

Nothing from this show or any others would be construed as legal advice. Please consult an attorney for any legal issue. Nothing from this show is endorsed by the Federal Government, Air Force, or any of its components. All content and opinions are those of our guests and host. Thank you. Views and hyperlinks expressed herein do not necessarily represent the views of The Judge Advocate General, the Department of the Air Force, or any other department or agency of the United States Government. The inclusion of external links and references does not imply any endorsement by the guest(s), The Judge Advocate General, the Department of the Air Force, the Department of Defense or any other department or agency of the U.S. Government. They are meant to provide an additional perspective or as a supplementary resource.



# AFJAGS Podcast: Episode 6

## Law as an Instrument of National Power with Colonel Jeremy Weber

**HOST:** MAJOR RICK HANRAHAN, USAF

**GUEST:** COLONEL JEREMY WEBER, USAF

Lawyers are by nature strategic thinkers because of the role that law plays in our society. Law is not just a supporting activity, although it certainly is, but it's a direct contributor at the strategic level.

### **Maj Rick Hanrahan:**

In this episode, we interview Colonel Jeremy Weber on "Law as an Instrument of National Power," and tackle the connection between the strategic and tactical levels on this topic. We also discuss the 2020 National Security Law writing competition, including eligibility, its new and shorter format, expanded cash prizes, and some tips on topic selection in writing. Here are a few highlights from today's show.

### **Col Jeremy Weber:**

Lawyers are by nature strategic thinkers because of the role that law plays in our society. Law is not just a supporting activity, although it certainly is, but it's a direct contributor at the strategic level.

### **Announcer:**

Welcome to the Air Force Judge Advocate General's Reporter Podcast, where we interview leaders, innovators, and influencers on the law, leadership, and best practices of the day. And now to your host from the Air Force Judge Advocate General's School.

**Maj Rick Hanrahan:**

Welcome to another episode from the Air Force Judge Advocate General's School, professional outreach division. I'm your host, Major Rick Hanrahan. Remember, if you like the show, please subscribe on [iTunes](#) and leave a review. This helps us to grow an outreach to the JAG Corps and beyond. We are excited to have in-studio today our very own Colonel Jeremy Weber, on faculty here at the JAG school, to speak on today's topic, "Law as an Instrument of National Power." Sir, it's a pleasure to have you in-studio today.

**Col Jeremy Weber:**

Thanks very much, Major Hanrahan, I'm happy to be here.

**Maj Rick Hanrahan:**

Colonel Weber is the director of Law Chair Programs and professor of Law and Strategy for the Air Force Judge Advocate General's School. In this capacity, he represents the Air Force Judge Advocate School's Commandant as the primary academic entry point into Air University, while delivering Air University products to the JAG Corps. His duties include teaching and curriculum development at Air War College and other AU programs. Colonel Weber received a direct commission as an Air Force Judge Advocate in 1996, he has served as an Appellate Military Judge on both the Air Force Court of Criminal Appeals and the U.S. Court of Military Commission Review.

He's also served in a variety of headquarters assignments as a three-time Staff Judge Advocate and as an Assistant Staff Judge Advocate at three operational wings. Colonel Weber is one of the few people I know who attended Squadron Officer School, Air Command and Staff College, and Air War College in residence. Sir, I think that makes it a trifecta. Colonel Weber is known in both academic circles and beyond, for his research and scholarship, and has authored numerous publications, dating back into the mid 1990s. He holds a Bachelor of Science degree in journalism from Bowling Green

State University and a JD from Case Western Reserve University School of Law.

Today's topic is entitled "Law as an Instrument of National Power." This topic is also the topic for the 2020 National Security Law or NSL writing competition, in its fifth year, on behalf of the Air Force JAG School in partnership with the Air Force JAG School Foundation. Colonel Weber has written on this topic and is here today to discuss its relevance and importance for the Air Force and JAG Corps at large. We'll also provide the highlights of the NSL writing competition, how you may apply. And I plan to provide a more detailed overview of the NSL in this episode, post interview. But before we get there, sir, perhaps you could give us a little more background on your current position and what you do here at Air University and at JAG School.

**Col Jeremy Weber:**

Thanks, Major Hanrahan. I serve as basically the JAG School and the JAG Corps's bridge to [Air University](#) and not everybody understands what Air University is. It is the accredited master's degree-granting institution that serves Air Force leaders, both enlisted and officer as well as civilian, but also DoD leaders, officers, and enlisted members from other services, and leaders from approximately 70 partner and allied nations as well. And that encompasses everything from [Squadron Officer School, ACSC](#) [Air Command and Staff College], [Air War College](#) as you mentioned, the [Barnes Center](#), the [Holm Center](#), which does introductory training for officers, [LeMay Center](#), which deals with doctrine. The list goes on and on. There are more than 30 different programs across Air University. The JAG School used to be aligned under Air University, but in the mid-to-late 2000s, we pulled out of Air University and it realigned under the Air Force Legal Operations Agency.

And while we did so for some very good reasons, I think the current Judge Advocate General, [General Rockwell](#), realized that we had perhaps lost some synergy with Air University. We were teaching at Air University, but we really didn't have a coordinated strategic approach

to what we do there. So, that's my job, is to make sure we are injected in the curriculum across Air University where we need to be. And as part of that, I do a fair amount of teaching across Air University myself, including teaching the Foundations of Strategy course at the Air War College.

**Maj Rick Hanrahan:**

Thank you, sir. Today's topic, sir, is "Law as an Instrument of National Power," and this is just one of the areas that you've written on. You've written on numerous other areas and in fact were just published recently, I believe in the Tulsa Law Review on another topic, which we were talking about offline before this interview, which we may bring you on for that at some point. But could you speak a little bit on the background on this topic of law as an instrument of national power and how this topic was selected for this year's National Security Law writing competition?

**Col Jeremy Weber:**

When I was a student at Air Command and Staff College and then later at Air War College, we would study how we coordinate the use of the instruments of national power to achieve operational and strategic level effects. When we think of the instruments of national power, we normally think of them using the acronym DIME, meaning diplomacy, information, military, and economic measures. As I went through the programs as a student, I started to sense that all the issues we talked about had a definite legal component to them, as well. If you read the [National Security Strategy](#) or the [National Defense Strategy](#), the challenges that those documents outline, whether that be China's activities in the East and South China seas, or China's efforts to use its economic weight to gain influence with other countries, whether those be Russian hybrid incursions into Eastern Europe, instability in the Middle East, energy issues, etcetera.

All those have a definite legal component to them and if we don't understand the legal environment in which we operate, we really don't understand the environment in which we operate, period. That's why I wanted to

come into this position. That's why I wanted to create this position, is to represent the legal instrument of national power. Now, nowhere does Joint Doctrine recognize law as an instrument of national power and in fact, I was surprised to learn that Joint Doctrine really doesn't define the term "instrument of national power" or state what should or should not be included in that list, very well. But there is some growing recognition that law can be used to achieve strategic effects, maybe by itself, maybe in coordination with those other traditional instruments of national power.

**Maj Rick Hanrahan:**

So is this what led to further research and also, in the topic for the National Security Law writing competition, that we need to look at law in a different strategic viewpoint?

**Col Jeremy Weber:**

Absolutely. I think the United States has actually done a fair amount of using law as an instrument of national power. You can go back to the interwar period between World War I and World War II and the efforts by President Wilson to develop a League of Nations. And then the signing of the [Kellogg-Briand Peace Pact](#) in 1928 which actually made war illegal. Now, while those efforts may have failed to prevent another world war just years later, we used those lessons. We used that framework post-World War II, to develop a U.S.-led, rules-based, liberal international order, that has by and large served America's interests very well over the last seven decades, to create an international system in which nations solve their disputes through discussion, through resort to international forums, through trade, through the spread of democracy, rather than through violence. And that certainly serves America's strategic interests.

**Maj Rick Hanrahan:**

So, sir, if we were to adopt law as an instrument of national power, what impact would that make? Why is it important and even from the base legal office, is that going to have an impact on how we do our day-to-day work?

**Col Jeremy Weber:**

I don't know that it affects us on a day-to-day basis in the course of doing courts-martial or legal assistance or civil law opinions or everything we do. However, as General Rockwell is fond of saying, everything that we do as a JAG Corps ought to be connected to the strategic level. That's the whole intent behind the JAG Corps flight plan, and to the extent that we understand that when we are administering an Article 15 or we are giving ethics advice or we are solving a personal legal assistance problem for a service member, we aren't just solving a narrow problem in front of us. We are actually tying into a larger strategic objective, of a more disciplined and lethal force, of a force that is reformed for greater performance and accountability, and just generally for a military that is more responsive to the strategic environment in which we operate.

**Maj Rick Hanrahan:**

And as you mentioned earlier, sir, that the current framework is the acronym, DIME, D I M E, and I think what you're advocating, or at least you mentioned this in your paper through the Joint Doctrine, is this new acronym MIDFIELD. Could you speak to that?

**Col Jeremy Weber:**

[Joint Doctrine Note 1-18](#) was issued in 2018 and it actually draws upon a 2011 article, which argues that the DIME framework is too narrow. Now, this Joint Doctrine note is not the first publication to argue that the DIME just doesn't encompass everything that we use to achieve strategic effects. Others have called for the acronym to be DIME C, the "C" being culture, or to add instruments such as intelligence or sometimes law enforcement, into the mix. What the Joint Doctrine note does, however, is specifically recognize a role for law as an instrument of power. That's the "L" in MIDFIELD and as the Joint Doctrine note observes, we have used the rule of law to achieve strategic effects. Sometimes that can be in terms of soft power through our example, that we domestically resort to legal mechanisms for settling our disputes, rather than force. But that can also be true on the international stage as well, as we build and

promote and use legal systems and legal mechanisms to shape the international environment more, to serve our interests. [You can learn more about the acronym MIDFIELD in the [Playing the MIDFIELD: It's High Time to Recognize Law as an Instrument of National Power](#) article written by Col Weber.]

**Maj Rick Hanrahan:**

So, sir, I think you also mentioned, at least you make a case, for law as an instrument of national power, and you offer three main arguments or bullet points to that. Could you speak about what those are?

**Col Jeremy Weber:**

If you think about it, on the domestic front, law is everywhere. Law affects the air we breathe, the water we drink, the food we eat, the roads we drive on, our interactions with other human beings. When we want to achieve something as a nation from a strategic standpoint, we might use information, we might use economic incentives, we might even use force on some level, but by and large, what do we do to change behavior? We pass a law. That's why majority of our presidents have been lawyers. Historically, the majority of our members of Congress have been lawyers. Lawyers are well represented among Fortune 500 companies. Lawyers are by nature strategic thinkers because of the role that law plays in our society. On the international front, it works a little differently because there is no world's policemen. There is no body that can pass a law and enforce it everywhere.

However, that doesn't mean that law has no role to play. And in fact, if you look at the growth of international law over the years, a development in which the United States has played a leading role in, international law really does affect tremendous aspects of how the world works. Law controls how the global commons operate. Law controls how trade is conducted, law controls the language and the norms that nations use to frame their behavior. And it's interesting to note that even when, from the United States' perspective, other nations might transgress those laws, those other nations still feel compelled to frame their actions under the existing,

international legal framework. For example, with Russia today, Russia will argue that its actions are fully consistent with international law, that they are engaging in some sort of responsibility to protect ethnically Russian people. They don't claim some sort of per se right to just go out and nakedly assert their power, however, they can do so. Law does, in very sometimes subtle ways, shape nation's behavior.

**Maj Rick Hanrahan:**

There's also the component that scholars or experts advocate for this, beyond just the joint doctrine, and one of the terms that was coined years ago is the term Lawfare. Could you speak a little bit about the history, origin, and definition of what Lawfare is?

**Col Jeremy Weber:**

Certainly. Lawfare is by this point a well established and well accepted notion. We have a retired judge advocate, retired [Major General Dunlap](#), to thank for the popularization of the term, if not its actual origin, and the basic idea of [Lawfare](#) fits right in with this idea of law as an instrument of national power. Lawfare is the use or misuse of law to achieve what we might normally think of as military objectives. We can see this in a number of examples. Oftentimes, nations will demonstrate the power of the laws and instrument of national power, by misusing international law. So you can see this in a number of conflicts, going back to, let's say Saddam Hussein's actions in the Gulf War to hide military assets in protected areas or to use human shields or so forth. The goal there was to get the United States to strike these targets along with its coalition partners, and thereby claim a victory on the public relations front, claiming that the United States doesn't respect the international law that it helped develop.

That's the misuse of law to achieve strategic effects, but it can be used positively as well. You might think of a number of examples of how we might do this, whether that be using law to shape norms and frame discussion, whether this might be using law as sort of a framework for a more globalized world, whether this would be the

use of the law of war, to achieve a more just peace, which after all, is the purpose of the law of war. Whether this might be the use of legal bodies such as military commissions or law enforcement or international tribunals such as the ICC or ICJ to help shape world opinion and world expectations as to behavior. That's the positive side of Lawfare.

**Maj Rick Hanrahan:**

So I've read some blogs on Lawfare and there are certain advocates, proponents, or individuals that utilize Lawfare in more of a negative connotation. But it seems to me that the original definition, at least as mentioned by General Dunlap, was that Lawfare should be value-neutral. Is that your understanding of the original use of Lawfare?

**Col Jeremy Weber:**

Yes, that's the way General Dunlap and others since him have defined the term. Now, I will say that most of the scholarship and most of the popular use of the term, tends to focus on the negative aspect of it. What I'm looking to do in my position and through the National Security Law writing competition, is to better explore the positive aspect of the definition and more specifically, to help flesh out some ideas about how the United States can use law to achieve strategic effects. Why does law belong on the quote-unquote "Mount Rushmore" of the instruments of national power? That's what we're looking to help better define through the writing competition.

**Maj Rick Hanrahan:**

Sir, are you aware, within academic circles or even beyond, maybe even senior levels of the military, whether law as an instrument of national power, is taking on this new idea, this new framework that you're promoting here?

**Col Jeremy Weber:**

Instinctively, I think senior leaders understand this. Very few general officers lack an appreciation for what JA or for what their lawyers bring to the table. They

understand that lawyers need to be in the room when decisions are made, because the law impacts the scope of the decisions available to them, and the decisions they make invariably have legal consequences. You can think about this more broadly as well. There's no Fortune 500 company that would dare make a major move without running it by its legal department first. There are reasons for that.

Where I think we can do better as a legal community is to better define, when it comes to achieving strategic objectives, how law can positively affect those strategic objectives we seek to achieve. In other words, leaders tend to understand that the decisions they make might have negative legal consequences. They don't always appreciate that there can be legal vehicles to actually achieve what they want to achieve.

Going back to General Dunlap, he used an example of the United States seeking to secure, basically, access to satellite imagery and to deny it to adversaries. And while there were a number of options available for doing so, the one that the United States ultimately settled on was a legal mechanism, a contract to basically buy up that space. That's a great example. I think we need to come up with more examples, so that leaders can understand the positive aspect of Lawfare, the use of law as an instrument of national power.

**Maj Rick Hanrahan:**

So that's a great segue into what my next question was going to be, sir, which is examples of Lawfare. There's a number of them, but I think this is really where it helps to paint a picture and give us a better appreciation for the power and effect that law can have as an instrument of national power.

One main area is in international law or agreements. We have the [Universal Declaration of Human Rights](#), I think in the late 1940s, which I found fascinating. That was the most translated document in the world. Some sources say up to even 500 different languages, which is amazing. And then the [International Criminal Court](#),

which is more recent as of 2002, in the Hague. And then we move on to other areas like Afghanistan, where you had mentioned, officials who have used the law as a legal weapon, like a contract to achieve a desired result or the use of U.S. counterinsurgency or COIN. So there's all these kinds of examples here and I'm just kind of laying some of these out. Maybe you could pick one or two of these examples and talk a little more specifically about that.

**Col Jeremy Weber:**

Rule of law missions are a great example of what you're talking about. Perhaps not with regard to great power competition. But many of the conflicts the United States is involved in, around the world, have a common root at the heart of them. And that's a lack of an established rule of law system in the countries at issue. And look at Syria, you can look at Iraq, etcetera, etcetera. People don't trust that there's a legal mechanism to which they can take their disputes. And so they settle their disputes by violence. It causes instability, weak states, and that makes those areas ripe for great power competition. That's why we have JAGs and paralegals engaged around the world in rule of law missions, working with local officials, trying to build up those systems, to achieve strategic effects. And I think commanders in those theaters understand, when it comes right down to it, what are we trying to achieve in most of the conflicts we're involved in. We're trying to build rule of law.

**Maj Rick Hanrahan:**

And we just welcomed back one of our faculty yesterday, in fact, doing that exact thing. So fascinating, sir. What are some of the biggest challenges that we face, with respect to your advocacy for law as an instrument of national power?

**Col Jeremy Weber:**

One issue, I think, is just a lack of understanding about what an instrument of national power is. We've relied on the DIME acronym for so long that in many people's minds, DIME equals instrument of national power. It's interesting, you can search joint doctrine and really, you

can search publications all you want. You're not going to find a very good definition of what an instrument of national power is. That's surprising to me. That's one challenge I think we face.

Another is admittedly law, by itself, doesn't tend to achieve strategic effects. Now, you've provided some great examples where you might argue the contrary. If you read "The Internationalists" by Oona Hathaway and Scott Shapiro, which outlines the Kellogg-Briand Peace Pact and the subsequent developments in international law. And they make a pretty good case, that those achieve some pretty strategic effects in terms of dropping the level of violence around the world, which reduces United States' requirements to get involved in major conflict around the world, which is really the United States' major strategic goal, coming out of World War I and World War II. But even if you accept that law, by itself, may struggle to achieve strategic effects, that in my mind doesn't exclude it from the category of instrument of national power. I think that's true for the traditional DIME instruments as well. Even military power by itself, most strategists will admit, will fail if it's not coordinated with diplomatic, informational, and economic measures.

**Maj Rick Hanrahan:**

So using all of this discussion that we've had thus far, maybe we could segue into the writing competition and discuss that in a little more detail, about what this year's writing competition is all about, how we're doing it differently. And maybe if you could offer some subtopics that people might want to consider, if they're looking to apply and enter into the competition.

**Col Jeremy Weber:**

Major Hanrahan, you were very kind in the beginning with your introduction of me, calling me a scholar and an educated person, but I'm well aware that I don't have all the answers here. I'd love to tap into the hive mind, the collective experiences of JAG Corps professionals, of legal professionals around the world, to help flesh out this idea. In our excellent online publication,

**The Reporter**, I've written an article that tees-up this idea and I've proposed some broad categories that people might consider in examining how law might be used to achieve strategic effects. So for example, can law be used to create a more globalized world? Law I think is the background, or the backbone, of the globalization policies that the United States has mostly pursued over the last seven decades, and that have served our strategic interests pretty well. Even if of late, some great power competitors may have taken advantage of that globalized system that we've created.

Can law be used to establish norms and change behavior? I think that's one of the great effects that law can have, either domestically or internationally, is change people's expectations and change the language that we use to speak to each other. Can the United States promote respect for the rule of law? We talk a lot about hard power, but we forget that perhaps one of the greatest tools at the United States' disposal, is our example to the rest of the world. To the extent that we have a strong rule of law based system at home and that allows us to prosper domestically, can other nations pick up on that, and want to emulate us in that respect, thereby making the world better for all? Courts and law enforcement. Can bodies such as the international criminal court, the international court of justice, be used better to achieve strategic effects?

Both those bodies obviously have their struggles, and enforcing decisions by those bodies becomes difficult. However, we're looking for papers that will explore, maybe, some positive aspects that those bodies have had on U.S. strategic policy over the years. The law of war. How does or can the United States use the law of war in conflicts that it's engaged in, to achieve strategic effects? We've seen how the law of war can be misused by our adversaries, but how can compliance with the rule of law further America's strategic interests? Those are just some examples that I tee up. I am looking for others to come and build on these ideas, to delve deeply into specific aspects of the idea of law as an instrument of national power, and to help make the case that law

does belong alongside the DIME, as a weapon in the strategist's arsenal.

**Maj Rick Hanrahan:**

So we may have a lot of people at the base legal office listening to this topic and it is very strategic I think, overall, and sometimes that may be hard for us to understand or grasp how that's going to affect us on a day to day basis. Is there anything you could maybe offer on that point?

**Col Jeremy Weber:**

I would hope that entries in this writing competition not just come primarily from people at the Pentagon or from people who are doing rule of law missions or practicing in the law of war. While I fully admit that the connection can be a little abstract for people at the base level or practicing in discrete areas of law, I go back to what General Rockwell says. Everything we do should be tied to the strategic level. If we can't make that connection, why are we doing it? I would hope that we get entries from military justice practitioners, making the tie between military justice a more lethal and disciplined force that thereby is able to achieve strategic objectives.

I would hope that we get entries from legal assistance practitioners, talking about how they are able to solve personal civil legal problems that give service members a better focus on their mission and allow them to achieve the mission that we set before them. I would hope that we get plenty of entries from procurement and contract law attorneys and paralegals and professionals, who can provide examples of how they were able to solve legal problems to allow the United States to procure the systems that we need to achieve those strategic effects. I would hope that we get entries from people who are in the military commissions process, who can talk about how the military commissions have been able to fit into a legal framework that allows us to shape the legal environment of the current fight in which we're operating. Everybody is fair game in this writing competition. Everybody has a voice in this.

We're not looking for abstract pieces. We're looking for concrete examples of how law can be used to achieve strategic effects. And I should say on that point, that's why we changed the rules of the competition this year. In the past we had longer papers with the agreement at the JAG School Foundation. We've intentionally shortened that, because we want people to contribute areas on discrete aspects of law as an instrument of national power. A framework this year is 3000 to 4,500 words, which roughly equates to 10 to 15 double-spaced pages. That's not a law review article. That's a tightly-focused essay and people should be thinking through these ideas already. If you're already a base legal officer, if you're practicing in an area of law, you should have a fairly good idea already, about what you do and why it makes a difference in the big picture.

All you need to do is put a few words down on paper to verbalize those ideas you already have.

**Maj Rick Hanrahan:**

Could you offer perhaps any resources in determining a topic or finding good source material as research to assist in the writing process?

**Col Jeremy Weber:**

First of all, I would point people to the Reporter article that I wrote [[Playing the MIDFIELD: It's High Time to Recognize Law as an Instrument of National Power.](#)] The basic idea there is to spur ideas and get people started in the right direction. We have an announcement in ONS that further tees up these ideas and gives people some launching points to think about writing entries for this. One of the reasons I'm at Air University is to tap into the tremendous resources that exist there, that most JAG Corps professionals just don't have access to, or don't know about. And I would absolutely encourage people, if you have an idea, chances are Air University has books, has papers, has experts on that very topic. And I would be happy to plug people into the wealth of information and resources available through Air University.



**Maj Rick Hanrahan:**

It sounds like you'd be willing to assist with this if they want, if potential applicants would want to contact you. Is that okay, sir?

**Col Jeremy Weber:**

Absolutely. I know what I'm signing myself up for, but really my job is not just to bring the JAG Corps, and the JAG school, to Air University. It's to bring Air University to the JAG Corps.

**Maj Rick Hanrahan:**

We thank you for that, sir, and we'll make sure to put your contact information, of where people can find you, in the show notes. So to wrap up, any final thoughts on this topic about law as an instrument of national power?

**Col Jeremy Weber:**

I've seen firsthand, during my time at Air University, the tremendous effect that the law has on every area of operations. Our students at Air War College are learning that. The students at the numerous schools and centers at which we engage, learn this. They're often surprised to realize the intricate and myriad ways in which the law impacts what they do. This is a great example. This is a great opportunity for us as JAG Corps and legal professionals, to tell our story, to talk about how law is not just a supporting activity, although it certainly is, but it's a direct contributor at the strategic level. And I encourage people to be motivated by that thought and to continue thinking in those terms, and put pen to paper in verbalizing that.

**Maj Rick Hanrahan:**

Well, sir, it was a privilege to have you in-studio today to talk on this topic. We really appreciate you taking the time for this and that'll be it for today, sir. Thank you, sir.

**Col Jeremy Weber:**

Thank you, Major Hanrahan. It's been a pleasure.

**Maj Rick Hanrahan:**

That concludes our interview with Colonel Weber. Now I'd like to provide the highlights for entry into the 2020 National Security Law, or NSL, writing competition, and conclude with a brief discussion on Joint Doctrine Note 1-18, that specifically calls out law as an instrument of national power.

**2020 NATIONAL SECURITY LAW WRITING COMPETITION:**

As previously mentioned, the 2020 NSL is the fifth annual running competition on behalf of the Air Force Judge Advocate General's School, in partnership with the [Air Force JAG School Foundation](#). The topic is "Law as an Instrument of National Power," which we've been discussing through this interview. With that, the current national security strategy directs that America's military power will be utilized in concert with all instruments of national power. While normally the instruments of national power are considered in the DIME framework of diplomacy, information, economics, and military power, this writing competition asks writers to explore whether law is an instrument of national power and if so, how law can be used either alone or in combination, with other instruments of national power.

**Eligibility**

The competition is open to all U.S. and international law students and graduates. Only original and previously-unpublished papers are eligible. Jointly-authored papers are not eligible. Entrants may have others review and critique their work, but the submission must be the entrant's own product.

**Format**

Entries must be between 3000 to 4,500 words. This is approximately 10 to 15 pages double-spaced, and this does not include title pages, citations, footnotes, and the separate cover page. Sources must be cited in footnotes according to the Blue Book 20th edition, which conforms to the Air Force Law Review. Entrants are encouraged to review past issues of the Air Force Law Review at <https://www.afjag.af.mil/library>

### **Entry Procedure**

Submissions must be sent via email to [afloa.afjags@us.af.mil](mailto:afloa.afjags@us.af.mil) as a Microsoft Word attachment.

### **Deadline**

Entries must be submitted by 1630 Central Time on **15 April 2020**. Winners will be selected and notified usually by late June.

### **Judging**

A distinguished panel of experts will select the winning entries from among those submitted. Judges will evaluate works with emphasis on the following: originality, organization, persuasiveness, and mechanics. And last.

### **Prizes**

As mentioned by Colonel Weber, the cash prizes have expanded as provided by the Air Force JAG School Foundation. The following cash prizes will be awarded.

- First place, \$1,000
- Second place, \$750
- Third place, \$500
- And fourth place, \$250

Additionally, this is a great opportunity to become a published author. All work submitted will be considered for publication in the Air Force Law Review. Authors whose works are not selected for publication will be permitted to seek publication elsewhere.

### **JOINT DOCTRINE NOTE 1-18**

And finally, a few highlights on [Joint Doctrine Note 1-18](#), to assist entrants in their submissions. Joint Doctrine Note 1-18, as issued on 25 April 2018, is a 47 page document and argues that the DIME framework is too narrow.

In other words, DIME does not encompass everything we use to achieve strategic effects and it's not the first to say this. Others have called for DIME C, the "C" referring to culture or adding intelligence or law enforcement

into the mix. Joint Doctrine Note 1-18 states that U.S. policymakers and strategists have long understood that there are many more instruments involved in national security policy development and implementation. The Joint Doctrine note specifically suggests a new framework to meet the complex challenges of the 21st Century battlespace through the acronym MIDFIELD, standing for military, informational, diplomatic, financial, intelligence, economic, law, and development, in order to convey a broader array of options for the strategic policymaker's use.

The note further states, one of the most important additions is the letter "L," standing for rule of law. Reaffirming the American commitment to the rule of law by simply adding it to our national security dialogue, is a step in the right direction to restoring what Harvard professor [Joseph Nye](#) terms "soft power," which he defines as the ability to get what you want through attraction, rather than coercion or payments. Nye contends that soft power arises from the attractiveness of a country's culture, political ideas, and policies. When our policies are seen as legitimate in the eyes of others, our soft power is enhanced.

In conclusion, the tactical and strategic are more closely linked than you likely think. Take this great opportunity to become part of the dialogue and submit an entry in how you think the law can be effectively used as an instrument of national power. Perhaps your entry will bridge a gap not otherwise explored and uncover how to use law as the solution. We'll provide in the show notes, links to the official entry submission guidelines for the writing competition, along with Joint Doctrine Note 1-18 and other resources and contact information mentioned throughout this episode.

With that, thank you for listening. If you liked the episode, please consider subscribing on [iTunes](#) and leaving a review. We'll catch you on the next episode.

**Announcer:**

Thank you for listening to another episode of the Air Force Judge Advocate General's Reporter Podcast. You can find this episode, transcription and show notes along with others at [reporter.dodlive.mil](https://reporter.dodlive.mil). We welcome your feedback. Please subscribe to our show on [iTunes](#) or [Stitcher](#) and leave a review. This helps us grow, innovate, and develop an even better JAG Corps. Until next time.

**Disclaimer:**

Nothing from this show or any others should be construed as legal advice. Please consult an attorney for any legal issue. Nothing from this show is endorsed by the Federal Government, Air Force, or any of its components. All content and opinions are those of our guests and host. Thank you.