influence over military commanders operating as part of an international organization. Here we consider the distinct processes by which NATO principals might influence their military agents. Finally, we examine the Kosovo conflict to assess the processes of U.S. versus North Atlantic Council (NAC) oversight and direction. We conclude by assessing the costs and benefits of multilateral military intervention and provide some suggestions for future research.

NATO – For and Against

The heart of the U.S. argument against multilateral interventions via NATO is that the U.S. and the Europeans cannot agree. If all partners agreed, the choice of unilateral or multilateral intervention would devolve to a relatively uncontroversial assessment as to the combat efficiencies of the respective militaries involved. Divergent preferences, though, create the possibility that the U.S. will be constrained by dovish or “Old World” Europeans.⁵ To

⁵ For a recent debate about the added value of allies, see Richard B. Andres, Craig Wills, and Thomas E. Griffith, “Winning with Allies: The Strategic Value of the Afghan Model,” **International Security**, Vol 30, No.

understand why that is the case requires an understanding of the basic organization and informal procedures associated with NATO decision-making.

The alliance has two main organizational entities above and outside NATO's military chain of command. The North Atlantic Council (NAC) is the supreme decision-making body of the alliance, overseeing its political and military policies. Each member state has a seat on the NAC. The Secretary General has always been a European. He chairs the NAC and is a civilian appointed by the member states.⁶ The Military Committee (MC) provides advice on military policy and strategy to NATO's political leaders. As such, the MC is subordinate to the NAC. Each country has a military representative at the MC, with the MC also chaired by a European.

The common wisdom specifies that NAC decisions are based on the unanimity principal. This is true only in the loosest sense of the word. Nothing in the original North Atlantic Treaty specifies a requirement for unanimous NAC decisions, with the exception of decisions that expand NATO's membership.⁷ Instead, the unanimity "rule," as it has become known, is in fact a behavioral norm that has been creatively defined to accommodate divergent opinions between member states and to ensure the alliance's continued viability.

Specifically, decisions by the NAC, "are agreed upon on the basis of unanimity and common accord." At the same time, "There is no voting or decision by majority."⁸ Instead, member states consult until they can reach a consensus, even if that means agreeing to disagree.⁹ Contentious proposals are debated for a particular period of time and then considered agreed to

3 (Winter 2005/06), pp 124-160; and Stephen D. Biddle, "Allies, Airpower, and Modern Warfare: The Afghan Model in Afghanistan and Iraq," *International Security*, Vol 30, No. 3 (Winter 2005/06), p. 161-176.

⁶ *Final Communique of the Ninth Session of the North Atlantic Council (The Lisbon Decisions)*, 25 February 1952, at <http://www.nato.int/docu/basicxt/b520225a.htm>, accessed on 13 April 2006. The norm has been that the Secretary General is a European while SACEUR is an American. NAC meetings can be called by any member-state or the Secretary General.

⁷ *North Atlantic Treaty*, 4 April 1949, reprinted at <http://www.nato.int/docu/basicxt/treaty.htm>, accessed on 13 April 2006. The procedures for new membership are described in Article 10 of the treaty.

⁸ *The North Atlantic Council*, at <http://www.nato.int/issues/nac/index.html>, accessed on 13 April 2006.

⁹ *Consensus decision-making at NATO*, at <http://www.nato.int/issues/consensus/>, accessed on 13 April 2006.

absent objection.¹⁰ States who object to a proposal's contents can do so privately or (rarely) publicly if they so choose. States who object privately, or who acquiesce even if they disagree with the proposal, usually have their anonymity secured by a related practice of the Secretary General: only releasing summary statements of NAC deliberations rather than transcripts of the full NAC debate.¹¹ Finally, acquiescing to a policy does not obligate members to help implement that policy. There is nothing in the North Atlantic Treaty that obligates member states to contribute to NATO missions, even in cases where allies are subject to attack.¹² So, while there is nothing in formal NATO documents that requires unanimity, these behavioral norms have created a modified unanimity requirement for alliance decisions. Decisions are "unanimous" only in the sense that no state is strongly enough opposed to voice that opposition.

The ability to object or acquiesce to a policy outside public scrutiny, coupled with the absence of any formal obligations to help implement policy, facilitates compromise positions and logrolling. NAC decisions, then, may diverge from the ideal policy of any one member-state. In some cases less powerful member states can be bought off before they veto NAC decisions. Greece's quiet acquiescence to NATO's air campaign in Kosovo is a prime example. The Greek government was opposed to the war for domestic political reasons, but did not choose to oppose publicly the U.S. and other important NATO members in NAC decisions related to the war after they were given a variety of security guarantees.¹³

¹⁰ Leo Michel, "NATO Decisionmaking: Au Revoir to the Consensus Rule?" *Strategic Forum*, no. 202, August 2003: 1-2.

¹¹ Michel, p. 3. An example is "Statement by NATO Secretary General Solana on Behalf of the North Atlantic Council, February 19, 1999," reprinted in Auerswald and Auerswald 2000: 515.

¹² The latter are called Article V cases. Article V of the treaty notes that each member "will assist the Party or Parties so attacked by taking forthwith, individually and in concert with the other Parties, such action as it deems necessary..." Its invocation after September 11th, 2001 did not require specific actions by any member to support the U.S.

¹³ Michel, 2003: 2. The implicit stick over Greek behavior had to be their cognizance that NATO membership was their only security against Turkey. NATO also sweetened the bitter pill of the air war through concrete actions that enhanced Greek security and formed a buffer between the violence in Kosovo and Greek territory.

The U.S. relationship to NAC decisions is different, say critics, due to the unique U.S. position in the international arena and the need for unfettered action that goes with that position. The U.S. must bargain with other NAC members when working within NATO in such cases. The resulting policy will represent some form of compromise, whose details depend on the preferences and relative bargaining skill and strength of the various NATO members. Regardless, NAC policy will not represent the ideal U.S. policy. If the NAC compromise is truly unacceptable to the U.S., then it can veto the decision and NAC members must keep bargaining or drop the issue. Other nations know this, and will anticipate U.S. objections and tailor their collective policy accordingly (or fail to reach a consensus policy at all). That said, the U.S. must still compromise to some extent if it wants NAC approval.

Such compromises arguably reach beyond the large strategic objectives to affect military commanders in the field. During Kosovo, for example, there were differences in the preferences of each NATO member-state with regard to whether and how to conduct the intervention, as well as differences between the NAC policies and those advocated by the U.S.¹⁴ Such differences forced U.S. military commanders to walk a fine line between their two civilian principals. The military commander of the NATO effort, General Wesley Clark, was responsible to the U.S. Secretary of Defense and the President of the United States as Commander in Chief of U.S. Forces in Europe (CINCEUR). Yet as the Supreme Allied Commander of NATO's forces in Europe (SACEUR), however, he was responsible to NATO's Secretary-General and the North

Specific NATO actions included explicit NAC support for United Nations Preventative Deployment (UNPREDEP) forces deployed in neighboring Macedonia, enhancements to Partnership for Peace activities with Macedonia, deployment of an armed extraction force in Macedonia, the deployment of resources and troops into Macedonia and Albania to absorb and contain refugees leaving Kosovo before they reached Greece, and threats of NATO reprisals had Serbian forces attacked neighboring states. See works by the author.

¹⁴ See Author 2004 for a discussion of the state-by-state differences within NATO.

Atlantic Council. He wore two hats – a NATO hat and an American hat – because he answered to two different bosses, each with distinctive preferences and operating styles.

General Clark's dilemma is not unique. Since the end of the Cold War, multilateral organizations have frequently authorized military forces to prevent, manage and/or resolve civil conflicts.¹⁵ In such interventions, military commanders are asked to respond to the orders of both their national governments and the multilateral organization to which their countries belong. These complicated chains of command pose significant challenges to all involved, particularly the lead military commander. If national preferences diverge within the NAC, even to a small degree, and if such divergence affects the conduct of military operations, why intervene via NATO rather than doing so unilaterally?

There are some obvious advantages to operating through NATO. The U.S. values the legitimacy afforded by NATO actions. The NAC position could be similar to the original U.S. position in some fundamental ways but differ in the details, making the advantages offered by NATO cooperation almost costless. The U.S. could initially agree with and support the NAC policy, only to reevaluate that position as events unfold, yet feel that revisiting the NAC debate could produce an even worse policy.¹⁶ The U.S. could feel that it is politically important to get a NAC policy decision regardless of its specific content, perhaps to lay down an international marker or to ensure the viability of the alliance. These are all valid reasons, yet none addresses the critics' argument that NATO requires the U.S. to compromise, something anathema to unilateralists.

¹⁵ For a survey and analysis of multilateral military interventions, see Alex J. Bellamy and Paul D. Williams, "Who's Keeping the Peace?: Regionalization and Contemporary Peace Operations," **International Security**, Vol. 29, No. 4, (Spring 2005), p. 157-195.

¹⁶ It is in the nature of multilateral military operations for changes on the ground to lead to differences amongst coalition partners about how to respond to the new status quo. Bensahel, "The Coalition Paradox," p. 232.

Even when preferences diverge, we argue that there is one overriding reason to use NATO. NATO structure and processes advantages the U.S. in important ways. The U.S. has the ability to sanction the NATO military commander, to monitor military behavior, and to order the military to change its behavior via a relatively simple delegation path, all in ways unavailable to other NAC members. As a result, the U.S. maintains preeminent authority over the scope and conduct of military operations by the NATO alliance. To understand how that is possible, we must consider principal-agent theory in the context of multilateral interventions.

Principal-Agent Contracts and Military Interventions

Many scholars employ principal-agent theory when examining problems of civil-military relations.¹⁷ In its simplest form, principal-agent theory focuses on the problem of delegated authority and compliance with orders. In recent iterations, this literature identifies special agency problems that emerge when authority is shared by more than one principal, whether they consist of Congress and the president, or different cabinet departments. We build on these insights and identify further complicating features of agency relations when authority is shared with groups of foreign governments acting through an international organization. To the extent that states choose military intervention through international organizations rather than unilaterally, it makes sense to employ analytic tools that are capable of explaining the behavior

¹⁷ For examples, see: Huntington 1957; Janowitz 1960; Avant 1994; Feaver 1998, 1999, 2003; Diamond and Platner 1996; Desch 1999; Zegart 1999; Stulberg 2005. For more recent work on civil-military relations, see also Peter D. Feaver and Christopher Gelpi, *Choosing Your Battles: American Civil-Military Relations and the Use of Force* (Princeton, N.J.: Princeton University Press, 2004); Thomas G. Mahnken and James R. Fitzsimonds, "Revolutionary Ambivalence: Understanding Officer Attitudes toward Transformation," *International Security*, Vol. 28, No. 2 (Fall 2003), p. 112-148; and Ronald R Krebs, "A School for the Nation?: How Military Service Does Not Build Nations, and How It Might," *International Security*, Vol. 28, No. 4, (Spring 2004), p. 85-124. For an application of principal-agent theory to other organizations involved in international intervention, see Alexander Cooley and James Ron, "The NGO Scramble: Organizational Insecurity and the Political Economy of Transnational Action," *International Security*, Vol. 27, No. 1 (Summer 2002), p. 5-39; and for an application to U.S. intelligence agencies, see Amy B. Zegart, "September 11 and the Adaptation Failure of U.S. Intelligence Agencies," *International Security*, Vol. 29, No. 4, (Spring 2005), p. 78-111.

of military agents and the consequences of shared authority. For that we turn to a conceptual discussion of principal-agent relations.

Delegation occurs when an actor X (or actors XYZ) who is authorized to make a decision or take some action conditionally designates some other actor (or actors) to make that decision or take that action.¹⁸ In the context of domestic politics, we commonly find a constitutional rule or a statute authorizing specific actors to make particular types of decisions.¹⁹ For example, legislators are granted the authority to make laws while courts are granted the authority to adjudicate disputes. In international politics, the institution of sovereignty has traditionally implied that states are the primary locus of decision-making authority, and hence the actors that can choose to delegate authority internationally. Increasingly, however, multilateral international organizations can be another locus of decision-making authority, especially when they have been given the authority to make military decisions on behalf of some group of states.

When one actor delegates authority to another actor, the former is acting as a *principal* and the latter becomes her *agent*. More generally then, principals are the actors within a hierarchical relationship in whom authority ultimately rests.²⁰ Agents are the actors who are hired (and potentially fired) by principals. Agents are conditionally designated to perform tasks in the principal's name and have the requisite authority to do so. In the case of military interventions by democracies, military commanders are the agents of civilian principals. This is the model many commonly (if subconsciously) default to when thinking of the U.S. president acting as the Commander in Chief.

¹⁸ This definition is developed in Hawkins et al 2006.

¹⁹ In this view the U.S. Constitution is a delegation contract that identifies the ultimate principals, "We the people..." and their various agents – Congress, President, Courts, etc...

²⁰ Author 2003. This definition is similar to those found in Mirlees 1976; Grossman and Hart 1983; Bergman and Strom 2000; Kiewiet and McCubbins 1991.

A delegation relationship can have one or more principals, however. A principal can also either be an individual or a corporate entity containing more than one individual. Following Kiewiet and McCubbins (1991), when a single agent has more than one contract with organizationally distinct principals, we label this a delegation relationship with *multiple principals*. For example, the American Congress and president are both the principals of any given bureaucratic agent such as the U.S. military, in that both branches of government have some influence over the structure, budget, personnel and behavior of the armed forces. Yet neither the Congress nor the president requires the consent of the other branch to monitor, reward, or sanction that agent.²¹

The agency literature has systematically underappreciated situations where a single principal is composed of more than one actor.²² Following Kiewiet and McCubbins (1991), we call this a *collective principal*. The most familiar delegation relationships in politics and government involve a collective principal. Voters delegate to politicians, legislators delegate to party leaders, and nation-states delegate to international organizations. In all these situations, a group of actors comes to a decision among themselves and then the group negotiates a contract with an agent. If the group cannot come to a decision *a priori*, they cannot change the status quo. This goes for initial hiring decisions, for proposals to renegotiate the agent's employment contract, or for giving the agent novel authoritative instructions. In all these scenarios, *there is a single contract between the agent and his collective principal*. The relationship between an international organization's permanent staff and its member states can resemble a collective principal model.

²¹ For elaboration see Avant (1989) and Author (2006).

²² The most extensive review of the delegation literature in the field omits the concept of a collective principal and instead focuses solely on delegation from a single principal and from multiple principals. Bendor, Glazer and Hammond 2001.

A fourth type of principal-agent relationship also is possible. We call this a *hybrid principal*. It combines the collective and multiple principal forms. In the hybrid relationship, there are at least two principals, as is the case in the multiple principal form, each with its own delegation contract to the agent. The hybrid form differs from the standard, multiple principal scenarios though in that at least one of the principals is a collective entity, giving the hybrid form some of the same characteristics as the collective principal relationship. The single principal and all three types of complex principals are depicted in Figure 1 below.

Insert figure 1 here

None of the four principal-agent relationships described above is perfect. Anytime a principal delegates authority to an agent who is authorized to act on her behalf, there will be some agency costs. Agents rarely have preferences that are identical to those of their principal and agents often choose to spend their time on activities that principals see as wasteful or counterproductive.²³ The question confronting the principal is how much power to delegate to the agent. This is known in the principal-agent literature as *Madison's dilemma*, referring to James Madison's argument during the Constitutional Convention against concentrating power in any one government branch. Delegating too much power creates a risk to civilian governance. Delegating too little creates an impotent military. Over-delegation would be a trivial problem were it not that agents become privy to information that principals do not possess. In the principal-agent literature this is known as the problem of *hidden information*. Moreover, agents can often take actions of which the principal is unaware. This is known as the problem of *hidden action*. As Moe (1984) explains, "The logic of the principal-agent model, therefore, immediately

²³ Williamson 1975

leads us to the theoretical issues at the heart of the contractual paradigm: issues of hierarchical control in the context of information asymmetry and conflict of interest.”²⁴ These concepts take on real meaning when we consider military interventions and try to determine how much discretion to give military commanders who have better information than do their civilian counterparts and keep actions hidden from civilian officials.

Many more complications arise when an individual is the agent of two different principals with formal authority over said agent. The agent must often respond to orders that directly contradict each other and/or anticipate the preferences of very different principals. Such institutional structures can lead to incoherent policy implementation, additional shirking on the part of the agent, or one of the two principals not getting their preferred policy.²⁵ Opportunism is yet another possible byproduct of delegation via multiple principals.²⁶ Agents may attempt to advance their own agendas, either irrespective of their principals’ desire or by playing one principal off against the other.

What then are the solutions to these dilemmas? The principal-agent literature argues that agents attend to principals who have the ability to sanction the agent for poor performance or reward the agent for stellar behavior. Sanctions can take any number of forms, but for our purposes a principal’s control over the agent’s tenure in office, promotion, portfolio of responsibilities, and budget are vital means of ensuring that the agent’s behavior will match the preferences of its principals. Control over tenure in office and promotion deal directly with an agent’s livelihood; their personal employment and advancement. Control over an agent’s

²⁴ Moe 1984 (p. 757).

²⁵ Calvert et al. 1989; Maltzman 1998; Author 2003

²⁶ For some of the key works in political science, see Kiewit and McCubbins 1991; and Epstein and O’Halloran 1999.

portfolio and budget affects that agent's power to achieve desired outcomes. Either or both may be sufficient to ensure some degree of agent compliance with the will of the principal.

A second key issue in delegating authority is oversight. Principals typically develop tools for monitoring their agent, yet oversight is difficult. McCubbins and Schwartz (1984) illustrate this problem with analogies to "police patrols" and "fire alarms" as two different systems of oversight. One way to monitor compliance is to spend a significant amount of time directly observing the agents. Police spend much of their time (and many tax dollars) driving their cars and walking their beats to make sure citizens comply with the law. While this method is very good at deterring and identifying violations, it is quite costly. The alternative is the fire alarm, where there is no action until there is a signal that intervention is required. This is much less expensive, but is essentially reactive, allowing violations to occur before action is taken. It also requires that someone notify the principal that a violation has occurred. In many cases third parties – such as a concerned outside group or rival agent – are enfranchised into the policy process to monitor the agent. Yet even this solution can be suboptimal if the principal values secrecy or wants to avoid public disclosure of agent actions. In short, neither form of oversight is a perfect solution to the problems of an agent's hidden information or actions. Moreover, in cases of an agent with multiple principals – such as an individual government and an international organization – each principal may employ different methods to monitor their agent.²⁷

A third problem relates to the impact of multilateralism on military interventions. To what degree can agents correctly divine the preferences of each principal, particularly when one of those principals is a collective organization like NATO's North Atlantic Council?

²⁷ For a discussion of these issues, see Author (2003; 2006), and Thompson's 2006 analysis of the UNSC and the weapons inspection regimes in Iraq.

Unfortunately, the principal-agent literature is less useful on this issue. The general problem is that, despite the expansion of international organizations since the end of World War II, there has been relatively little analysis of the ubiquitous problem of submitting simultaneously to the authority of an international organization and a sovereign government.²⁸ Some work has addressed the NATO Secretariat and its relationship to the member states, but has largely overlooked the implications for U.S. leadership of hybrid forms of delegation in military interventions.²⁹ This situation has become particularly problematic after the Cold War as NATO is now engaged in serious, ongoing military operations, rather than merely planning for a possible confrontation with the Soviet Union. NATO troops served in Bosnia for approximately ten years,³⁰ continue to enforce the peace in Kosovo,³⁰ and are now engaged in operations in Afghanistan.³¹

In each of these cases, military commanders must correctly perceive the preferences of both their home governments as well as an international organization. The former is often easier to do than is the latter. A collective principal may have significant difficulties presenting a unified message to the agent. That principal may face collective action problems of its own before it can even decide on how to direct the agent, in addition to any efforts to coordinate that message with the military commander's other principal. In essence, a collective principal is more likely to send confusing messages (or no authoritative messages in a timely manner) to its agent than is a unitary principal.

²⁸ Pollack, 2003; Author 2006

²⁹ Kay 1998; Cortell and Peterson 2004

³⁰ NATO not only provided the bulk of the forces to the International Force [IFOR] and the Stabilization Force [SFOR] in Bosnia from 1995-2005, but also command and control.

³¹ Further, the absence of NATO in Iraq raises interesting counterfactual questions that are amenable to analysis. Would the governing of a post-Saddam Iraq have been more efficient and effective had NATO or UN troops been involved during the invasion or the occupation? Recent work on delegation of authority to international organizations suggests that both international and domestic outcomes might have been significantly different (Voeten 2005).

Advantage, U.S.

Principal-agent models can help us decide the degree to which NATO is a viable institutional mechanism, from the U.S. perspective, with which to contemplate military interventions. Understanding the positive or negative aspects of U.S. participation in such interventions requires an understanding of the relative capabilities of the U.S. and the collective NAC on three issues: each principal's sanctioning and monitoring abilities, and the advantages of each principal's delegation paths to their shared agents.

Sanctioning Abilities

In NATO there are differences between the sanctioning tools possessed by each principal. American presidents have a set of sanctioning tools to ensure implementation of American preferences; tools not possessed by other NATO members or, in most cases, the NAC acting collectively. The U.S. president, either himself or through his Secretary of Defense, can directly order the CINCEUR to take specific actions or refrain from specific actions in the CINCEUR's capacity as the U.S. Combatant Commander subject to the U.S. chain of command. In extreme cases, the Secretary could terminate the CINCEUR's military commission, either directly or through early retirement, ending that officer's career. This is what eventually happened to General Clark. The Secretary has indirect means of influence as well, in that he can place specific military officers in the subordinate commands of the CINCEUR to influence and monitor the CINCEUR's decisions. In addition, the Secretary has tremendous influence over the individual Service Chiefs in the Pentagon. These are the leaders who provide the forces for missions that are beyond the core missions of the combatant command.

NATO countries acting through the NAC do not have the same set of sanctioning and monitoring tools. The SACEUR must report back to the NATO Military Committee when requested, and the SACEUR regularly interacts with the NATO Secretary General, but neither entity can remove the SACEUR from command without the concurrence of all NATO members. Moreover, the SACEUR is always an American, meaning that the NAC or the MC could recommend terminating the SACEUR, but the U.S. president has the power to appoint a replacement of his liking. The NAC is not completely powerless, however. Individual governments can veto military which they are contributing forces to, curtailing the agent's scope of authority. In addition, individual countries have the ability to withhold their national assets from NATO missions if they so choose. While that may not restrict NATO's use of force, it may constrain what the SACEUR can do by limiting the forces at his disposal, though in truth the lion's share of NATO forces used in initial combat have been American. In short, the U.S. has far more sanctioning powers at its disposal than does the NAC as a whole.

Monitoring Abilities

The United States has two means of monitoring NATO's military leadership. As mentioned above, the CINCEUR is a U.S. position, and as such reports directly back to the Secretary of Defense. The CINCEUR, however, does not directly manage the day-to-day operations of U.S. forces in Europe. That job is done by the Deputy Commander, an American four-star general or admiral who is supported by air, land and sea component commanders. The Deputy Commander regularly reports back to the Secretary of Defense and his military advisor, the Chairman of the Joint Chiefs. Each of the component commanders also interacts with their parent U.S. Service Chief on a regular basis. Given that American forces make up the bulk of

NATO's combat power, these subordinate commanders have unparalleled access to the CINCEUR's plans. Thus, there are many paths by which the Secretary of Defense can receive information regarding the CINCEUR's performance and intentions.

Other NATO members have fewer means of directly monitoring the SACEUR, the other hat worn by NATO's military commander. The SACEUR meets on a periodic basis with the NATO Military Committee, which is comprised of military representatives (often the Chiefs of Defense) from the various NATO countries. He also meets with the NAC, on which sit the permanent representatives (and for special meetings the Defense and/or Foreign Ministers or even Heads of State) from each member state. In addition, each country has embedded in the NATO command structure some of their military units. Despite these regular meetings, however, none of these interactions provide other individual NATO member countries with the access possessed by the United States.

Delegation Paths

As noted above, NATO's decision-making structure most closely resembles the hybrid principal-agent model. NATO's military is always headed by an American general who is simultaneously head of American forces in Europe. This individual is therefore responsible to both the American President and to the North Atlantic Council (NAC). In theory, the NATO commander must respond to the authoritative instructions of both sets of actors, while possibly having his own views on how to handle his job. Though each principal in the NATO structure has its own delegation path to their shared agent, the U.S. delegation path is more direct and has less noise built into it than does the NAC path. The advantage again lies with the U.S.

The left side of Figure 2 represents this direct U.S. delegation path. The U.S. can unilaterally transmit its ideal policy position to the NATO commanding general through the U.S. chain of command. The president instructs the agent's proximate principal, the Secretary of Defense, to order the general to do A, B, or C, and the proximate principal relays that order to the agent.³²

Insert figure 2 here

The other way to pass orders to the NATO commanding general is for the individual members of NATO to aggregate their policy ideas in the NAC. This is represented in the right side of Figure 2. As previously mentioned, NAC members have to reach a compromise position before anything is sent down the chain of command. Assuming such a position is reached, the NAC then sends its instructions via the Secretary General to the SACEUR. As can be seen, the NATO delegation chain involves more steps and has greater chances of losing or warping the ultimate principals' intent. As with sanctioning and monitoring, the American delegation path advantages the U.S. president relative to the collective NAC.

We can now begin to answer the question posed earlier as to why the U.S. is not disadvantaged when intervening via NATO. Preference divergence between the U.S. and the NAC is relatively unimportant given the alliance's hybrid principal-agent relationship vis-à-vis its military commanders. In such cases, the possibility exists for a two-stage bargain between

³² Some agency slack might occur at this point for all the reasons commonly identified in the principal-agent literature, either in the form of the proximate principal or the agent. In essence, there is always some disagreement within the U.S. government as to the optimal strategy for any evolving crisis, but that disagreement pales compared to those within NATO. As important, U.S. statutes and the U.S. constitution provide a clear set of rules for aggregating heterogeneous preferences within the U.S. government. These rules vest ultimate, short-term authority over the conduct of military interventions in the office of the President. Hence, the President can issue authoritative instructions if he knows what he wants to do. See Author 1997, for a discussion.

principals, because one state (the U.S.) has an independent delegation contract with an agent but also shares a second delegation contract with the same agent as part of a collective principal. The first stage involves a game between the unitary principal (the U.S. in our case) and the other members of the collective principal (NATO) over what will constitute the collective principal's ideal policy. Despite the relative power of the U.S., it must often make some concessions to gain allied support.³³ The NAC collective principal reaches a decision according to its internal procedures (the compromise unanimity norm) and forwards that decision to the shared military agent. In NATO, such decisions are codified in activation orders, known as ACTORDs, which gave the alliance commander his specific instructions.

The subsequent actions of the unitary principal form the second stage. If the unitary principal is satisfied with the collective decision, it will reinforce that decision via its own independent delegation contract with the agent. Alternately, the unitary principal could be dissatisfied with the collective outcome. If that is the case, the unitary principal has a choice. It can either attempt to renegotiate the collective direction within the NAC or it can utilize its independent delegation contract with the agent to override or countermand the collective principal's decision. The unitary principal is likely to take the independent path either if reopening the dialogue within the collective will result in a worse outcome than the status quo or if the unitary principal has greater influence over the agent than does the collective entity. This could easily be the case with the U.S. given that the U.S. selects the military agent or has more robust monitoring and sanctioning abilities compared to the collective NAC principal. Given the

³³ Nora Bensahel focuses on this problem of the difficulties of achieving alliance cohesion and the need for compromises, although she largely overlooks the problems of delegation, focusing instead on the inherent contradictions between political requirements (alliance cohesion) and military effectiveness, "The Coalition Paradox: The Politics of Military Cooperation," Ph. D. Dissertation: Stanford University, 1999.

weight of sanctioning, monitoring, and a simpler delegation path, the military agent has no choice but to follow the decrees of the unitary U.S. principal.

Evidence from the Kosovo Conflict

As we discussed earlier, the Kosovo war has been viewed as a case in which the U.S. had less control over military operations than the current administration would prefer. It is also an important case because of the popular conception of General Clark as a rogue agent. Our intent here is not to provide a definitive account of the many principal-agent interactions that occurred during the war's 78 days, but to show that the U.S. had more influence upon the conduct of the campaign because of the delegation contract inherent in NATO structures and processes. To do so, we will highlight illustrative examples from the principal issues associated with the war's conduct. There was the question about whether NATO should become involved militarily in another ethnic clash in the Balkans. Once that question had been resolved in the affirmative, the next questions were to what degree NATO would become involved. In terms of an air campaign, the debate was over what form that air campaign would take. How comprehensive would it be? How fast and how far would NATO escalate? Finally, there was significant debate over the question of ground troops and whether the principals would support their use if Clark recommended it.

These questions were debated sequentially for the most part, beginning just after Clark took command in July of 1997. As the debate unfolded and the situation became progressively more urgent, the principals also became more familiar with their agent, changing their delegation contract accordingly. The U.S. principal asserted increasing control over Clark's behavior, first with verbal corrections and reprimands, then with more frequent and stringent oversight, and

finally by terminating the delegation contract altogether in 1999 after the end of the hostilities. Throughout, the U.S. government by and large got what it wanted out of NATO military forces. We turn first to the question of the preparation for war.

Prelude to War

Throughout Clark's time in command, there was a continual dispute within the U.S. government and NATO as to the appropriate role of coercive diplomacy in the Balkans. Initially, this dispute centered on how to ensure that the Dayton Accords were properly implemented in Bosnia with minimal interference from Milosevic. The U.S. State Department was in favor of taking risks to achieve the mission. NATO officials, in particular Secretary General Javier Solana, held similar views. The civilians and general officers at the Pentagon were more risk-averse, wanting instead to minimize the chance for open hostilities with Serbia.³⁴

General Clark clearly sided with the former group, to the annoyance of the Pentagon.³⁵ He had witnessed earlier Bosnian events, and had participated in the negotiations over the military annex to the Dayton accords as the Director of the Joint Staff's Strategic Plans and Policy (J-5) division. Though he wanted to avoid an ever-expanding mission in Bosnia, Clark also seemed to believe that coercive diplomacy would not work with Milosevic unless backed by the credible threat to use force. At the behest of NATO Secretary General Javier Solana, Clark changed the rules of engagement for SFOR troops in Bosnia soon after taking command, to include arrests of wanted officials, shutting down broadcasts from Serbia into Bosnia, and a crackdown on illegal activities within Bosnia proper.

³⁴ Priest, p. 258.

³⁵ Clark, p. 91; Priest, p. 249-250, 264.

The Pentagon did not appreciate the new rules of engagement and voiced their concerns to Clark accordingly.³⁶ The U.S. principal, sensitized to a potential problem, even went so far as to countermand its agent's actions in a particular instance. Indeed, Defense Secretary William Cohen vetoed a Clark-sponsored mission using U.S. troops in Croatia because Cohen deemed it too risky.³⁷ In response, Clark engaged in a classic example of hidden action by denying information to one of his principals. Clark reportedly told his officers to be more aggressive, but to do so under Washington's radar, saying, "You have to push the envelope. If you put this strategy down [on paper] and circulate it, it's dead."³⁸ The agent's preferences clearly differed from one of its principals, yet the agent took steps to keep its actions from that principal's view.

The dispute over Bosnia between Clark and the Pentagon would be replayed in Kosovo. Attention turned toward Kosovo in early 1998 as yet another bout of Balkan ethnic cleansing unfolded. This time it was ethnic Albanians in Kosovo who were increasingly the targets of Serbian aggression. Clark believed that there was a looming crisis in Kosovo and relayed that view to the Pentagon. "It was part of my job as CINCEUR, I reflected, to keep my ear to the ground, to provide warning, and to offer policy suggestions to the Pentagon."³⁹ Secretary Cohen and Chairmen Henry Shelton, from Clark's perspective, did not take his warnings well. In Clark's words, "I sensed that I hadn't succeeded in raising the priority of the Kosovo problem in the Pentagon. Instead, I had raised my own profile and the differences between my concerns and those of the Pentagon."⁴⁰ The Pentagon did not want another crisis in the Balkans in early 1998, so soon after "resolving" the Bosnian war with the introduction of significant numbers of U.S.

³⁶ Priest, p. 258.

³⁷ Priest, p. 259. "The U.S. pullback highlighted the tension between the activist CinC and his more cautious colleagues in Washington."

³⁸ Quoted in Priest, p. 260.

³⁹ Clark, p. 108.

⁴⁰ Clark, p. 110.

ground troops. They told Clark as much, warning him against getting out front of official U.S. policy.

Despite the Pentagon's disapproval, Clark gave Solana similarly candid views when asked by Solana for his opinion on Kosovo. Some in the Pentagon saw this as yet another example of Clark's alarmist rhetoric. "This was another in a series of such dilemmas. Did I give my honest opinion or not? I believed I couldn't duck. As a U.S. commander I had given my warning and made my recommendation [in Washington]. Now I had to fulfill my responsibilities to NATO."⁴¹ When word got back to the Pentagon of Clark's consultations with NATO and with U.S. Special Envoy Richard Holbrooke, who was en route to Serbia for direct negotiations with Milosevic, Secretary Cohen verbally reprimanded Clark.⁴²

Clark's actions before the war had generated opposition in the Pentagon but created no significant sanction or change in the delegation contract. There may have been an initial reluctance to reprimand Clark due to perceptions that he was a friend of the President and politically connected in both the White House and the State Department.⁴³ Clark was raised in Little Rock, Arkansas, near President Clinton's home town. Both men were of similar age, and both were Rhodes scholars in England. Clark had graduated first in his class from West Point, was a decorated Vietnam War veteran, and had been a White House fellow. In addition to directing the Pentagon's J-5, Clark had also served as commander in chief for U.S. Southern Command before assuming his European post. One thought is that Clark's stellar record and supposed connections to the White House perhaps insulated him from more than verbal warnings regarding his relatively activist view toward Bosnia. Another is that the Chairman of the Joint

⁴¹ Clark, p.111.

⁴² Clark, p. 113. From Clark's perspective, "It was also an indicator that some in Washington really didn't understand the web of relationships and full array of policies that flowed through the SACEUR's position." Whether Clark's view was valid is another question.

⁴³ Priest, p. 249; Clark, p. 109.

Chiefs and the Secretary of Defense believed that all that was needed was to clarify their views to Clark in order for his behavior to conform to their wishes. Regardless, the Pentagon's relatively hands-off initial approach would change during the planning for and eventual conduct of the Kosovo air war.

In the summer of 1998, Clark developed the preliminary plan for an air campaign into Kosovo. It stressed relatively large air-strikes aimed at quickly destroying Serb forces in the field while holding hostage Serb forces still in their depots.⁴⁴ The initial reaction from both of Clark's principals – both the NAC and the U.S. government – was that the plan was too aggressive, too large, and too risky for NATO personnel.⁴⁵ U.S. officials, in particular, wanted any ground option taken off the table.⁴⁶ Given that NAC decisions to use force required unanimity, these reactions were a crucial stumbling block to Clark getting his desired authorization. In short, Clark had little freedom of action with regard to Kosovo absent NAC authorization to use force.

Despite such push-back, Clark continued to advocate an aggressive policy toward Serbia over ethnic cleansing in Kosovo. He proposed a full array of military options to the NAC in August 1998. When the ground option and a full air campaign were rejected by both the Europeans and the U.S. at that meeting, Clark responded to the shared preferences of his principals by developing a more limited campaign of missile strikes that did not require aircraft to fly into Serbian airspace.⁴⁷ This "Limited Air Option" was warmly received by Secretary General Solana, who seemed to be reflecting the views of the European membership of NATO.⁴⁸

⁴⁴ Clark, p. 123.

⁴⁵ Clark, p. 124.

⁴⁶ *Winning Ugly*, p. 53.

⁴⁷ *Winning Ugly*, p. 55.

⁴⁸ Clark, p. 125.

NATO acceptance, however, did not solve Clark's problems in Washington, where he seemed increasingly to be perceived as a loose cannon by the Pentagon.⁴⁹

The result of these events was the passing of Resolution 1199 by the UN Security Council September 23, 1998, which called on member states to use all necessary means to provide humanitarian assistance to the Kosovars. With the UN resolution providing legitimacy, the U.S. and NATO agreed on an Activation Warning (ACTWARN) for both Clark's limited missile strikes and for his more extensive phased air campaign. While the ACTWARN did not commit NATO members to military action, it allowed Clark to intensify his planning efforts.⁵⁰ But that was all it did. It stopped short of authorizing force, consistent with both NATO and U.S. concerns. Specifically, many of the European governments were hesitant to move against Serbia without a more explicit UN resolution, and the Pentagon was not yet willing to commit U.S. ground troops to any additional Balkan peacekeeping missions, even in a permissive environment.⁵¹

By early October, with negotiations stalled and tensions rising dramatically, the U.S. delegation to the NAC was instructed to push for NATO to adopt the Activation Order (ACTORD) that would provide Clark with the authority to conduct a phased air campaign in the event that Serbia failed to withdraw its troops from Kosovo.⁵² The U.S. plan called for an explicit ultimatum and a 96-hour window for the Serbs to begin troop withdrawals. Air strikes would commence in the absence of Serb withdrawal and would continue until the NAC voted to

⁴⁹ "The Chairman was saying something like '[Clark] had one foot on a banana peel and one foot in the grave.'" Clark, p. 127.

⁵⁰ Clark, p. 135.

⁵¹ Clark, p. 137.

⁵² The ACTORD gave NATO Secretary General Solana the actual authority to start the air campaign, and Clark the authority to conduct the campaign once started. This grant of authority to Solana was not removed after the October crisis, so he could decide to begin bombing if events warranted such an act, with, of course, politically advisable consultations with the relevant actors. The ACTORD decision within the U.S. seems to have been championed by Secretary of State Madeline Albright with the tacit support of Secretary Cohen and National Security Advisor Sandy Berger.

suspend them. When communicated to Serbian officials, this threat eventually succeeded in forcing Milosevic to agree to the withdrawal of some forces from Kosovo, an unarmed OSCE monitoring mission on the ground, and a NATO aerial verification mission in the skies above Kosovo. As a result, a lull in the ethnic cleansing settled over the region.

It was a lull that could end at any time, as Clark was quick to note.⁵³ Yet rather than galvanizing support for his position from Washington, Clark's warnings may have had an unintended consequence. As his NATO command was busy putting together an armed extraction force to evacuate the OSCE observers should fighting break out in the winter, Clark was increasingly seen by Pentagon officials, Clark's proximate principal, as siding with nervous Europeans worried about extracting the OSCE observers, against the interests of the more cautious Defense Department.⁵⁴ In the latter's view, an extraction force was one more step on the path toward war involving U.S. ground forces in the Balkans. The Europeans, on the other hand, very much wanted U.S. participation in any NATO extraction force, and were unwilling to constitute such a force without American support. The result was that the Pentagon severely limited Clark's latitude of action by insisting that no U.S. resources were to be used for the armed extraction force. In Clark's words, "This placed me in an awkward position. I was the overall commander, but I represented a nation that didn't want to participate."⁵⁵ It also made it impossible for Clark to go against the wishes of his Pentagon commanders.

Clark's dilemma was overshadowed by the January 15 massacre of dozens of ethnic Albanian civilians in Racak, Kosovo by Serb military and paramilitary units. The attack gave a

⁵³ Winning Ugly, p. 60.

⁵⁴ Priest, p. 264. They were worried that the State Department, led by Madeline Albright and her special envoy Richard Holbrooke, would be receptive to Clark's warnings and demand military intervention to stop Serbian ethnic cleansing. From the Pentagon's perspective, Clark was becoming a natural ally of the State Department and seemed to be going out of his way to involve the U.S. in another Balkan war, a war which the Pentagon opposed.

⁵⁵ Clark, p. 154.

renewed impetus to the debate over a Western military response. Even with the Racak attack, however, the Pentagon and the White House were initially opposed to any large-scale air campaign plan, wary of getting involved in another Balkan war with no clearly defined political objective, and concerned about the domestic repercussions that might follow from the use of force while the president was being impeached. In addition, they believed that Milosevic might back down when faced simply with the credible threat to use force.⁵⁶ Consequently, Secretary General Solana, on behalf of all the NATO allies, withheld implementing the ACTORD and instead gave diplomacy yet another try at the Rambouillet negotiations.⁵⁷ More importantly, from a principal-agent perspective, U.S. concerns about escalating military involvement in the Balkans would lead to a fundamentally altered contract between Clark and his principals during the conduct of the eventual air campaign.

Pace of Escalation during War

When writing about Gen. Clark's role in the Kosovo war, reporter and author Dana Priest has argued that, "On the scale of just how much responsibility had devolved to the CINCs over the preceding decade, nothing could match the improvised Kosovo operation."⁵⁸ Priest's contention would be largely accurate were one to examine the prelude to the air campaign or Clark's ability to call up large numbers of additional aircraft during the conflict. Clark started with roughly 350 aircraft on the opening night of the campaign. In mid-April, he asked for and received almost 400 more planes. In early May, he asked for and received an additional 200

⁵⁶ Winning Ugly, p. 65, 70. Some of these doubts were voiced in a secret Joint Staff conference in the early winter, a conference that Clark was not told of or invited to. See Priest, p. 265.

⁵⁷ Winning Ugly, p. 72.

⁵⁸ Priest, p. 249. To be clear, Priest's agenda in her book is on the power of the CINCs, so she may overlook the constraints facing Clark and his colleagues.

aircraft.⁵⁹ Yet those numbers belie the fact that Clark's discretion shrank dramatically once hostilities began on March 24, 1999.

When planning the war in 1998, Clark believed that NATO forces needed to escalate rapidly, doing more at a faster pace with no bombing pauses. He also believed that targets needed to include air defenses, targets in Serbia proper, and forces on the ground.⁶⁰ The initial expectation on both sides of the Atlantic was that Milosevic would submit to NATO demands after only a few days of bombing, lasting two or three weeks at the most.⁶¹ That expectation colored the form taken by the campaign's incremental escalation over three phases. Phase one was aimed at degrading the Serbian air defense system. It lasted for three days, from 24-27 March 1999. Phase two targeted infrastructure that supported Serb forces in the field, such as bridges, rail lines, fuel depots and ammunition storage facilities. It, too, was relatively short, running from 27-30 March. Phase three was supposed to begin at the end of March, and would target Serb forces in the field as well as key targets in Serbia proper.⁶² For a variety of reasons, some having to do with the realities on the ground and others dealing with the political dynamics within the alliance, phase three was never implemented.⁶³ Indeed, getting a new set of orders would have been difficult as Germany, Greece, and Italy at various times called for a bombing pause, which, of course, ran contrary to the idea of escalation. Instead, the campaign evolved into a set of improvisational air-taskings that were minimally acceptable to the Americans and the Europeans.

⁵⁹ Winning Ugly, p. 121.

⁶⁰ Priest, p. 266.

⁶¹ Winning Ugly, p. 91.

⁶² Winning Ugly, p. 117. Clark's eventual campaign was the subject of an unofficial smear campaign by retired military officers (that had the tacit approval of the Joint Staff) in which Clark's incremental campaign was framed as bound to fail. See Priest, p. 266.

⁶³ Author 2004.

The American's overriding goal was to force Serb surrender without risking NATO aircrews or collateral damage to the Serb population. As it became clear that the war would be neither quick nor easy, Clark was confronted with a new, activist police-patrol oversight system from the U.S.; a radical departure from his previous experience with the Pentagon. Although Clark had been granted substantial discretion by the NAC, his U.S. principal sought to tightly constrain his behavior. During the initial planning of the air strikes, Clark faced a continual struggle with Washington over approval of targets. On the eve of the air war, the Joint Staff, on behalf of the Secretary of Defense and the White House, demanded that Clark go back over all his proposed targets and provide the White House with a detailed collateral damage estimate for each target. Oversight by the White House increased as the conflict progressed. The Joint Staff and the White House established a system whereby the president or his designee would personally approve the target lists for each day's attacks. As a result, there was considerable American resistance to attacking targets within Serbia, particularly if there was any chance of civilian collateral damage or of permanently degrading Serbian infrastructure (i.e. destroying the electrical system rather than temporarily shutting it down).

The Europeans, on the other hand, had no such system in place. While the French wanted to (and did) approve many classes of targets, they did not conduct the systematic oversight that the Americans did. Part of this may have been because there were a number of American aircraft (especially B-1, B-2 and B-52 bombers) used in the conflict that were not NATO assets but were still under Clark's command in his capacity as CINCEUR (rather than SACEUR). The Europeans had no oversight or veto power over the targets hit by these air assets. More importantly, however, the Europeans found it difficult to reach a consensus position in the NAC. The Europeans were divided on the question of escalation, with the British

being the most forward leaning and the Germans and Italians favoring bombing pauses. A lack of consensus within the collective principal meant that the NAC could not respond to changes in preferences or the situation on the ground by give new authoritative instructions to Gen. Clark in the same quick and unified manner as could the U.S. government.

Use of Ground Troops

As mentioned earlier, Clark believed that NATO needed to attack Serbian ground forces at an early point in the air war. Ignoring Serb forces would embolden Milosevic to resist the alliance's demands. Clark's initial goals in the conflict therefore were to "disrupt, degrade, devastate and ultimately destroy" Serbian military forces and the infrastructure that supported them. He believed that the Serbian military forces were Milosevic's center of gravity, and attacking them was the key to victory.⁶⁴ As Clark explained, "We've got to steadily ratchet up the pressure ... We also need to become increasingly relevant to the situation on the ground."⁶⁵

Yet accomplishing that goal required that NATO capabilities find and target small Serbian ground units. That could not be done efficiently from fighter-bombers circling at 10,000 feet. Within 48 hours of the war's start, Clark therefore began pushing for both NATO and Washington to reconsider using ground forces.⁶⁶ As a first step in that campaign, he asked the U.S. Army, via the Secretary of Defense, to deploy a squadron of Apache attack helicopters and their associated ground units to the theater of operations. Clark's request went directly against President Clinton's repeated public pledge not to use ground troops in Kosovo. It was no surprise then that the White House took a full week to approve the deployment request, compared to the near instantaneous granting of Clark's requests for additional fixed wing

⁶⁴ Winning Ugly, p. 116.

⁶⁵ Priest, p. 269.

⁶⁶ Priest, p. 266.

aircraft. Moreover, the Secretary of Defense Clark's proximate principal, took another three weeks to deploy the Apaches and their 5000 person support units to the theater of operations after the order was issued.⁶⁷ It took additional weeks before the Apaches were deemed ready for use by the U.S. Army, with the Joint Staff continually raising objections with regard to their use.⁶⁸ In the end, the Apaches were never used. The White House denied Clark's repeated requests to authorize their employment despite having issued the deployment order. In the parlance of principal-agent theory, the principal had discovered a fundamental difference between its preferences and those of its agent. In such circumstances, it should be no surprise that the U.S. principal refused to delegate to its agent the necessary authority to carry out actions contradicting the preferences of the principal.

The Apache story was only a taste of the larger debate over the deployment of ground forces. Here, the preferences of both the U.S. and the NAC were in agreement. With exception of the British, none of NATO's members wanted a ground war. Germany, one of the most significant troop-contributing nations to the planned peace implementation force [KFOR], was set against any use of ground troops before a ceasefire had been reached. German Chancellor Gerhard Schroeder made this clear:

“We are against sending in ground troops. That is the German position It is also the present position of NATO, that is to say, the strategy of the Allies can only be changed if all members agree on it. I propose that NATO strategy is not going to be changed... I will not participate in the special British debate on war theory.”⁶⁹

⁶⁷ Winning Ugly, p. 125. Compare that to the 72 hours it took to deploy a similar number of Apaches to Afghanistan during Operation Anaconda.

⁶⁸ Pentagon officials, particularly in the Army, worried that the Apaches would be vulnerable to ground fire, losing perhaps five percent of the airships (i.e. roughly one Apache) per mission. Moreover, the Pentagon argued that the Apaches were designed to destroy tanks and artillery. They would be relatively ineffective against Serb forces; forces that were disbursed and without heavy armor and weapons. See Winning Ugly, p. 125. According to press interviews, the vice chairman of the Joint Chiefs, General Joe Ralston, estimated that roughly half of the Apaches would be casualties within days of their use. See Priest, p. 278.

⁶⁹ London Press Association, May 19, 1999.

Italy and France were equally clear on their opposition to a ground war. Yet despite nearly unanimous opposition, Clark continually agitated for their deployment and use to stop the ethnic cleansing. His requests were, unsurprisingly, repeatedly denied. The NAC finally authorized him to begin planning a ground campaign in April 1999, but not as a result of any change of heart on the part of the Clinton administration or the NATO majority. Instead, granting the authorization was the only way to quiet the British calls for a ground option during the NATO summit. That notwithstanding, Clark took advantage of the new authorization and updated plans that called for 175,000 troops entering Kosovo through Albania. As Clark saw it, he would need three months to deploy these forces before an invasion could be launched.⁷⁰ Clark briefed the JCS on the ground plan on 19 May, 1999 and President Clinton on 20 May. When Clark told Clinton that a ground invasion would require 100,000 U.S. troops (out of the 175,000 total), Clinton refused to endorse the plan.⁷¹ The administration did agree to support an increase in NATO strength on the border of Kosovo to 45-50,000, but continued to object to a ground invasion through the end of the month.⁷² The NAC approved the increased deployment on 25 May but never authorized their use before the end of the conflict.⁷³ In short, both the unitary and collective principals were in agreement on the question of ground troops, giving the agent little choice but to conform to their preferences.

⁷⁰ Winning Ugly, p. 156.

⁷¹ By mid-May the White House was beginning to reconsider that policy, realizing that success in Kosovo might require a ground invasion and believing that failure would destroy the alliance. Winning Ugly, p. 156.

⁷² Winning Ugly, p. 158.

⁷³ Winning Ugly, p. 157. Clarke's estimate was consistent with a 1998 Pentagon estimate. See Winning Ugly, p. 133.

Conclusions

The Kosovo case study epitomizes the challenges facing a military officer with multiple commanders. Despite winning the war, Wesley Clark's choices in the conflict brought down and ended his military career. In itself, this is remarkable outcome. Clark initially pursued policies that ran against the preferences of his American principal. From then on, he was seen as a loose cannon, causing the U.S. to adjust the delegation contract accordingly to the point where they replaced him after the conflict was over.⁷⁴ The irony is that he was quite constrained, particularly by the U.S. The case study suggests several points.

First, we expected that the agent's behavior would conform to the actor controlling the agent's employment or power. This would be the United States in this case—particularly the President and the Secretary of Defense. According to the logic here, Clark should have tried to anticipate the preferences of his most powerful principals, but he initially chose not to do so, hoping to persuade them of the rightness of his preferred course.⁷⁵ As the crisis escalated, however, Clark was forced to curtail or limit his preferred policies, particularly in his preparation for a ground campaign. He was stymied in his initial eagerness to use force. When NATO decided to use force, Clark was prevented by both principals from using ground troops or attack helicopters. This case is interesting because the agent clearly had preferences that were at odds with his principals, but one of the principals was largely successful in limiting what the agent could do by curtailing his freedom of action. In sum, the system worked.

Second, in hybrid principal relationships, agents should align their behavior with the principal possessing the most comprehensive police patrol oversight. The evidence from the

⁷⁴ Ironically, the man sent to replace Clark, USAF Gen. Joseph Ralston became seen in the Pentagon as too European as well. Directly observed by one of the co-authors.

⁷⁵ A couple of years after Clark's dismissal, stories still floated around the Pentagon about his arrogance. Thus, his personality might have entered into the equation—he thought he could overturn the strongly held preferences of Secretary of Defense Cohen, the military, and even President Clinton.

Kosovo conflict generally supports this claim, though with some caveats. As argued earlier, the U.S. had a more robust capability to conduct such oversight of General Clark than did the NAC. And by and large, the intermediate and proximate U.S. principals were very well informed as to Clark's behavior. That said, oversight capabilities by themselves appear insufficient in guaranteeing agent compliance. There was still a significant amount of slippage between the U.S. intent and Clark's behavior, particularly in the early stages, when U.S. principals were forming their first impressions of their agent. Just as in standard PA relations, then, oversight capabilities are a necessary, but not sufficient, capability in a hybrid principal-agent relationship.

We had speculated that agents would have less trouble understanding signals from unitary principals than from collective principals, and as a result would be more likely to tailor their behavior to unitary principals. This seems to be borne out by the evidence from Kosovo. Because of the norms governing NAC decision-making, it was often difficult for the NAC to arrive at a consensus position on anything but broad policy direction, particularly after the war began. Differences among individual member states as to the pace of the air campaign, the selection of targets, and bombing pauses, meant that General Clark received relatively little new direction from the NAC as to the conduct of the war. The one exception seems to have been on the issue of ground troops, where inserting ground troops would have required a positive decision by the NAC, and that was not going to happen. The U.S., on the other hand, was able to send relatively clear and precise instructions to Clark via the U.S. chain of command.

Indeed, this case suggests a status quo bias on the part of NATO. Because of the need to arrive at some sort of consensus, it is hard for the NAC to make decisions. Once made, it then becomes hard to revise or reverse. Thus, the challenge for the U.S. is getting NATO to act, but

the management of the subsequent operation is much less problematic since the US can influence the subsequent course of action much more than the NAC.⁷⁶

Indeed, the government providing the forces and shaping the career of the leading officer has a great deal more influence than a collective actor like the NAC (or hypothetically the UNSC). Thus, the United States should recognize that participating in multilateral efforts does not necessarily entail the large costs that some members of the Bush Administration assume.⁷⁷ As long as the agent of the collective principal is also subject to the direct authority of the U.S. chain of command, the U.S. can control that agent and ultimately produce an outcome favored by the U.S., even when that agent has divergent preferences. Future work can consider whether this is strictly a US dynamic, as other countries have been key troop contributors to other missions, such as the current one in Bosnia.

The current Bush administration has strongly preferred to avoid institutionalized collective action in its war on terrorism in Afghanistan. One apparent concern motivating this unilateralism is that the U.S. would have to accommodate its allies (bargaining costs), which might be more difficult in the aftermath of the Iraq War. Still, the Kosovo case shows that American control over NATO multilateral efforts can be substantial (or even overwhelming); hence, neither agency costs nor bargaining costs should necessarily drive U.S. policy decisions.⁷⁸ On balance, multilateralism seems more beneficial to the U.S than the alternative of unilateral intervention. Of course, there are a range of different institutions through which the U.S. could operate multilaterally, and not all of them would necessarily provide the U.S. with the same level

⁷⁶ Author interview with member of Clark's staff, January 2007.

⁷⁷ While the administration seems primarily concerned about bargaining costs within the collective principal, the Kosovo case suggests that the greatest potential costs might instead be agency costs. Much recent scholarship provides theoretical arguments (Ikenberry 2002) and empirical evidence (Thompson 2006, Voeten 2005) of the international political benefits of multilateral intervention. Our case study suggests the costs, while real, are lower than many policymakers and analysts presume.

⁷⁸ Authors (2005) pursue this topic in a somewhat different direction—that NATO involvement alters who has a say in the domestic decision-making process within the U.S.

of authority over the military agent. Future research is required to determine the costs paid by the U.S. and other troop-contributing countries in unilateral interventions, ad hoc coalitions, and institutionalized multilateral efforts.

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Figure 1: Types of Agency Relationships

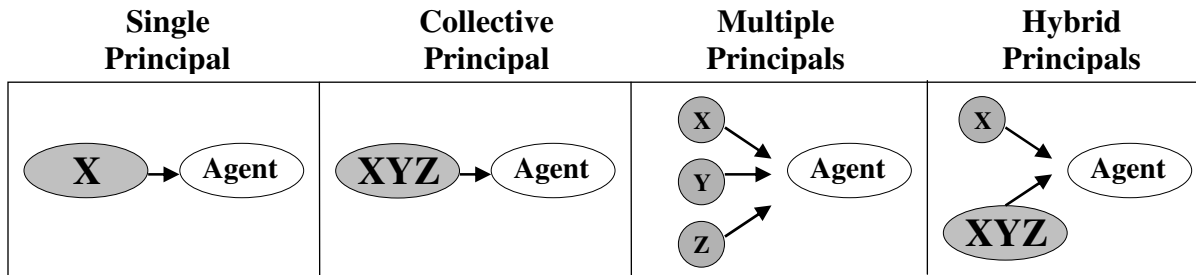


Figure 2: Agency Relationships in NATO

