

**THE PATH TO VICTORY: AMERICA'S ARMY AND THE
REVOLUTION IN HUMAN AFFAIRS¹**

REVIEWED BY MAJOR CHARLES C. POCHÉ²

*The present personnel system produces a willing servant in the bureaucracy, the wrong type of officer to be a troop leader at any echelon.*³

While Army leaders strive to transform the force, Donald Vandergriff trumpets the need to transform the leaders of the force. The predictability of the Cold War has long passed, and recent history demonstrates that new national threats will come from unexpected places. The changing world demands innovative thinking and bold responses. Vandergriff claims the Army fosters the exact opposite behavior in its officers. He asserts the Army's current culture produces officers who are pre-disposed to wait for orders, do everything by the book, and rely on textbook solutions as the best solution.⁴ In effect, Army officers think in exactly the wrong way for today's world. Vandergriff explores why this may be and suggests how to fix it.

In *The Path to Victory*, Vandergriff argues the Army's current officer personnel system encourages risk-averse behavior. The system produces officers who do not exercise or encourage innovative thinking and shy away from bold action. Vandergriff states his goal is to show how "current policies based on outdated assumptions" foster this mindset and "provide a blueprint for an effective twenty-first century army."⁵ He succeeds in accomplishing the first part of his goal. He clearly illustrates the origin and propagation of the personnel policies at issue. Vandergriff falls short, however, of meeting his goal's second part. His blueprint for the future of the Army is insightful, but raises obvious questions he does not adequately address. Problems with the book's documentation also detract from its

1. DONALD E. VANDERGRIFF, *THE PATH TO VICTORY: AMERICA'S ARMY AND THE REVOLUTION IN HUMAN AFFAIRS* (2002).

2. United States Army. Written while assigned as a student, 51st Judge Advocate Officer Graduate Course, The Judge Advocate General's School, United States Army, Charlottesville, Virginia.

3. VANDERGRIFF, *supra* note 1, at 18.

4. *Id.*

5. *Id.* at xx.

overall effectiveness, especially in the chapters detailing Vandergriff's proposed changes.

Vandergriff begins by explaining how today's personnel system evolved. He traces the Army's historical cycle of rapid mobilization in the face of crisis followed by an equally rapid demobilization. Vandergriff blames this cycle on the American idealization of the minuteman concept. Since the Revolutionary War, the American ideal has always been the citizen-soldier who swiftly takes up arms during a crisis and just as swiftly returns to civilian life when the crisis passes. Vandergriff points out that the military clauses of the Constitution enshrine this national distrust of a professional standing army.⁶

Vandergriff's discussion of the mobilization cycle and public distrust of a standing army does not cover new ground. All students of American military history are familiar with the Army's cyclic pattern and the historical wariness of a large standing army. Vandergriff's contribution lies in his illustration of how this citizen-soldier mobilization concept has driven and continues to drive the Army's personnel policies. For example, Vandergriff points to the officer corps' inability to mobilize large numbers of volunteers during the Spanish-American War. The lesson learned at the time was not to place less reliance on mass mobilization, but to make the officer corps more efficient at mobilization. The reforms of this era created a centralized personnel management system that could create "one size fits all" officers who could mobilize and expand the Army rapidly in time of war.⁷ Centralized personnel management continues today. According to Vandergriff, the massive volunteer replacements required by World War I forced the Army to adopt an individual replacement system.⁸ The Army still uses an individual replacement system. World War II's requirement for large numbers of relatively untrained volunteer soldiers necessitated a top-down style of control.⁹ The doctrine of centralized control persists. The threat of the Cold War required "generalist" officers with a wide variety of experiences who could immediately lead millions of

6. *Id.* at 25.

7. *Id.* at 52.

8. *Id.* at 57.

9. *Id.* at 71.

mobilized troops against the Soviet Union.¹⁰ The generalist approach still dominates.

Vandergriff uses numerous such examples to illustrate the origin of the Army's current personnel policies. He ties the origins to the assumption that the Army will predominately fight its wars with non-professional soldiers called to arms in a mass mobilization. In doing so, he meets his stated goal of showing how an outdated assumption forms the basis of many current personnel policies. The assumption of mass mobilization clearly no longer applies. The Gulf War, the Balkan campaigns, and operations in Afghanistan did not result in the conscription of civilians. Even during the recent war with Iraq, no one seriously proposed turning civilians into soldiers. And, as it turned out, there would not have been time to do so. The country obviously now expects its full-time armed forces, augmented by Reserve and National Guard forces when necessary, to meet all external threats. Vandergriff is correct to point out that a system based upon mass mobilization is based upon an anachronism.

A change in an underlying assumption, however, does not necessarily invalidate a system. Vandergriff argues that it does so in the case of the Army personnel system. According to Vandergriff, the results of continuing to treat officers as an interchangeable cog for placement anywhere in a giant, mobilizing war machine are problematic.¹¹ A preference for generalists over specialists dominates.¹² The system rotates personnel in a futile attempt to expose them to everything.¹³ The rotations are rapid to ensure everyone has their fair chance to hold the "required" jobs.¹⁴ The jack-of-all trades approach, in turn, produces a "ticket-punching" mentality and a short-term outlook.¹⁵ Centralized selection boards reinforce this mentality

10. *Id.* at 80-81.

11. *Id.* at 57 (describing the individual replacement system as viewing "the individual as an identical component part that could be created on an assembly line").

12. *Id.* at 80 (describing the military after World War II as wanting "an excess of officers in the middle grades and senior levels . . . [who were] 'generalists' with experience in a wide variety of command and staff positions").

13. *Id.* at 17 (describing the Army as "dominated by a personnel system that does not allow units to become stabilized and does not leave officers in positions for a sufficiently long period of time to truly master the requisite skills").

14. *Id.* at 83 ("The practice of equity ensures that few officers spend enough time in positions related to decision making in combat to gain the experience needed to become truly good at it.").

15. *Id.* ("The army began to see that an emphasis on such specific military competencies was regarded as 'unfair' and impaired 'career equity' in order to meet the 'career gates' driven by the up-or-out system.").

when they reward those whose tickets bear the proper punches.¹⁶ Elevation of process over results is the outcome because standardized processes are easier for inexperienced officers to apply.¹⁷

The current Army personnel system does display these characteristics. According to Vandergriff, the thought ingrained in most officers is, "If you follow the process, you will succeed."¹⁸ The result, says Vandergriff, is the tendency for commanders and staffs to focus more on the charts and templates posted on the walls of their tactical operations centers than on the enemy's actions.¹⁹ The outcome of training exercises has become less important than the process used to fight them.²⁰ Clearly, this is dangerous in a profession whose outcome measurements include the loss of life. Other by-products of the system include officers who do not trust their subordinates and centralize decision-making to ensure nothing undesirable happens on their short watch.²¹ Centralization stifles learning and free thought. Officers cannot trust their peers because they all compete equally for the "required" jobs and "top-block" evaluations in those jobs.²² The lack of trust negatively affects unit cohesion. Additionally, frequent individual rotations further erode cohesion and prevent the development of expertise.²³

After pointing out these unintended flaws in the current personnel system, Vandergriff proposes a new force structure and personnel system capable of eliminating cohesion and expertise problems. Vandergriff envisions a force based upon a unit-replacement model that rotates entire units through a four-year unit life cycle. There would be no changes to the unit's personnel for the entire four-year period.²⁴ Vandergriff describes in paragraph format the various battalion types, numbers, and personnel he pro-

16. *Id.* at 98 ("The process of obtaining all the right career building blocks to get promoted and command became known as 'ticket-punching.' A list of these 'tickets' was included in the officer's official file and were the first thing seen by promotion, command, and school selection boards.").

17. *Id.* at 68-72.

18. *Id.* at 139.

19. *Id.*

20. *Id.* ("Mission accomplishment, or the final result, is not as important as how the commander, his staff, and the unit go about it.").

21. *See id.* at 13 (describing the officer corps as "risk-averse," prone to "micromanagement, checklist procedures, a zero-defects culture, and a lack of cohesion," and holding "the assumption that subordinates cannot be trusted to make their own decisions").

22. *Id.* at 235. ("Moral courage and trust . . . are undercut from the very beginning of an officer's career because of the competitive ethic and an obsession with statistics.").

23. *See supra* note 14 and accompanying text.

poses for this new force structure.²⁵ He, unfortunately, does not provide any type of chart or wire diagram to aid comprehension. An organizational wire diagram could have concisely illustrated his proposal. The lack of such a diagram made visualizing Vandergriff's concept more difficult than necessary. What is readily apparent, though, is that Vandergriff's structure would require significant changes to the current personnel system to stabilize officers of all different ranks in one unit for the unit's entire life cycle.

To meet the requirement for such stabilization, Vandergriff proposes a complete transformation of the officer personnel system. Central to his system is the replacement of the current "up-or-out" promotion system with an "up-or-stay" system.²⁶ Vandergriff's up-or-stay promotion system moves the "cut line" to the very beginning of an officer's career. Vandergriff hopes to eliminate "promotion anxiety" and its associated ills by making it more difficult to become an officer, but easier to remain one. The officer's desire for promotion drives Vandergriff's system. Every few years, an officer may choose to compete for promotion if an opening is available. There is no obligation to do so. Instead, the officer may choose to remain at his current grade with prorated pay. Consequently, a captain could serve for twenty years and retire as a "successful" officer. Periodic examinations and evaluations would ensure these officers remain mentally and physically competent.²⁷

Vandergriff's reliance on periodic evaluations and professionalism to keep the officer corps from growing old and stagnating in a grade or job,²⁸ however, is problematic. For example, Vandergriff does not address whether these periodic exams will remain at a static level of difficulty for a given rank or job, or whether they will get progressively more difficult over time. If they remain static, an officer is unlikely to become less able to pass the exam. Once the officer meets the requirement, he will continue to do so as he becomes even more expert in the job. If the difficulty of the

24. The Army appears to be in the process of adopting, in part, at least this portion of Vandergriff's suggestions. See, e.g., Sean D. Naylor, *Alaskan Brigade, the First Unit to Use Unit Manning Initiative*, ARMY TIMES, May 19, 2003, at 10-11 (describing the 172d Infantry Brigade's switch to a unit manning system).

25. See VANDERGRUFF, *supra* note 1, at 214-15.

26. *Id.* at 242-51.

27. *Id.*

28. See *id.* at 245.

exam does increase, does it not simply replace “promotion anxiety” with “retention anxiety”?

Vandergriff also proposes changing the current officer evaluation format. One of his proposed three parts of the new evaluation concerns the officer’s potential.²⁹ How is this relevant to an officer not planning to compete for a higher grade? Under Vandergriff’s system, it appears the officer need only be competent at his current job. Therefore, an evaluation is only relevant to the extent it indicates the officer is doing the job adequately. No incentive to perform beyond the adequate level exists.

Vandergriff is overly optimistic to rely upon professionalism to keep the officer corps moving ahead. Tales of mediocre performance from soldiers who are “retired on active duty” are commonplace under today’s system. Vandergriff’s proposal to vest retirement benefits at ten years and allow continuation in service for adequately doing your current job³⁰ will encourage this phenomenon. Vandergriff does provide the option for the senior rater to twice designate an officer as unfit for combat duty and remove him from the service,³¹ but the Army’s current system shows a widespread unwillingness to use such blunt assessments unless forced to do so. It is very rare for one of today’s officer evaluations to state “Satisfactory Performance, Promote” rather than “Outstanding Performance, Must Promote.”³² Short of criminal misconduct, the future possibility of receiving two “unfit” evaluations seems extremely remote.

Although Vandergriff fails to address obvious questions, his unorthodox proposals are thought provoking. He deserves commendation for encouraging bold new ideas in the area of personnel management. Less commendable, however, is Vandergriff’s documentation within the book. The form of the documentation is less than effective and there are significant problems with the documentation’s substance.

The work contains extensive citation placed as endnotes.³³ It is extremely distracting to have to flip back to the very end of the book to

29. *Id.* at 255.

30. *Id.* at 262.

31. *Id.* at 255.

32. E-mail from Lieutenant Colonel William D. Swisher, Chief, Officer Evaluation Reports Policy Section, U.S. Army Personnel Command, to author (Mar. 27, 2003, 01:18 EST) (stating “the vast majority of reports . . . have the [Must Promote] block checked”) (on file with author).

33. See VANDERGRIF, *supra* note 1, at 273-349.

check the source for each citation. Footnotes would be more convenient. Given the large number of citations, however, footnotes might greatly increase the number of pages the book requires. If so, even endnotes at the close of each chapter would be more convenient than jamming them all together at the rear of the book.

As other commentators have suggested, the substance of Vandergriff's endnotes bear careful scrutiny.³⁴ Although the citations are extensive, several are puzzling. Some endnote material fails to attribute, illuminate, support, or even relate to the noted passage. For example, Vandergriff places an endnote reference after the following passage: "A military service adhering to these values by empowering its people with authority, respect, and responsibility will be better positioned to solve the problems described by hundreds of officers in recent surveys."³⁵ The reader's expectation is that the citation provides a source for the surveys or, at the very least, perhaps lists the problems. It does neither. The citation instead provides a Web site and list of articles for "[r]eaders interested in learning more about the basic ideas of maneuver warfare."³⁶

Concrete source identification is also a recurring problem. In one endnote, Vandergriff cites "one of several letters from talented officers opting to get out."³⁷ It is impossible to determine if Vandergriff and others were surveying or listening equally to officers who chose to remain in the service. The objectivity and authority of such unclear sources is suspect.

Vandergriff's frequent references to an "exodus" of officers from the Army also grew irksome. He presumes too much knowledge of this important fact on the part of the reader. Given the frequency that Vandergriff makes this assertion, he should immediately provide the statistics to support it. Vandergriff does not provide any actual numbers in support until the seventh chapter. In an endnote, the reader finally learns that 10.6% of captains are leaving the Army.³⁸ Similarly, Vandergriff never

34. See, e.g., Sean D. Naylor, *Secretary Pushes for Large-Scale Personnel Reform*, ARMY TIMES, Sept. 16, 2002, at 14 (quoting Lieutenant General Ben Griffin as deriding Vandergriff's work as long on emotion and short on facts); Lieutenant Colonel (Retired) Mike Burke, *Fascinating but Flawed Examination of the Officer Personnel System*, ARMY MAG., Sept. 2002, at 76 (book review) (commenting that what Vandergriff presents as facts in the text becomes thoughts in the footnotes).

35. VANDERGRIF, *supra* note 1, at 17.

36. *Id.* at 278 n.42.

37. *Id.* at 275 n.10.

38. *Id.* at 327 n.36.

associates an actual number with his statement that the Army “is seeing an all-time high number of its most successful officers turning down battalion and brigade commands.”³⁹

In spite of documentation flaws and a lack of depth in addressing the questions raised by its proposals, I found *The Path to Victory* well worth reading. While the blueprint suggested by Vandergriff may need adjustment, it deserves consideration. The “transformed” Army will require officers comfortable with change on the scale Vandergriff proposes. I highly recommend this book to anyone planning to be a part of that force. *The Path to Victory* may falter in mapping the actual path, but it does make the case that real change is necessary. The Army seems determined to transform its weapons and technology. Vandergriff correctly demands that the Army not overlook the need to transform equally its most valuable resource—its personnel.

39. *Id.* at 187.

WHY WE FIGHT: MORAL CLARITY AND THE WAR ON TERRORISM¹

REVIEWED BY MAJOR STACY E. FLIPPIN²

War is an ugly thing, but not the ugliest of things. The decayed and degraded state of a moral and patriotic feeling which thinks that nothing is worth war is much worse. A man who has nothing for which he is willing to fight—nothing he cares about more than his own safety—is a miserable creature who has no chance of being free, unless made and kept so by the exertions of better men than himself.³

In *Why We Fight: Moral Clarity and the War on Terrorism*, Bill Bennett makes a compelling, if at times overstated, case for why the United States in the aftermath of 11 September 2001 is a country worth fighting for and why the war on terrorism is a fight America must win. Mr. Bennett attempts in *Why We Fight* to provide moral underpinnings for America's current war against terrorism. Specifically, Mr. Bennett views the period after September 11th as "a moment of moral clarity" for the United States, in which Americans are unified as one people;⁴ however, he observes that a segment of American society was "skeptical, if not disdainful of American purposes in the world and reflexively unprepared to rally to America's side."⁵ Mr. Bennett is concerned with how widespread this skepticism is, and how this view may affect the war on terrorism.⁶ Thus, this book is Mr. Bennett's self-described "effort to answer the questions being asked about

1. WILLIAM J. BENNETT, *WHY WE FIGHT: MORAL CLARITY AND THE WAR ON TERRORISM* (2002).

2. United States Army. Written while assigned as a student, 51st Judge Advocate Officer Graduate Course, The Judge Advocate's General School, United States Army, Charlottesville, Virginia.

3. BENNETT, *supra* note 1, at 43 (quoting John Stuart Mill).

4. *Id.* at 2.

5. *Id.* at 4.

6. *Id.* at 6.

this war” and to respond to what he views as an influential segment of American society critical of the war on terrorism.⁷

Obviously, the war on terrorism is a timely and relevant topic to all Americans. Mr. Bennett’s attempt to bring moral perspective to the war should be of particular interest to judges practicing international law who have to deal with the question: When is America justified in going to war?

With his background, Mr. Bennett brings a unique perspective and focus to the moral issues surrounding the war on terrorism. Mr. Bennett is a former Secretary of Education and Director of the Office of National Drug Control Policy, he has a Ph.D. in political philosophy from the University of Texas and a law degree from Harvard, and he has taught philosophy at a number of universities.⁸ Thus, he can speak with authority about the moral arguments surrounding the war on terrorism and provide interesting insight into the arguments occurring in the academic world.

Readers of Mr. Bennett’s other works may recognize familiar themes in *Why We Fight*. These themes include the idea that a segment of American society is attacking American values and ideals, a concern with the values that Americans are passing on to their children and the impact this will have on the children, and an argument against relativism—the notion that there is no right or wrong, good or evil.⁹ In particular, *Why We Fight* is very similar in organizational style and purpose to Mr. Bennett’s earlier work, *The Death of Outrage: Bill Clinton and the Assault on American Ideals*.¹⁰ Specifically, in *The Death of Outrage*, Mr. Bennett identifies what he considers the main positions of President Clinton’s supporters and spends a chapter examining the validity of each position.¹¹ Similarly, in *Why We Fight*, Mr. Bennett identifies what he believes to be the central

7. *Id.* at 12-13.

8. See WILLIAM J. BENNETT, *THE DE-VALUING OF AMERICA: THE FIGHT FOR OUR CULTURE AND OUR CHILDREN* 7, 20 (1992) (discussing Mr. Bennett’s background and his life in politics).

9. See *id.* (in which Mr. Bennett is concerned with what he views as a cultural battle between the beliefs of most Americans and the beliefs of a liberal elite that dominates our institutions, and the impact that this battle is having on American children); WILLIAM J. BENNETT, *THE DEATH OF OUTRAGE: BILL CLINTON AND THE ASSAULT ON AMERICAN IDEALS* (1998) (in which Mr. Bennett is concerned with what he perceives as an attack on traditional American values by the defenders of President Clinton).

10. *THE DEATH OF OUTRAGE*, *supra* note 9.

11. *Id.* at 11.

questions about the war on terrorism and devotes a chapter to answering each question.

Overall, *Why We Fight* is an intelligent and thought-provoking dissection of the moral issues surrounding the war on terrorism. The five central questions that Mr. Bennett explores regarding the war on terrorism are:

1. Was the United States justified in responding with force?;
2. Is American culture superior to others, and how can it be defended?;
3. Who are America's enemies, and why do they hate America?;
4. Was the United States brought into this war by its support for Israel?; and
5. Is there something morally wrong with patriotism?¹²

This review examines how effectively Mr. Bennett answers these questions in connection with his stated purpose of responding to that part of society critical of America in its war on terrorism.

The first issue Mr. Bennett addresses is whether the United States was morally justified in responding with force to the 11 September attack, or whether America should have used other means, such as criminal international law, or simply not responded at all. In other words, he examines the morality of force versus the morality of pacifism.¹³ After exploring the religious and historical origins of both pacifism and the just war theory,¹⁴ a theory familiar to judge advocates practicing international law,¹⁵ Mr. Bennett concludes that America's current campaign against terrorism satisfies the theory's three criteria for initiating war. Specifically, Mr. Bennett

12. BENNETT, *supra* note 1, at 12-13.

13. *Id.* at 20.

14. *See id.* at 22-28.

15. The just war theory, which has a very long history, deals with when it is morally justifiable to wage war. Saint Thomas Aquinas gave "the most systematic exposition [of this theory]." Internet Encyclopedia of Philosophy, *Just War Theory*, at <http://www.utm.edu/research/iep/j/justwar.htm> (last visited Mar. 25, 2003). Aquinas believed that a war was justified when the war was waged by a lawful authority, when it was undertaken with just cause, and when it was undertaken with the proper intention (either to achieve some good or to avoid some evil). Mark Edward DeForrest, *Let Thy Cause Be Just: Just War Theory and the Recent U.S. Air Strikes Against Iraq*, 1 *ACROSS BORDERS GONZ. INT'L L.J.* para. 11 (1997), available at <http://law.gonzaga.edu/borders/documents/deforres.htm>. Aquinas's views, together with the views of St. Augustine, "form the basic core of just war theory, and it is from their concepts that the theory of just war is adapted and expanded by later thinkers." *Id.*

argues that the war is being waged by a legitimate sovereign “in a just cause, against terrorists who sought and still seek to destroy [America], as well as to avoid future evil.”¹⁶ In all, through persuasive use of the just war theory and religious history, Mr. Bennett makes a convincing argument that the use of force is morally permissible under certain circumstances, and America’s war on terrorism meets these criteria.

Although Mr. Bennett makes a strong argument that al Qaeda’s actions warranted a military response, rather than simply some sort of criminal manhunt, his assertion that calling the 11 September attack a “crime against international law” trivializes the terrorists’ acts is overreaching. This argument seems to fly in the face of the Nuremberg trials conducted after World War II, in which many Nazis were put on trial for crimes against international law; for example, waging wars of aggression and crimes against humanity.¹⁷ Certainly, no general belief today exists that by holding those trials, the Allies were somehow diminishing or trivializing the Holocaust. Mr. Bennett’s argument that calling the September 11th attack an international crime somehow diminishes the attack falls short.

The second issue Mr. Bennett examines is whether American (or more broadly Western) culture is better than other cultures. In this regard, he gives a persuasive moral defense of American culture, making this section the strongest part of the book. Mr. Bennett obviously devoted a good deal of time and thought to this subject.

In making this cultural comparison, Mr. Bennett effectively takes aim at “relativism,” a concept that “implies that we have no basis for judging other peoples and other cultures, and certainly no basis for declaring some better than others, let alone ‘good’ or ‘evil.’”¹⁸ Through powerful use of examples and logic, he makes short work of the relativist argument. As Mr. Bennett succinctly points out:

Is the deliberate murder of innocent civilians the same thing, morally, as the deliberate *not*-killing of innocent civilians? Is a crying baby the same thing as a ringing telephone? That is the specious sort of question we are dealing with here, and *every-*

16. BENNETT, *supra* note 1, at 28.

17. See MICHAEL R. MARRUS, THE NUREMBERG WAR CRIMES TRIALS 1945-46: A DOCUMENTARY HISTORY 57-70 (1997).

18. BENNETT, *supra* note 1, at 46.

body knows the answer. To pretend otherwise is not sophisticated, it is sophistry.¹⁹

Ultimately, Mr. Bennett argues that Western culture is superior because it has diversity and tolerance as its core values, such as respect for human rights and respect for religious and political differences, and that most Islamic countries do not share these values.²⁰

Unfortunately, Mr. Bennett delivers his argument regarding Islamic values without any significant support. For instance, he does not do any in-depth examination of the different Muslim countries and whether, or to what extent, they may share these values. Mr. Bennett may assume that the reader has a substantial knowledge of the culture of all Muslim countries, or that the failure of a majority of Islamic countries to share these views is self-evident; however, such assumptions are not necessarily warranted. Ultimately, he fails to expound on this argument sufficiently.

The third and fourth issues examined by Mr. Bennett concern the nature of the terrorists and their objectives, and whether U.S. support for Israel contributed to the attack. His responses on these two topics are more problematic and less compelling than his defense of American culture. These topics certainly comprise the most controversial aspect of the book, and need to be examined together.

First, Mr. Bennett explores who the enemy is and what the enemy represents. Specifically, he examines “whether the brand of radical Islam represented by Osama bin Laden [is] indeed an artificial outgrowth of Islam that ‘hijacked’ the classical faith,” or it is the result of something within the faith itself.²¹ He argues that classical Islam “is not without its deeply problematic aspects, particularly when it comes to relations with non-Muslims.”²² Further, he contends that “[t]he superiority of Islam to other religions, the idea that force is justified in defending and spreading the

19. *Id.* at 59.

20. *Id.* at 63.

21. *Id.* at 85.

22. *Id.*

faith . . . are authentic teachings.”²³ Thus, the September 11th attack and Muslim support for Osama bin Laden implicate Islam itself.²⁴

Next, Mr. Bennett addresses whether U.S. support of Israel provided the impetus for the attack. He argues that Osama bin Laden’s primary agenda “was really aimed at toppling the insufficiently radical Saudi monarchy and other deficient Muslim regimes, gaining access to nuclear weapons, and prosecuting a worldwide war against the ‘infidel’ and ‘decadent’ West.”²⁵ Thus, even if Israel did not exist, bin Laden would still hate the United States.²⁶

In discussing Muslim support for Bin Laden and the impact of the Israeli-Palestinian conflict, Mr. Bennett makes some interesting and provocative points. As with his assertion that Muslim countries do not share the values embodied in American culture, however, Mr. Bennett fails to provide support for his assertion that there is substantial support for Osama bin Laden in the Muslim world. Furthermore, the view of the Israeli-Palestinian conflict he puts forth seems overly simplistic. From Mr. Bennett’s perspective, it appears that the conflict is the Jewish “dream of peaceful integration” against the Arab “dream of Jewish extinction.”²⁷ He ignores or skims over issues such as Jewish settlements in disputed areas and treatment of Arabs in the occupied territories. By disregarding or discounting these difficult issues, Mr. Bennett fails to acknowledge the complexity of Israeli-Palestinian conflict.

The last issue examined by Mr. Bennett is whether patriotism, or love of country, is an acceptable and good moral value. He argues that educational institutions have distorted American history over the last several decades due to the dominance of a “secular, liberationist, anti-traditionalist” culture among the elite.²⁸ Thus, Mr. Bennett asserts that educational institutions need to do a better job providing students with “a thorough and honest study of our history, undistorted by the lens of political correctness and pseudosophisticated relativism.”²⁹ To support his position, Mr. Bennett relies primarily on writings and quotations from various educators and

23. *Id.*

24. *See id.* at 85-91.

25. *Id.* at 106.

26. *Id.* at 107.

27. *Id.* at 112.

28. *Id.* at 141, 145-47.

29. *Id.* at 149-50.

authors that, according to Bennett, connote distrust of patriotism, and on surveys showing that American students lack historical knowledge.³⁰

Mr. Bennett, however, fails to acknowledge the legitimate origin of some of his opponent's beliefs. For instance, he notes that many arguments people make against military action stem from the Vietnam War and its aftermath and the concomitant mistrust of government and the military developed during the 1960s and 1970s.³¹ Bennett does not, however, acknowledge that the actions of the government during Vietnam and Watergate were wrong or that they may have warranted the resulting distrust of government action. In other words, in describing how wonderful the United States is, he sometimes glosses over past problems.

In addition to the shortcomings regarding Mr. Bennett's individual arguments, some problems run throughout the book. First, Mr. Bennett has a tendency to overstate matters, sometimes making sweeping generalizations without providing any real authority for them. For example, Mr. Bennett asserts that after September 11th, "[i]n the national media, anger was discouraged, denigrated, even mocked."³² He cites no evidence or examples, however, to support this allegation.

Second, Mr. Bennett's tends to rely on anecdotal evidence to support his positions and arguments, which exacerbates his overgeneralizations. For instance, for his bold assertion that the view of the United States as an imperialist power "wreaking its evil will on hapless peoples of the third world" is "especially prevalent in our institutions of higher learning," Bennett relies solely on quotations from only a speaker at a University of North Carolina teach-in and a Rutgers professor.³³ In some places, such as the example cited above, he does not even attribute the purported quotation. In another instance, Mr. Bennett argues that Muslims sympathetic to the Muslim terrorists have been "authoritatively gauged in the hundreds of millions," but fails to identify the "authoritative" source.³⁴ While Mr. Bennett's moral arguments may not necessarily lend themselves to support with "hard" data, Mr. Bennett could have given such authority on many

30. *See id.* at 131-32, 145-46.

31. *See id.* at 136-39.

32. *Id.* at 9.

33. *Id.* at 40-41.

34. *Id.* at 77.

occasions in the book, such as his alleged estimate of Muslim sympathizers, but failed to do so.

A final shortcoming of *Why We Fight* is Mr. Bennett's bias likely evident due to writing so soon after the tragic events of September 11th. Undoubtedly, the attack deeply affected Mr. Bennett, and his emotional response appears to show through at times. For example, Mr. Bennett says he would not be surprised if "the Afghanistan campaign were to qualify as one of the most just wars ever fought."³⁵ He also talks about America's great military success in Afghanistan,³⁶ even though at this point in America's ongoing conflict, such an assessment is premature.

Overall, the strengths of *Why We Fight* outweigh its weaknesses. Mr. Bennett makes a forceful and cogent moral defense of the war on terrorism, and of the United States itself. In the end, he successfully achieves his objective of providing intelligent, considered, and effective responses to the critics of American government's reaction to the 11 September 2001 attack.

35. *Id.* at 30.

36. *Id.* at 167.

**THE LESSONS OF TERROR
A HISTORY OF WARFARE AGAINST CIVILIANS:
WHY IT HAS ALWAYS FAILED AND WHY IT WILL FAIL
AGAIN¹**

REVIEWED BY MAJOR GREGORY L. BOWMAN²

*Warfare against civilians, whether inspired by hatred, revenge, greed, or political and psychological insecurity, has been one of the most ultimately self-defeating tactics in all of military history—indeed it would be difficult to think of one more inimical to its various practitioners' causes.*³

Since the horrific events of 11 September 2001, pundits, politicians, and journalists have written hundreds of books, articles, and commentaries on the appropriate means to counter international terrorism. To support their views, these authors typically analyze the political, religious, or social characteristics of current terrorist or extremism movements. In his latest book, *The Lessons of Terror*, novelist and historian Caleb Carr attempts to break this analytical mold by arguing that “military history alone can teach us the lessons that will solve the dilemma of modern international terrorism.”⁴

In support of this provocative, yet myopic, approach, Carr develops his “lessons of terror” through an extensive historical analysis of “deliberate warfare against civilians.”⁵ He then uses these lessons to advocate for the adoption of a new “progressive war” strategy that involves the classification of terrorists as soldiers; the use of government-sponsored assassination; and the use of unilateral, preemptive military strikes. Although this book has an enlightening historical analysis, readers will find Carr’s com-

1. CALEB CARR, *THE LESSONS OF TERROR, A HISTORY OF WARFARE AGAINST CIVILIANS: WHY IT HAS ALWAYS FAILED AND WHY IT WILL FAIL AGAIN* (2002).

2. United States Army. Written while assigned as a student, 51st Judge Advocate Officer Graduate Course, The Judge Advocate General’s School, United States Army, Charlottesville, Virginia.

3. CARR, *supra* note 1, at 12.

4. *Id.* at 14.

5. *Id.* at 6.

parisons to terrorism shortsighted, the analysis of his new strategy disappointing, and his “history alone” approach questionable.

Historical Analysis

Carr provides readers with an impressive review and detailed analysis of the historic development of “deliberate warfare against civilians” as a military and political strategy. Carr’s extensive knowledge of history is readily apparent,⁶ and readers will find this aspect of his book useful and insightful. With gripping descriptions of infamous tactics such as Roman punitive raids, Sherman’s “March to the Sea,” and Palestinian suicide bombings, Carr vividly illustrates how intentionally targeting civilians galvanizes a nation’s populace, enhances support for resistance, and dooms the attacker to ultimate failure.

Yet, Carr’s analysis goes beyond a mere factual review of tactics. He also extensively discusses the numerous military doctrines and humanitarian theories that developed because of such warfare. From the principles of Fredrick the Great, Oliver Cromwell, and Napoleon, to the theories of St. Augustine, Grotius, and de Vattel, Carr guides the reader through the development of the total war, just war, and limited war concepts. He then analyzes the historical impact of these concepts on military discipline, training, and tactics, as well as upon religious and social institutions. By doing so, he not only supports his so-called lessons of terror, but he also provides a useful glimpse into the age-old struggle between the practical reasoning of warriors and the humanitarian goals of philosophers—a struggle which eventually yielded modern international law.

Thus, with this in-depth discussion of tactics and theory, Carr makes a convincing case for his lessons of terror: First, “the nation or faction that resorts to warfare against civilians most quickly, most often, and most viciously is the nation or faction most likely to see its interest frustrated and, in many cases, its existence terminated.”⁷ Second, “warfare against civilians must never be answered in kind.”⁸ And third, all nations must

6. “Caleb Carr is a contributing editor of *MHQ: The Quarterly Journal of Military History* and the series editor of the *Modern Library War Series*.” He is also the author of several historical books including *The Devil Soldier*, which details the historic military leadership and battle prowess of American Frederick Townsend Ward during China’s Taiping Rebellion.

7. CARR, *supra* note 1, at 6.

8. *Id.*

“have a uniform, forceful response to any and all unacceptable belligerent behavior during wartime.”⁹ Unfortunately, despite these perceptive conclusions, Carr’s overall analysis wanes as he attempts to flesh out the theoretical link between his historical review and his definition of modern international terrorism.

Terrorism Analysis

Readers will be disappointed with Carr’s terrorism analysis because it relies heavily upon an oversimplified definition of terrorism. Although military, political, and legal scholars have attempted in vain to develop a consensus regarding the definition of terrorism,¹⁰ Carr utterly ignores this debate. With no significant analysis, he simply defines terrorism as “warfare deliberately waged against civilians with the purpose of destroying their will to support either leaders or policies that the agents of such violence find objectionable.”¹¹ At first glance, this definition seems viable. Carr’s overzealous attempt to link *all* deliberate attacks against civilians to this definition, however, demonstrates that it is too broad in one sense and too narrow in another.

In the broad sense, Carr’s definition encompasses not only attacks by clandestine agents or factions during peacetime, but also civilian damage caused by nation states during international armed conflict.¹² For example, he asserts that the Allied strategic bombing of German industrial sites during World War II was nothing more than a variation “on the standard theme of terrorism.”¹³ He argues that Allied leaders either ignored the potential for civilian deaths or were “actively enthusiastic about the tactic’s punitive dimension.”¹⁴ Likewise, he contends that any civilian deaths caused by the famous “Doolittle Raid” (the first Allied attack on mainland

9. *Id.* at 95.

10. See United Nations Office on Drugs and Crime, *Definitions of Terrorism*, at www.undcp.org/odccp/terrorism_definitions.html (last visited Jan. 29, 2003). The United Nations notes that the definition has “haunted the debate among states for decades.” *Id.* Moreover, “The lack of agreement . . . has been a major obstacle to meaningful international countermeasures.” *Id.*

11. CARR, *supra* note 1, at 6.

12. See U.S. DEP’T OF STATE, PATTERNS OF GLOBAL TERRORISM—2000, at 1 (2000). The State Department defines terrorism as “premeditated, politically motivated violence perpetrated against noncombatant targets by *subnational* groups or clandestine agents, usually intended to influence an audience.” *Id.* (emphasis added).

13. CARR, *supra* note 1, at 176.

14. *Id.*

Japan after Pearl Harbor) “fit the definition of terrorism precisely,” simply because one of the goals may have been to diminish Japanese public support for their war effort.¹⁵

Although Carr’s views could be viable, these acts are subject to multiple interpretations. For example, deliberate attacks against civilians during international armed conflict might be best understood as war crimes, rather than terrorism. By failing to analyze alternative interpretations of such events, Carr oversimplifies the issue and leaves the reader questioning not only his definition, but also his entire terrorism analysis.¹⁶ Yet, the problems go deeper.

Carr’s definition of terrorism is also too narrow. Without critical examination, the definition excludes terrorist attacks against military personnel or property.¹⁷ To Carr, an attack on military personnel or property is guerilla warfare, not terrorism.¹⁸ Thus, he generally ignores the attacks on the Khobar Towers and the *U.S.S. Cole*, even though both attacks were against individuals who were either off duty or not engaged in hostilities. Moreover, each attack was ostensibly aimed at the same political motives that Carr attempts to capture in his definition of terrorism—the destruction of public support for “either leaders or policies that the agents of such violence [found] objectionable.”¹⁹ Carr’s failure to address at least this part of the definitional debate again detracts from the credibility of his overall terrorism analysis.

Future U.S. Counterterrorism Policy

Based on his historical and terrorism analyses, Carr argues for major changes in U.S. counterterrorism policy. Specifically, he advocates the adoption of a new strategy based upon his lessons of terror and the progres-

15. *Id.* at 180.

16. *See also id.* at 195. Another example of Carr’s oversimplification is his assertion that Presidents Kennedy, Johnson, and Nixon, and Secretary of State Henry Kissinger were all “terrorists” based upon civilian casualties during operations in Vietnam. *Id.*

17. *See supra* text accompanying note 11. The Department of State’s more comprehensive definition also focuses on “noncombatants” which includes not only civilians, but also “military personnel who at the time of the incident are unarmed or not on duty.” PATTERNS OF GLOBAL TERRORISM—2000, *supra* note 11, at 1. It also includes “attacks on military installations or armed military personnel when a state of military hostilities does not exist at the site, such as bombings against US bases in Europe, the Philippines, or elsewhere.” *Id.*

18. CARR, *supra* note 1, at 122.

19. *Id.* at 6.

sive war theories of eighteenth century philosopher Emmerich de Vattel.²⁰ This new strategy includes such controversial themes as treating terrorists as soldiers; use of government-sponsored assassination; and the use of unilateral, preemptive military strikes.²¹ Although Carr's recommendations are thought provoking, his failure to address key political and social issues related to such changes makes them appear shallow, and his history-alone approach seem deficient.

The first step toward Carr's progressive war strategy is the classification of terrorists as soldiers, rather than criminals. History demonstrates that the "first rule of battling an enemy, even one whose methods we despise, is to know him and, if not respect him, at least respect the nature and scope of the danger he poses."²² Carr argues that this classification will do just that by ensuring that the United States responds to terrorism with a comprehensive military strategy, rather than with limited attempts at criminal investigation and prosecution.²³

While Carr strongly asserts that the soldier label will not "ennoble"²⁴ terrorists or provide them with the international protections afforded uniform combatants, such classification would have important political and social repercussions that Carr's analysis neglects. For example, even if being called soldiers does not ennoble or protect terrorists, using such a loaded term may certainly provide them with an unwarranted "legitimacy" on the world diplomatic stage. Increased international attention to the "struggle" of these "soldiers" could inadvertently strengthen terrorist resolve, and may even increase their support throughout the world. Unfor-

20. *Id.* at 91, 225, 244. Emmerich de Vattel is the author of *The Law of Nations or the Principles of Natural Law* (Charles Fenwick trans., Carnegie Institution 1916) (1758) (an influential treatise discussing the proper conduct of belligerents during international hostilities), available at <http://www.constitution.org/vattel/vattel.html>.

21. See CARR, *supra* note 1, at 222-56. As part of his progressive war strategy, Carr also advocates internal reorganization of the U.S. intelligence and military assets. Specifically, he argues that the Central Intelligence Agency should be eliminated and that all Special Operations Forces should be combined into a separate branch of the Armed Forces. *Id.* at 237-43.

22. *Id.* at 54.

23. See *id.* at 7-13, 52-63, 227-229.

24. *Id.* at 54.

tunately, Carr's history-alone approach is too narrowly tailored to address such issues adequately.

The second step toward Carr's progressive war strategy is a change in U.S. military tactics. Carr argues that

the tactics that we have traditionally turned to in times of war—unlimited—must now be abandoned in favor of more precise, limited methods if we wish to emerge not only safe but once again living within the kind of stable international order that is required for the operation of international democratic capitalism.²⁵

His tactics include government-sponsored assassination, and unilateral, preemptive military strikes. Once again, Carr's recommendations suffer from the dearth of his focus.

In advocating the use of state-sponsored assassination, Carr points to its success in quelling rebel uprisings in the Roman Empire. He argues that "such movements—then as today—tended to be organized by and around charismatic leaders who were difficult to replace and who did not tend to surround themselves with characters of equal talent, who might become rivals."²⁶ While this description may be true, Carr again ignores significant political and social issues. First, the international community may condemn the use of assassination, greatly impairing the ability of the United States to build effective international coalitions. Second, the assassination of a key leader of any organization creates a hero, if not a saint. By creating such a martyr, the tactic may actually strengthen fervor among members and "constituents" of the terrorist organization, thereby increasing attacks. Once again, Carr's very limited approach does not address significant issues adequately, which may directly impact upon his radical policy recommendations.

Finally, at the center of Carr's new strategy is the use of "daring offensive action to resolve dangerous situations before they develop into overwhelmingly violent ones."²⁷ Specifically, he advocates the tactic of unilateral, preemptive military strikes against not only terrorist camps, but also the conventional forces of state sponsors. Citing the success of the

25. *Id.* at 225.

26. *Id.* at 28.

27. *Id.* at 91.

U.S. raid on Libya in 1986, he argues that “[b]y attacking the conventional forces of state sponsors, we drastically change the position of those states in their regional balances of power . . . [, for] as much as they may hate America[,] they value their regional power even more.”²⁸

While history may support this generalization, Carr’s limited focus again prevents him from recognizing the important political and social issues raised by unilateral action, including the potential damage to diplomatic relations with America’s allies, the destabilization of other nations in a particular region, and potential violations of international law. Whether such issues would prevent unilateral, preemptive military strikes is unclear; however, Carr’s failure to acknowledge them reveals again the dubious nature of his history-alone approach and deflates the quality of his recommendations.

Conclusion

Readers seeking a comprehensive, objective, and well-reasoned analysis of modern international terrorism will be greatly disappointed in *The Lessons of Terror* and should look elsewhere. As described above, it has several analytical shortcomings that detract tremendously from the value of the book. Although Carr provides a succinct and instructive review of the tactical and theoretical history of deliberate warfare against civilians, his controversial terrorism analysis and his progressive war strategy are perfunctory and myopic. By failing to analyze the social, political, and definitional aspects of terrorism effectively, Carr leaves readers with far more questions than answers about the appropriate “post-September 11th” U.S. counterterrorism strategy. For although history is certainly a valuable tool, Carr’s history-alone approach is simply too narrow to encompass such a complex, dynamic, and multifaceted topic.

28. *Id.* at 252.

A REVIEW OF KURSK DOWN¹MAJOR LOUIS A. BIRDSONG²

*Total darkness, like that in the deepest cave, had embraced the survivors. The black would have been almost palpable, like a paralyzing blanket that curdled spirits and confused their brains. The deck had acquired a horrible new and much sharper slant. How long since the explosions? Seconds? Minutes? The only sound was the unmistakable whoosh of compressed air forcing water out of the ballast tanks. That one roaring noise, combined with the impossible deck angle, told them the Kursk was sinking.*³

In *Kursk Down*, Clyde Burleson graphically recreates the events leading up to and surrounding the sinking on 12 August 2000 of Russian Attack Submarine K-141, an ultra-modern and deadly weapon of war known by her crew as the *Kursk*. The author immediately captures the reader's attention with a horrific description of the disaster from the perspective of the Russian crew who survived for a short period following the sinking of the *Kursk*. Burleson forces the reader to confront the terror of being confined in a mortally crippled submarine at the bottom of the Barents Sea, cut off from the rest of the world, in total blackness, while near freezing sea water slowly seeps into the small compartment holding the twenty-three survivors. Burleson creates this literary illusion and effectively weaves in the details surrounding the disaster of the *Kursk*'s sinking.

While focusing on the events surrounding the loss of the *Kursk*, Burleson's agenda from the outset of the book is to both discredit the Russian military as an obsolete, under-funded, and mismanaged entity and to malign the Russian government's clumsy efforts in handling the media blitz that ensued following the disaster. The author asserts that the Russian military expects too much from its forces, considering the state of its equipment, facilities, lack of training, and budgetary restraints. In Burleson's view, it is foolhardy for a country as financially and politically bankrupt as Russia to try and project its influence and strength beyond its

1. CLYDE BURLESON, *KURSK DOWN* (2002).

2. United States Army. Written while assigned as a student, 51st Judge Advocate Officer Graduate Course, The Judge Advocate General's School, United States Army, Charlottesville, Virginia.

3. BURLESON, *supra* note 1, at 27.

borders. Considering the new “reality” as he describes it, any effort to maintain a strong military is “dancing with disaster.”⁴ Ultimately, Burleson concludes that this “attitude” sank the *Kursk*.⁵

In a literary ploy to interest the reader, Burleson brazenly promises in his preface to reveal the “real reason” the *Kursk* sank and to prove that “an enormous explosion”⁶ on the boat caused the sinking to take place, contrary to alleged reports by the Russian Navy suggesting a different cause.⁷ Despite this assertion by the author, what caused the *Kursk*’s demise has never really been in question. Just before noon on 12 August 2000, two explosions ripped through the *Kursk*, which was operating in the Barents Sea while taking part in a large-scale Russian naval exercise. The first blast shook the massive 500-foot long boat and registered 1.5 on the Richter scale in nearby Norway.⁸ The second blast, about two minutes later, registered 3.5 on the Richter scale⁹ and doomed the boat while killing most of the 118-man crew instantly.¹⁰

In truth, the Russian government, once it understood the magnitude of the catastrophe, never denied that an onboard explosion sent the *Kursk* to its watery grave. The fact that numerous vessels (Russian, American, and British) and countries (United States and Norway) recorded the shock waves from the two explosions made such an incident apparent. In addition, many sailors on nearby Russian surface ships actually claimed to be eyewitnesses to an underwater explosion.¹¹ The Russian government questioned not whether there was an explosion, but the cause of the explosion.¹² Therefore, the author’s dramatic promise to reveal the reason the *Kursk* sank and his ultimate conclusion that an onboard explosion was the cause is merely prose intended to interest the reader, since that fact was clearly established in 2000. As this becomes clearer to the reader, this realization undermines the author’s credibility.

Despite this dramatic bit of salesmanship designed to exploit the emotional appeal of the disaster (probably to make the book seem more intrigu-

4. *Id.* at 236.

5. *Id.* at 233.

6. *Id.* (inside cover).

7. *Id.* at 97, 107, 134, 168, 181, 185, 191, 195, 227-28.

8. *Id.* at 72.

9. *Id.* at 73.

10. *Id.* at 221.

11. *Id.* at 65.

12. *Id.* at 138.

ing and interest potential buyers), the author does a good job of recreating the last days of the *Kursk*, weaving in the supposed perspectives of several crewmembers who ultimately perished that fateful August. Relying on media interviews with surviving relatives, statements made by Russian military and government officials, and a note found on the corpse of a crewmember who survived the initial blasts, the author recreates a riveting portrait of heroism, sacrifice, and death as the *Kursk* sailed on its last voyage.

Burleson focuses on the tragic circumstances of Captain-Lieutenant Dmitry Kolesnikov. Kolesnikov authored a note in the waning hours of his life aboard the crippled *Kursk*, 330 feet beneath the surface of the sea.¹³ The idea that a Russian officer left a note for his wife and chain of command while slowly suffocating in his cold and watery cell is compelling. This note offers the world a glimpse of how it must feel to be trapped aboard a hopelessly doomed ship as it meets the same fate untold thousands of ships have met since man first attempted to tame the sea. With his literary prowess, Burleson uses this hastily scrawled note to enhance his description of the *Kursk*'s final hours. The result is a sickeningly realistic portrayal of a submariner's fate when the mission goes awry.

The author also uses this glimpse inside the sunken submarine to illustrate his proposition that the Russian military and government mishandled the disaster from the beginning. By providing the reader with the desperate emotions of a doomed sailor, Burleson attempts to inflame the reader's opinion regarding the failed rescue attempts by the Russian Navy and subsequent handling of the disaster generally. Clearly, the Russian government was unprepared for the catastrophe that befell the *Kursk*. There is also evidence that the Russian government, whether intentionally or not, released confusing, contradictory, and sometimes erroneous information to the media in the initial weeks and months that followed the disaster.¹⁴ The author's indictment of the Russian government is overly harsh, however, considering the dearth of facts that surrounded the initial loss of the boat.

As discussed below, Burleson compares information gathered up to eighteen months following the disaster and after divers explored the sunken boat with what the Russian government released at the beginning of the crisis. He then concludes that the Russian military deliberately allowed the rescue mission to proceed slowly, thereby ensuring the deaths

13. *Id.* at 212.

of all sailors aboard the *Kursk*.¹⁵ Burleson also asserts that the Russian government embarked on an early and intentional campaign of disinformation initially to hide the disaster and later to shift responsibility for the incident to a foreign government.¹⁶ Burleson ultimately concludes that the anachronistic and obsolete “attitude” of the Russian leaders led to the *Kursk* disaster and that Russia must face new realities of its global stature instead of trying to regain power and prestige through military might.¹⁷

To bolster his conclusion, Burleson claims that the Russian military intentionally delayed the rescue operation for nearly twelve hours while the *Kursk* sailors slowly died below the waves.¹⁸ He also claims the Russian government delayed requesting foreign assistance because it feared that the truth that the *Kursk* sank due to an internal explosion instead of a collision with a foreign submarine would be apparent. After the explosion, Russian naval leaders waited to hear from the *Kursk* for about five hours. There was speculation that the boat may have been enroute back to port, having suffered some unknown damage, or was simply maintaining radio

14. *Id.* at 108.

In the early evening hours of Sunday, August 13, as activity at the *Kursk* site was building, Admiral Popov appeared on Russian national T.V. From the deck of *Peter the Great*, he declared that the Northern Fleet’s sea war games had been a resounding success. No mention was made of the *Kursk*.

Id. See also *id.* at 110.

Two days after the disaster, on Monday 14, at 1045 hours, the Navy Press Center issued the first public statement: “[T]here were malfunctions on the submarine, therefore she was compelled to lay on a seabed in a region of Northern Fleet exercises in the Barents Sea.” . . . Further information, this time a bit less truthful, indicated communications with the submarine were said to be working.

Id.

15. *Id.* at 81-92.

16. *Id.* at 84-85, 87, 107-08, 110-11, 113-14, 120-21, 127, 133-34.

17. *Id.* at 233.

18. *Id.* at 88; see also Vladimir Shigin, *We Must Fight for Our Lives, We Must Win Time!* (excerpt from VLADAMIR SHIGIN, *EMPTY MOORAGE* (forthcoming) (analyzing the evidence surrounding the *Kursk* disaster, to include Kolesnikov’s note), at <http://kursk.strana.ru/english/dossier/999494361.html> (last visited Jan. 24, 2003).

silence until the exercise was complete. In any event, the nearby Russian Fleet continued its exercise under the observant eyes of foreign powers.¹⁹

The Russian Northern Fleet implemented a hastily planned full-scale rescue operation at 2330 on 12 August.²⁰ A mere six and a half hours later, the Russian Navy located the *Kursk*.²¹ Despite this impressive response time, repeated attempts by four different Russian submersible rescue vehicles over a five-day period failed to secure access to the *Kursk* for various reasons.²² During this period, the Russians refused all offers of assistance from foreign countries, including the United States. The media pressure increased exponentially as the hope for survivors faded.²³

Burleson's criticism of the Russians in this case is interesting. He has a point that the initial delay of the rescue operation was too lengthy, as the Russians probably could have responded faster, given the facts known today. After initiating the rescue mission, however, the Russians moved with remarkable speed, notwithstanding budget limitations, a media frenzy, and national security concerns. Furthermore, the Russians' refusal of foreign aid is hardly surprising, considering the *Kursk* was their most modern and advanced submarine. Allowing foreign governments the opportunity to look closely at the sunken vessel was out of the question.²⁴ If one also takes into account that Russian submersibles were actively trying to gain entry into the *Kursk*, the Russians' belief they could conduct the rescue operation alone becomes more understandable. Ultimately, the fact that the Russian government was able to approach Norway, secure foreign assistance, and gain access to the submarine in over 300 feet of water within nine days is an impressive timetable in itself.²⁵ Thus, upon closer scrutiny, accusations of a delayed response, with the possible exception of the initial hours following the disaster, ring hollow.

Clear to the reader, however, is the author's frustration with how the Russian government handled the media during the crisis. According to Burleson, leaks and rumors abounded in the Russian government and speculation was rampant during the early weeks following the loss of the *Kursk*. During this period, the Russian government clearly attempted to keep the loss out of the press to the extent practicable. This was impossible, however, and both the national and international media flocked to

19. BURLESON, *supra* note 1, at 85.

20. *Id.* at 88.

21. *Id.* at 105.

22. *Id.* at 102-40.

23. *Id.* at 111, 113, 127.

nearby Russian ports to await word and investigate the matter.²⁶ When the Russian government released information too slowly, the media sometimes created news stories to feed the frenzy surrounding the loss.²⁷ The author then uses these stories to fuel his criticism of how the Russian government released false or confusing information in the aftermath of the disaster.

Burleson condemns the Russian government for initially blaming the disaster on an underwater collision with a foreign submarine as a petty effort to shift blame and responsibility for the tragedy.²⁸ Although many Russian leaders made this speculation, this was not as absurd as the author suggests. Since 1967, eleven collisions between United States and Russian (Soviet) submarines have been documented, with at least one Soviet submarine lost due to such a collision as recently as 1986.²⁹ Considering the advanced nature of the *Kursk*, the experienced captain and crew, the suddenness of the disaster, and the history of collisions in the Barents Sea, the

24. See generally Andrew Toppan, *Haze, Gray & Underway: Naval History and Photography, Frequently Asked Questions, Section G.12: Project Jennifer, Glomar Explorer, HMB-1, and the "Golf"-Class SSB* (describing Project Jennifer, a CIA effort in 1974 to recover an earlier sunken Soviet submarine), at <http://www.hazegray.org/faq/smn7.htm#G12> (last visited Jan. 24, 2002). According to Toppan,

Project Jennifer was the codename applied to the CIA project that salvaged part of a sunken Soviet submarine in 1974. The Soviet Golf-class ballistic missile submarine (SSB) K-129 sank off Hawaii on 11 April 1968, probably due to a missile malfunction. . . . The sunken submarine was located in 16,500 feet of water. . . . The CIA ran an operation to recover the sunken submarine. The recovery effort centered on *Hughes Glomar Explorer*, a 63,000 ton deep-sea salvage vessel built for the project. [A]ccording to the [version of Project Jennifer] released to the public, only the forward thirty-eight feet of the submarine was recovered. The section included two nuclear-tipped torpedoes, various cipher/code equipment and eight dead crewmen.

Id.

25. BURLESON, *supra* note 1, at 157.

26. *Id.* at 152.

27. *Id.* at 153.

28. See *id.* at 228-29.

29. Venik's Aviation, *What Happened to "Kursk"* (Feb. 18, 2001) (noting that eight of these collisions occurred in the Barents Sea), at <http://www.aeronautics.ru/nws002/kursk001.htm> (archive).

initial assessment that a collision with a foreign submarine was the likely cause of the sinking had merit.

Burleson does not limit his criticism to how the Russian government handled the incident. He also hammers at the concept that the Russian military establishment and government generally were foolhardy to pursue an aggressive training scenario like that conducted during the naval exercise. He states that “it is easier . . . to strive to regain old glories than accept new realities. That attitude sank the *Kursk*.”³⁰ The breakup of the former Union of Socialist Soviet Republics, however, did not, and should not, necessitate the breakup of Russia’s military forces, naval or otherwise. The reality of the events surrounding the *Kursk* disaster is that the Russian Northern Fleet was engaging in a rare and large-scale training event.

Burleson details how the sea time of Russian sailors, even elite submariners, had fallen drastically compared to Cold War standards. He describes in great detail how critical it was to Russian military leaders to maximize training opportunities for budgetary, political, and training purposes.³¹ These, of course, are the same reasons U.S. military leaders desire to hold and successfully complete large-scale military exercises. Nevertheless, the author criticizes the Russian effort to push its military to excel while maintaining a lower operational level than that previously enjoyed during the Cold War as anachronistic or foolish.

Additionally, the author contradicts his own criticism. He describes the modern Russian submarine in great detail, summarizing that it was the “best submarine” in the Russian Fleet.³² Furthermore, Burleson lauds the *Kursk*’s commander, Captain 1st Rank Gennadi P. Lyachin, as “one of the finest submarine commanders in the Russian Navy.”³³ The author then spends pages and pages describing the proficiency of the officers and sailors on the *Kursk*.³⁴ While this section adds to the drama of the explosions and resulting disaster, Burleson undermines his own premise that the new

30. BURLESON, *supra* note 1, at 236.

31. *See id.* at 36.

32. *Id.* at 17. *See also* Vladimir Isachenkov, *Cause of Submarine Tragedy Is Confirmed*, ABCNews.com (July 26, 2002), at <http://abcnews.go.com/sections/world/DailyNews/kursk020726.html>. General Prosecutor Vladimir Ustinov stated that the “disaster occurred . . . because of the explosion of a practice torpedo inside the fourth torpedo tube, which in turn triggered explosions in torpedo charge chambers in the submarine’s bow section.” *Id.*

33. BURLESON, *supra* note 1, at 17.

34. *See id.* at 17-25.

realities of the post-Cold War era precluded precision training and high pressure military maneuvers.

Despite the author's intent to paint the Russian government in as unfavorable a light as possible,³⁵ the book is well written and engaging. The lack of footnotes or endnotes weakens the author's many assertions and conclusions since the reader is precluded in most cases from verifying the author's factual basis. Also, the lack of maps and diagrams of both the wreck site and the submarine itself is an inexcusable oversight because such items are readily available in print media or on the Internet.³⁶

Nevertheless, Burleson achieves his stated purpose of discussing the events leading up to and surrounding the loss of the *Kursk*. He recreates a realistic series of events that probably are as close as anyone will come to describing what happened on the *Kursk* as it suffered fatal blows and slowly died, alone on the Barents Sea floor. The author injects perspectives from both the doomed submariners on board the *Kursk* and their Russian counterparts on the surface, and although he relies heavily on conjecture, he portrays a terrifying account of what happened to the *Kursk* in August 2000.

I recommend this book to readers interested in military history generally and naval warfare specifically. *Kursk Down* provides a unique insight into both submarine duty and the inner workings of the Russian military. The book is not, however, the definitive resource for the *Kursk* disaster. Burleson injects an inordinate amount of personal opinion based on conjecture into his analysis and uses these opinions to draw broad conclusions about what happened and why. While entertaining and possibly on point, the lack of factual data to support such conclusions undermines the author and his book's credibility.

35. *Id.* at 233-36.

36. *See, e.g.*, Center for Nonproliferation Studies, *The Kursk Accident* (wreck site), at <http://cns.miis.edu/pubs/reports/kurskmap.htm> (last updated Aug. 22, 2000).

THE EYES OF ORION¹REVIEWED BY MAJOR CARL A. JOHNSON²

*Platoon leaders historically suffer more casualties than other soldiers since they lead the way.*³

I. Introduction

The Eyes of Orion, co-written by five lieutenants who served as armor platoon leaders in Operations Desert Shield and Desert Storm, provides a unique perspective into the 1990-1991 Persian Gulf War. The authors led the way as the 24th Infantry Division (Mechanized) (24 ID(M))⁴ deployed to Saudi Arabia as part of Desert Shield in 1990, then spearheaded the ground offensive for the Allied Coalition Forces during Operation Desert Storm in 1991.⁵ Based on current events, this book is a must read for military personnel, particularly those junior leaders deploying to the Middle East.

The viewpoint of *The Eyes of Orion* contrasts with the majority of books written on the Gulf War, which tend to focus at the macro level, providing the reader with an overview of the geopolitical events leading up to the war and the war itself. For example, Bob Woodward's *The Commanders*⁶ and Friedman and Karsh's *The Gulf Conflict 1990 – 1991*,⁷ two excellent books in this latter genre, focus on the highest levels of command and leadership—the President, the National Security Council, the Secretary of

1. ALEX VERNON, NEAL CREIGHTON, JR., GREG DOWNEY, ROB HOLMES & DAVE TRYBULA, *THE EYES OF ORION* (1999). The Orion star constellation is the Warrior God's eternal monument to soldiers. *Id.* at 145-46.

2. United States Army. Written while assigned as a student, 51st Judge Advocate Officer Graduate Course, The Judge Advocate General's School, United States Army, Charlottesville, Virginia.

3. VERNON ET AL., *supra* note 1, at 155.

4. The 24 ID(M) was deactivated on 25 April 1996 and then reactivated on 5 June 1999 at Fort Riley, Kansas. 24th Infantry Division (Mechanized) & Fort Riley, *24th Infantry Division (Mechanized) Unit History*, at <http://www.riley.army.mil/Units/HQ24ID> (last visited Jan. 21, 2003).

5. VERNON ET AL., *supra* note 1, at 260; Letter from Major General Barry R. McCafrey, Division Commander, to the Soldiers of the 24th Infantry Division (Mechanized) (Mar. 12, 1991), *reprinted in* VERNON ET AL., *supra* note 1, at 260. Major General McCafrey commanded 24 ID(M) during Operations Desert Shield and Desert Storm. VERNON ET AL., *supra* note 1, at xxii.

6. BOB WOODWARD, *THE COMMANDERS* (1991).

7. LAWRENCE FRIEDMAN & EPHRAIM KARSH, *THE GULF CONFLICT 1990-1991* (1993).

Defense, the Chairman of the Joint Chiefs of Staff, and the Combatant Commander. *The Eyes of Orion*, however, sees the Gulf War through the lens of the lowest level of command, detailing the day-to-day activities and emotions of those small units serving on the front line.

II. The Authors

A little background on the co-authors provides some insight into *The Eyes of Orion*. Alex Vernon, Neal Creighton, Jr., Dave Trybula, and Rob Holmes all graduated from the United States Military Academy at West Point, New York, in May 1989.⁸ After completing the Armor Officer Basic Course at Fort Knox, Kentucky,⁹ they were assigned to Fort Stewart, Georgia, as tank platoon leaders in 2d Brigade, 24 ID(M).¹⁰ When they arrived at Fort Stewart, they met First Lieutenant Greg Downey—the senior platoon leader for 2d Brigade, Task Force 1-64, Delta Company¹¹—and a graduate of Nebraska State University at Kearney.¹²

These five former junior officers state that they wrote *The Eyes of Orion* to provide a more accurate and personal portrait of what it was like to live through Operations Desert Shield and Desert Storm, as compared to how those operations were portrayed by the media.¹³ This review divides its critique into three sections: (1) the deployment to Saudi Arabia; (2) Operation Desert Shield; and (3) Operation Desert Storm; then concludes with an analysis of *The Eyes of Orion* in the context of the authors' stated purpose for writing the book.

III. Deployment

The Iraqi attack on Kuwait began on 2 August 1990, defeating the Kuwaiti Army almost immediately, and eventually involving some 140,000 Iraqi troops and 1800 tanks.¹⁴ The United States could not respond to the Iraqi invasion at that time because the armed forces necessary to prevent the attack or expel the Iraqi military from Kuwait were not

8. VERNON ET AL., *supra* note 1, at 3.

9. *Id.* at 5.

10. *Id.* at 7.

11. *Id.* at 8.

12. *Id.* at 15.

13. *Id.* at xv.

14. FRIEDMAN & KARSH, *supra* note 7, at 67.

in place in the Persian Gulf.¹⁵ *The Eyes of Orion* begins on 7 August 1990 when 24 ID(M) received the alert to deploy to Saudi Arabia. Within hours of receiving the alert, the authors—along with the rest of 24 ID(M)—moved to the National Guard Training Center at Fort Stewart, Georgia, where they were “locked-down” to prepare for the deployment.¹⁶

The lock-down presented the authors with their first leadership challenge. The unit had less than a week before the ships carrying its equipment would leave for the Gulf,¹⁷ and many of the M1 Abrams Tanks (M1s) and Bradley Fighting Vehicles (Bradleys) in the authors’ platoons had been stripped for parts or otherwise badly needed repairs.¹⁸ During the lock-down, it was crucial for the platoon leaders to get their M1s and Bradleys in proper fighting condition. They did the best they could; however, as is discussed below, the authors continued to face problems with their equipment and weapons systems once they arrived in Saudi Arabia.

IV. Desert Shield

By 24 August 1990, the majority of 24 ID(M)’s soldiers were in Saudi Arabia.¹⁹ Once in theater, the authors had to work quickly to unload their M1s, Bradleys, and other equipment. Their mission was to “draw a line in the sand” quickly and serve as the primary force protecting Saudi Arabia from Iraq.²⁰ The five authors provide a candid assessment of the conditions and their readiness for battle during the early portions of Desert Shield:

Dave [Trybula’s] own tank’s turret was not fully operational. The majority of the fourteen tanks in Neal Creighton’s Alpha Company could not transfer fuel from the rear to the front tanks from where the engine drew, halving the distance the M1s could travel before running out of gas. Three of Greg Downey’s six Bradley [Combat Fighting Vehicles] could not shoot. Since we had not received the parts to repair these vehicles in the States, we hardly expected them to fortuitously appear in Saudi Arabia—the division had in fact exhausted its supply of spare parts

15. *Id.* at 85.

16. VERNON ET AL., *supra* note 1, at 13.

17. *Id.* at 1.

18. *Id.* at 13.

19. *Id.* at 25.

20. *Id.* at 26.

getting its vehicles ready for shipping. When the alert for deployment hit, the 24th did not have a single brigade's basic load of ammunition and had to scrounge from depots across the country to arm itself. From where would the next load come? Rob Holmes did not have either a gunner or loader on his tank, effectively rendering it weaponless as well.²¹

The authors' personal accounts of the early phases of Desert Shield reveal their awareness of their unit's vulnerability at that time, a view shared by the senior leadership about American forces in general.²² Fortunately, Iraq failed to attack.

Once deployed in Saudi Arabia, the authors faced new challenges. The desert heat and sand caused numerous problems for the M1s and Bradleys assigned to their platoons. Supplies, including replacement parts, were still unavailable. When a tank or combat vehicle was damaged, it would be out of action for weeks, if not months.²³ The authors thoroughly describe the maintenance problems caused by the weather conditions and the adjustments they made to overcome these problems:

[I]t meant cleaning out the turbine engine's air filters at a minimum after every six-to-eight hours of operation, and once daily on days the tank engine did not fire up Operation Stand Still called for an unequivocal order not to operate our equipment during the afternoon and to focus all maneuver training at night when the desert cooled considerably. . . . Because of the sand, we could not use oil to lubricate the weapons else the sand would stick to the lubricant. Eventually the army purchased a dry graphite lubricant to keep the weapons functioning properly.²⁴

After being in Saudi Arabia for a little over a month, the authors began to conduct much needed training with their platoons with greater frequency. This training time was essential because of the authors' inexperience: Only two of the five authors had been to the National Training Center,²⁵ the authors had limited time leading their platoons in any sort of field exercise, and at least one of the authors had never maneuvered his platoon at all.²⁶ For example, First Lieutenant Downey, who had become

21. *Id.* at 31.

22. WOODWARD, *supra* note 6, at 282.

23. VERNON ET AL., *supra* note 1, at 52.

24. *Id.* at 52-53.

25. *Id.* at 96.

the Task Force 1-64 (Armor) (TF 1-64) Scout Platoon leader only six weeks before Iraq invaded Kuwait,²⁷ complained that he had not gotten to know his scouts well enough before deployment because in the short time he had been their leader, his scouts were always on a detail or on leave.²⁸ This lack of training, coupled with the maintenance and ammunition problems, further illustrates the vulnerability of the authors' unit during the early phases of Desert Shield.

The training conducted by the authors with their platoons during Desert Shield was critical to their success in Desert Storm. As the training continued, it evolved from defensive tactics to offensive tactics.²⁹ The authors realized they would be leading their platoons into combat, and that their lives and those of their men would depend on how they performed in battle. They had to wrestle with issues concerning their confidence in their ability to lead these soldiers into combat and bring them home alive. On the brink of offensive operations, the authors feared for the safety of the men they led; they feared for their own lives; and they worried about mechanical problems, personnel problems, and—maybe most of all—they feared fratricide.³⁰

V. Desert Storm

Operation Desert Storm began with an air campaign that lasted from 17 January to 23 February 1991.³¹ During the air campaign, the authors received their mission: 24 ID(M) was to attack 300 kilometers deep into Iraq to block the Euphrates River Valley to close the escape route for 500,000 enemy soldiers in Kuwait.³² Second Brigade (which all five authors belonged to) was selected to lead the Division. Task Force 1-64 (Armor) (which three of the five authors belonged to) was designated to

26. *Id.* at 11.

27. *Id.* at 8. The scout platoon is the most autonomous unit in a combat battalion. Working well forward, it provides information on the routes and the enemy to the battalion commander so he can decide how to best employ his four companies. *Id.*

28. *Id.* at 14.

29. *Id.* at 107.

30. *Id.* at 147-73.

31. *Id.* at 145.

32. *Id.* at 177.

lead 2d Brigade. Delta Tank, First Lieutenant Rob Holmes's platoon, was selected to lead TF 1-64.³³

First Lieutenant Holmes's platoon led 24 ID(M)'s ground offensive into Iraq on 24 February 1991.³⁴ The other authors and their platoons followed. They did not encounter Iraqi forces on their first day on the offensive; instead, they had to deal with the familiar problems of maintenance and weather. A large sandstorm hit them, which Second Lieutenant Trybula describes as the worst sandstorm he had seen in the time they had been in Saudi Arabia.³⁵ Despite limited visibility, the authors all navigated their platoons without incident on the first day of the ground campaign.³⁶

Due to the success of operations elsewhere, 24 ID(M) was pressed to speed up its assault into Iraq. As it pushed the ground offensive, the authors encountered the enemy for the first time, and they were shocked at what they found. Instead of finding soldiers, they found old men and young boys whose Achilles tendons were cut by their officers so they could not run away.³⁷ First Lieutenant Downey writes that the hate he had for the Iraqis dissipated at the sight of these hungry, cold, and scared victims of Saddam's tyranny.³⁸

Lieutenant Downey provides another example of unexpected changes to his emotions driven by first-hand experience. During the ground offensive, Downey's platoon was attacked with Iraqi artillery. Downey called in an artillery strike, which quickly destroyed the enemy's position. When Downey's platoon captured an Iraqi officer who survived the attack, he told Downey that the artillery strike wiped out over 600 Iraqi soldiers. This information astonished Downey, who grew up in a small town in Nebraska with a population less than the number of Iraqis he had just helped to kill.³⁹

The 24th Infantry Division continued to press its attack at a pace that far exceeded anyone's expectations. The authors' platoons engaged Iraqi soldiers on the way to their major objective, Jalibah Airfield. Most of the Iraqi forces surrendered with little or no fight, and those who fought were

33. *Id.* at 152.

34. *Id.* at 184-85.

35. *Id.* at 183.

36. *Id.* at 183-88.

37. *Id.* at 190.

38. *Id.*

39. *Id.* at 205.

quickly defeated.⁴⁰ Jalibah Airfield, however, was heavily defended, and the authors' accounts of their successful battle for Jalibah are the highlight of the book.

VI. Analysis and Conclusion

The authors successfully deliver an exciting and thought provoking first-hand account of the Persian Gulf War from the perspective of the small-unit leader. In particular, the authors' assessment of their platoons' combat readiness and the leadership problems they encountered in their deployment, the candid description of their emotions, and the outstanding accounts of the five authors each leading their platoon in a different part of the battlefield during the offensive at Jabilah support their purpose of providing a personal portrait of their experiences during the Gulf War. Current and future leaders can learn from the problems these authors faced, and think about ways to confront or avoid them.

The biggest weakness of the book, however, is that the authors never clearly state how they believed the media portrayed Desert Shield and Desert Storm, and, therefore, never clarify how their book helps to correct history. The book is predominantly biography; one must consult outside sources to determine if, in fact, the authors' premise—that the media reported the true story of the war inaccurately—has merit.

Furthermore, one must recognize the limitations of *The Eyes of Orion*: By design, the book encompasses a micro view of the experience of the American forces in the Persian Gulf. Therefore, *The Eyes of Orion* does not provide a comprehensive overview of the war. This book does not describe in great detail what happened and why during Operations Desert Shield and Desert Storm. Instead, it is simply a very personal account based on the recollection of five platoon leaders.

Despite this criticism, *The Eyes of Orion* is a solid book. Alex Vernon, the author responsible for integrating the five accounts of the events leading up to Desert Shield and Desert Storm, does a good job with a difficult task. *The Eyes of Orion* is an excellent book for judge advocates and junior leaders, giving them unique insight into the practical problems faced by the soldiers on the front line as they faced down Saddam Hussein. The

40. *Id.* at 190-228.

authors' insights are especially relevant today, as the United States continues its recent operations in the Middle East.

By Order of the Secretary of the Army:

JOHN M. KEENE
General, United States Army
Acting, Chief of Staff

Official:

JOEL B. HUDSON
Administrative Assistant to the
Secretary of the Army
0320402

PIN: 080962-000