



Leveraging Legitimacy: A Key Tool in Population-Centric Counterinsurgency

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Permanently separating insurgents from the population, facilitating effective self-defense of a sovereign host nation government, and removing ultimate causes, are necessary conditions for defeating an insurgency. Success results, if possible,¹ as counterinsurgents systematically develop trusted networks, out-compete insurgents for population allegiance, and destroy insurgent forces.²

Utility and legitimacy are two bases counterinsurgents can use to secure a population's compliance.³ The quest for physical and psychological security predominates as human motives generally - let alone during the uncertainties and brutality of war. Delivering essential services, providing security, and satisfying elementary human needs, despite counterinsurgent coercion, produces population compliance. This Hobbesian predicament well-describes why counterinsurgents are treated to distant stares, surreptitious overtures, studied neglect, or outright

¹ For a highly relevant data analysis of factors associated with victory (or defeat) in eighty-nine post-World War II insurgencies, see Martin C. Libicki, "Appendix A: Eighty-Nine Insurgencies: Outcomes and Endings," in David C. Gompert, John Gordon IV, *War by Other Means: building complete and balanced capabilities for counterinsurgency* (RAND Counterinsurgency Study – Final Report; Santa Monica, CA: RAND Corporation, 2008), pp. 373-396.

² Field Manual 3-24, *The U.S. Army/Marine Corps Counterinsurgency Field Manual* (IL: University of Chicago Press, 2007), p. 2; see also, pp. 45, 49, 51, 198. GEN David A. Petraeus, U.S. Army, "Multi-National Force-Iraq Commander's Counterinsurgency Guidance," *Military Review*, September-October 2008, pp. 2-4; GEN Stanley A. McChrystal, U.S. Army, "Eight Imperatives for Success in Afghanistan [From 'Commander's Initial Guidance,' 13 June 2009], *Military Review*, July-August 2009, p. 136; For a detailed account corroborating this key *COIN Manual* premise as applied in Ameriyah and the broader Mansour Security District in Iraq, see LTC Dale Kuehl, U.S. Army, "Testing Galula in Ameriya: the people are the key," *Military Review*, March-April 2009, pp. 72-80; See also, David Galula, *Counterinsurgency Warfare: theory and practice* (Westport, CT: Praeger Security International, [1964] 2006) esp. pp. 4, 47, 52.

³ *COIN Manual*, p. 37; David Galula, *Counterinsurgency Warfare*, pp. 4, 5, 81, 83; Andrew J. Birtle, Ph.D., "Persuasion and Coercion in Counterinsurgency Warfare," (*Military Review*, July-August 2008, pp. 45-53). Montgomery McFate, Ph.D., J.D., and Andrea Jackson, in their insightful article "The Object Beyond War: Counterinsurgency and the Four Tools of Political Competition" (*Military Review*, January-February 2006, pp. 13-25); reprinted in *Counterinsurgency Reader, I*, pp. 56-68 (*Military Review*, October 2006, Special Edition, Fort Leavenworth, KS: Combined Arms Center), identify four key tools essential to securing population compliance: (1) coercive force, (2) economic incentive and disincentive, (3) legitimating ideology, and (4) traditional authority (p. 56). I wholeheartedly agree with their central theses but provide a more expansive conceptual and strategic analysis of the concept legitimacy.

hostility by an insurgency-contested population.⁴ The *Counterinsurgency (COIN) Manual* maintains a realist approach to these facts of the human condition.

Interests refer to the core motivations that drive behavior. . . . During any period of instability, people's primary interest is physical security for themselves and their families. . . . *Essential Services* provide those things that sustain life. . . [such as] food, water, clothing, shelter, and medical treatment. Stabilizing a population requires meeting these needs. People pursue essential needs until they are met, at any cost and from any source. People support the source that meets their needs. If it is an insurgent source, the population is likely to support the insurgency. If the HN [host nation] government provides reliable essential services, the population is more likely to support it.⁵

Moreover, if survival depends on tribal social structures, COIN practitioners must carefully leverage those networks and dynamics without which households, kin, clan, and sub-tribes confront a hostile environment and enemy others.⁶

⁴ LTC Raymond Millen, "The Hobbesian Notion of Self-Preservation Concerning Human Behavior During an Insurgency," *Parameters*, Winter 2006-07, pp. 4-13.

⁵ *COIN Manual*, pp. 97, 98; emphases in original. Again: "[I]ndeed, the importance of security in situations where violence has escalated cannot be overemphasized. In such cases, establishing security can win the people's confidence and enable a government to develop legitimacy in other areas" (*COIN Manual*, p. 38); See also, David Galula, *Counterinsurgency Warfare*, esp. pp. 54-55, 81-86.

⁶ For select recent contributions to the literature on leveraging tribal dynamics, see: LTC Michael Eisenstadt, U.S. Army Reserve, "Iraq: Tribal Lessons Learned," *Military Review*, September-October 2007, pp. 16-31, and in *COIN Reader I*, pp. 161-176; MAJ Morgan Mann, U.S. Marine Corps Reserve, "The Power Equation: Using Tribal Politics in Counterinsurgency," *Military Review*, May-June 2007, pp. 104-108; MAJ Niel Smith, U.S. Army and COL Sean MacFarland, U.S. Army, "Anbar Awakens: The Tipping Point," *Military Review*, March-April 2008, pp. 41-76 (reprinted in *COIN Reader II*, pp. 65-76); COL Sean MacFarland, U.S. Army, "Addendum: Anbar Awakens," *Military Review*, May-June 2008, pp. 2-3 (reprinted in *COIN Reader II*, pp. 76-77); Thomas H. Johnson and M. Chris Mason, "Understanding the Taliban and Insurgency in Afghanistan," *Orbis*, Winter 2007, pp. 71-89; David J. Kilcullen, Ph.D., "Field Notes on Iraq's Revolt Against Al-Qa'ida," *CTC Sentinel*, October 2008, 11:1-5; Sean D. Naylor, "Keeping the enemy at bay: FOB Baylough's mission is to win over locals and disrupt Taliban forces," *Army Times*, July 27, 2009, pp. 20-21; Rajiv Chandrasekharan, "In Afghanistan, U.S. May Shift Strategy," *Washington Post Online*, July 31, 2009 (Accessed, August 1, 2009), citing a draft of the forthcoming report commissioned by Gen. McChrystal, in which he states: "The report calls for intelligence resources to be realigned to focus more on tribal and social dynamics so commanders can identify local power brokers and work with them. Until recently, the vast majority of U.S. and NATO intelligence assets had been oriented toward tracking insurgents"; LTC Chris Kolenda, charged by Gen. McChrystal with directing and coordinating the Strategic Assessment Group on Afghanistan is described as an "amateur ethnologist" and known particularly for his detailed, expert, insider-knowledge on tribal dynamics in a region of Northeast Afghanistan (for the full story, see: http://thecable.foreignpolicy.com/posts/2009/07/31/winning_hearts_and_minds_all_of_mcchrystals_advisors [Accessed, August 1, 2009]); Montgomery McFate, Ph.D., J.D., and Andrea Jackson, "The Object Beyond War: Counterinsurgency and the Four Tools of Political Competition," *Military Review*, January-February 2006, pp. 13-26, esp. pp. 23-24 (reprinted in *COIN Reader I*, pp. 56-69, esp. 65-67); For recent strategic analysis of the tribal challenge in Pakistan/Afghanistan, see: Rahimullah Yusufzai, "The Significance of Zain's Assassination in Pakistan," *CTC Sentinel*, July 2009, 7:4-6; and, Samir Syed, "Pakistan's New Offensive in South Waziristan," *CTC Sentinel*, July 2009, 7:7-9; MAJ Shahid Afsar, Pakistan Army, MAJ Chris Samples, U.S. Army, and MAJ Thomas Wood, U.S. Army, "The Taliban: An Organizational Analysis," *Military Review*, May-June 2008, pp. 58-73; COL William B. Ostlund, U.S. Army, "Tactical Leader Lessons Learned in Afghanistan: Operation Enduring Freedom VII," *Military Review*, July-August 2009, pp. 2-9, esp. p.6; Finally, for a recent highly-pertinent anthropological monograph, see Philip Carl Salzman, *Culture and Conflict in the Middle East* (Amherst, NY: Humanity Books,

Utility-centered compliance can be ignored only at one's peril. A second means, *legitimate domination*, is also key. The present *COIN Manual* repeatedly notes that establishing legitimacy is a key COIN objective⁷ yet mistakenly conceives legitimacy as an attribute exclusive to national governance.

The primary objective of any COIN operation is to foster development of effective governance by a legitimate government. . . . A government's respect for preexisting and impersonal legal rules can provide the key to gaining it widespread, enduring societal support. Such government respect for rules—ideally ones recorded in a constitution and laws adopted through a credible, democratic process—is the essence of the rule of law, as such it is a powerful potential tool for counterinsurgents. . . . A COIN effort cannot achieve lasting success without the HN government achieving legitimacy.⁸

Legitimate governance is necessary to COIN victory. However; equating the concept 'legitimacy' with legitimate governance, and legitimate governance with western liberal democratic constitutionalism narrows the sociological scope of this key concept.⁹ It also obscures its strategic relevance.¹⁰

This article seeks to remedy these two deficiencies by reintroducing the classical conceptualization of 'legitimate domination; briefly define its subtypes; and identify key points of potential relevance—tactical, strategic, and operational—to current COIN operations.

2008); David Galula, *The Accidental Guerrilla: Fighting Small Wars in the Midst of a Big One* (Oxford: Oxford University Press, 2009).

⁷ MAJ John Bauer claims the term appears 83 times in the COIN Manual (see: "The Role of Empathy in Irregular Warfare," *Military Review*, July-August 2009, p. 99). Despite Bauer's attentiveness to legitimacy's quantitative presence in the COIN Manual, he unfortunately reproduces the Manual's ethnocentric errors. A soldiery employing universalized empathetic understanding in its encounter with the host nation population is advisable and praiseworthy on ethical grounds; however, if this criterion is not one that motivates various subpopulation groups to defect from or oppose the insurgency, it is both utopian and counterproductive: it does *not* advance counterinsurgent goals.

⁸ *COIN Manual*, pp. 37-39.

⁹ Though restricted in its most prevalent formulation as concept, legitimacy's broader scope and strategic significance is noted in other strategically-relevant discussions throughout the *COIN Manual*. See for example pp. 21, 24-25, 95, 99.

¹⁰ This point has been aptly made by McGill University anthropologist Carl Salzman (see, "Anthropology and Strategic Studies," *Middle East Strategy at Harvard* (MESH) blog, posted 25 September 2008. Retrieved, 26 September 2008. Salzman remarks in response to a question put to him by an Army Major in the Judge Advocate General's Corps about "what I thought . . . of the U.S. Army's counter-insurgency [sic] manual's position that counter-insurgency should always be directed toward supporting legitimate government" to which Salzman replies: "In the light of my [tribal] analysis—that there were no legitimate governments in the Middle East, and that in many regions, including urban areas, only tribal or sect-based organization was regarded as legitimate by the local population, I replied [to the Army Major] that the counter-insurgency handbook's position that counter-insurgency should always be directed toward supporting legitimate government was a rationalization meant to justify our intervention in our own eyes according to our own values." Continuing, he adds: "The emphasis on a legitimate government might not be a rational response to our practical interests in a particular region. For example, if we want to counter an insurgency, we might need to collaborate with non-governmental, even anti-governmental organizations, such as tribes."

‘Legitimate Domination’: Classical Background

The concept and typology of ‘legitimate domination’ was pioneered by the great classical German sociologist Max Weber (1864-1920).¹¹ To understand this concept three constituent terms require definition: power, domination, and legitimacy. ‘Power’ (*Macht*) is the capacity to compel others to do as one commands.¹² More sociologically, power is defined as the “probability that one actor within a social relationship will be in a position to carry out his own will despite resistance, regardless of the basis on which this probability exists”.¹³ ‘Domination’ (*Herrschaft*) is a special case of power manifest as actual compliance and obedience to command¹⁴ since “power of command does not exist unless the authority which is claimed by somebody is actually heeded to a socially relevant degree.”¹⁵ The final constituent, ‘legitimacy’ (*Geltung*), is the *perceived subjective validity of domination* granted by those subject to its rule. Legitimate domination diametrically contrasts with the mere de-facto power by superordinates to coerce subordinates: it denotes a *normatively-sanctioned right* and not a nakedly coercive *mere capacity* to exercise the power of command. Weber’s key claim here is that in addition to utilitarian calculation that at “the basis of every authority, and correspondingly of every kind of willingness to obey, is a *belief*, a belief by virtue of which persons exercising authority are lent prestige”.¹⁶ The key sociological consequence is that “in a given case [of domination] the particular claim to legitimacy is to a significant degree and according to its type treated as ‘valid’; [and] that this fact confirms the position of the persons claiming authority and that it helps to determine the choice of means of its exercise”.¹⁷

Types of Legitimate Domination

Legitimate domination (always understood to mean ‘authorized power of command’ or ‘authority,’ for short) is of three types--charismatic, traditional, and legal-rational,¹⁸--each distinguished by “the ultimate grounds” or “kind of claim to legitimacy” typically made.¹⁹

¹¹ For Weber’s classical exposition of this concept, contained in his broader ‘sociology of domination,’ see esp: Max Weber, *Economy and Society*, 2 vols. Eds. G. Roth and C. Wittich. (Berkeley: University of California Press, 1968 [1922]), vol. 1, chapter 1 (pp. 31-38, 53-56), chapter 3 (pp. 212-301); vol. 2, chapters 10-16 (pp. 940-1372). See *COIN Manual*, pp. 96-97 for a highly truncated but accurate summary of Weber’s basic schema.

¹² Max Weber, *Economy and Society*, v.2, p. 943.

¹³ Max Weber, *Economy and Society*, v. 1, p.53; also, *COIN Manual*, p.94.

¹⁴ See especially, David Galula, *Counterinsurgency Warfare*, p. 53.

¹⁵ Max Weber, *Economy and Society*, v.2, p. 948; also, p. 954.

¹⁶ Max Weber, *Economy and Society*, v.1, p. 263.

¹⁷ Max Weber, *Economy and Society*, v.1, p. 214. See also *Economy and Society*, v.1, p. 213; v. 2, p. 953.

¹⁸ The classical and most-often cited Weberian short-hand formulation for these three ideal types is at *Economy and Society*, v.1, pp. 215-216. Each of the three major ideal types of legitimate domination (authority) is further elaborated and interested readers will find a treasure-trove that further enhances the conceptual depth and historical breadth of this concept. For charismatic authority, see *Economy and Society*, v. 1, pp. 241-254, 266-271; v. 2, ch. 14 (pp. 1111-1211); For traditional authority, see *Economy and Society*, v. 1, 226-241, 255-265; v. 2, chs. 12-13 (pp. 1006-1111); For legal-rational authority, see *Economy and Society*, v. 1, pp. 217-226; v. 2, ch. 11 (pp. 956-1005).

¹⁹ Weber, *Economy and Society*, v.1, p. 213; v.2, p. 953. For reasons of space a fourth species of legitimate domination-- hierocratic domination--cannot be satisfactorily analyzed and is excluded from the present discussion. Hierocratic domination is not only part of Weber’s conceptual scheme but deepens the sociological reach of the concept legitimacy and is highly relevant to ongoing insurgencies (e.g. Iraq, Afghanistan/Pakistan) where religious

Charismatic Domination. Charismatic domination in its classic form is *person-centric*. It rests on the subjective belief that a given individual is in possession of extraordinary, inspired powers and is therefore worthy of command and obedience. These imputed “supernatural, superhuman, or at least specifically exceptional powers or qualities” . . . are by their very nature “not accessible to the ordinary person” and are regarded by those imputing such charisma “as of divine origin or as exemplary, and on the basis of them the individual concerned is treated as a ‘leader’”²⁰. “In the case of charismatic authority,” Weber continues, “it is the charismatically qualified leader as such who is obeyed by virtue of personal trust in his revelation, his heroism or his exemplary qualities”.²¹ Charismatic domination can also become depersonalized. “Here,” Weber states, “we find that peculiar transformation of charisma into an institution: as permanent structures and traditions replace the belief in revelation and heroism of charismatic personalities, charisma becomes part of an established social structure”.²² It is through this depersonalization or ‘routinization’ that charisma expands to encompass swaths of social structure and not merely specific individuals, their disciples, and followers.

Traditional Domination. Traditional domination is *precedent-centric*. It rests on the subjective perception by followers that ‘what has been’ and is of great antiquity, time-honored, historically-rooted, and deeply customary, authorizes the power of command. This “sanctity of immemorial traditions and . . . legitimacy of those exercising authority under them”²³ is comprised of several sub-types: *gerontocracy* or ‘rule of elders’; *primary patriarchalism*, which authorizes adult male power and prerogative over household property and relationships; and *patrimonialism* which authorizes the power of command to ‘manors’ and/or to a single dominant patrimonial ‘royal house’.²⁴ As a “special case of patriarchal domination” patrimonial domination is deeply steeped in traditional loyalties which clearly establish rights, expectations, obligations, and a normative-framework: one that shuns innovations that might threaten these time-honored relationships.

Legal-Rational Domination. Legal-rational domination is *procedural-centric*. It rests on the perceived subjective validity of power arising from the application and jurisdiction of objective, impersonal, and un-prejudicial procedures. Belief in this *presumption of unbiased procedural objectivity in the application of rules and norms* shifts the basis of legitimacy to “the norms rather than to the person,”²⁵ and to belief in the “legality of enacted rules and the right of those elevated to authority under such rules to issue commands”.²⁶

authority and questions of religion and state, is a key dynamic. For Weber’s classic discussion, see *Economy and Society*, v. 2, ch. 15 entire (pp. 1158-1211).

²⁰ Weber, *Economy and Society*, v.1, p. 241; also, v.2, p. 954.

²¹ Weber, *Economy and Society*, v.1, p. 216. The origins of charismatic domination itself, and its multiplicity of forms, is pithily summarized by Weber: “Kingship is preceded by all those charismatic forms which assure relief in the face of extraordinary external or internal distress which promise success in risky undertakings. In early history, the precursor of the king, the chieftain, often has a double function: He is the patriarch of the family or sib, but also the charismatic leader in hunt and war, the magician, rainmaker, medicine man—hence priest and doctor. . . (Ibid., v.2, p. 1142).

²² Weber, *Economy and Society*, v.2, p. 1139.

²³ Weber, *Economy and Society*, v.1, p. 215.

²⁴ Weber’s discussion of “estate-type domination” (See *Economy and Society*, v.2, ch. 13, 1071-1110) while fascinating in itself, deals with the evolution of “fief-based” medieval western European feudal institutions and is not of practical or strategic relevance for the present insurgencies under consideration.

²⁵ Max Weber, *Economy and Society*, v.2, p. 954.

²⁶ Max Weber, *Economy and Society*, v.1, p. 215.

Legal-rational domination is applicable to modern legal institutions, bureaucratic organizations, and complex formal organizations of many types. It is also applicable to professional and scientific associations, scientific reasoning and methodology, and all institutions whose incumbents and offices are presumably governed by impersonal, objectively-binding, and neutrally-applied criteria that together sufficiently determine the grounds upon which domination and its prerogatives rest. Legal-rational authority bases itself in the belief that efficiency, merit, professional competence, expertise, occupational specialization, and a formal educational credential are objectively necessary and neutrally-applied functional requisites of modern societal organization.²⁷

The purest form of legal-rational domination, Weber famously observes, is modern bureaucratic organization.²⁸ Modern bureaucratic organization is a compelling rationally-necessary organizational necessity for any complex enterprise and applies “with equal facility to a wide variety of fields” including “profit-making business or in charitable organizations,” and also “in any number of other types of private enterprises serving ideal or material interests”. It also applies to political and religious organizations.²⁹ Weber lists what are recognizable to all of us ‘moderns’: organizations of “church and state, of armies, political parties, economic enterprises, interest groups, endowments, clubs . . . Its development is, to take the most striking case, at the root of the modern Western state”.³⁰

Leveraging Legitimate Domination

The perceived subjective validity of the power of command (‘authority’) rests, as described above, on specific grounds. Let us now examine key points of leverage of relevance for ongoing COIN operations.

Leveraging Charismatic Domination. Charismatic domination is a remarkable social phenomenon. It is a revolutionary force³¹ that mobilizes disciples and followers. It is lightning that strikes with ferocity. In its depersonalized form charisma’s afterglow radiates a sanctified aura for offices and institutions, and commands compliance owed incumbents benefitting from its presumed inspired provenance. Charismatic domination is characterized, however, by strategically-significant instability. The potential for revocation or the withering of subjective recognition is a first source of instability. “If those to whom he feels sent do not recognize him,” Weber states, “his claim collapses”.³²

²⁷ Max Weber: “The decisive reason for the advance of bureaucratic organization has always been its purely *technical* superiority over any other form of organization. . . . Precision, speed, unambiguity, knowledge of files, continuity, discretion, unity, strict subordination, reduction of friction and of material and personal costs—these are raised to the optimum point in the strictly bureaucratic administration” (*Economy and Society*, v.2, p. 973).

²⁸ Max Weber, *Economy and Society*, v.1, pp. 217-226; v.2, pp. ch.11, pp. 956-1005.

²⁹ Max Weber, *Economy and Society*, v.1, p. 221.

³⁰ Max Weber, *Economy and Society*, v.1, p. 223.

³¹ Weber: “[C]harisma, in its most potent forms, disrupts rational rule as well as tradition altogether and overturns all notions of sanctity. Instead of reverence for customs that are ancient and hence sacred, it enforces the inner subjection to the unprecedented and absolutely unique and therefore Divine. In this purely empirical and value-free sense charisma is indeed the specifically creative revolutionary force of history” (*Economy and Society*, v.2, p. 1117).

³² Weber, *Economy and Society*, v.2, 1113.

It is *recognition on the part of those subject to authority which is decisive for the validity of charisma*. This recognition is freely given and guaranteed by what is held to be a proof, originally always a miracle, and consists in devotion to the corresponding revelation, hero worship, or absolute trust in the claim to legitimacy. . . . Psychologically this recognition is a matter of complete personal devotion to the possessor of the quality, arising out of enthusiasm, or of despair and hope. (italics added)³³

Subjective recognition is tightly-coupled to a second source of instability: charisma's requirement that it must be continuously *proved*. The persistent 'delivering of the goods' is by no means a certainty, however. For some time pure personalized charisma in its revolutionary mode may move mountains. Inevitably though 'the world's' empirical regularities exact their revenge, and intractable obstacles defeat or at least frustrate charisma's apparently gravity-defying powers. Disenchantment arises as followers fail to experience improved lives or do not attribute these improvements to those charismatic gifts. "If proof and success elude the leader for long," Weber writes, "if he appears deserted by his god or his magical or heroic powers, above all, if his leadership fails to benefit his followers, it is likely that his charismatic authority will disappear."³⁴ The charismatic hero "gains and retains [charismatic domination] solely by proving his powers in practice. He must work miracles, if he wants to be prophet. He must perform heroic deeds, if he wants to be a warlord. Most of all, his divine mission must prove itself . . ." ³⁵

Third, charismatic domination presumes radical arrogance and its correlate, disloyalty. It answers to no power beyond its own self-proclaimed right to interpret the divine command. This applies also to unpredictable threats that may arise from other charismatically-invested or even cultivated rivals: there is no possible means of preventing nor mediating likely rivalries that arise and whose contrary visions, powers, plans, and following, will have a similar claim to power's command. This unpredictability offers opportunities for counterinsurgents to ally with defenders of traditional Islamic religious authority who, in opposition to various self-professed charismatic usurpers, defend the necessity of a learned, reasoned, or at least authoritative legal procedure and verdict (*fatwa*).³⁶

Fourth, charismatic domination is eventually 'captured' by the world it seeks to 'revolutionize'. "[I]n its pure form," Weber states, "[charisma] may be said to exist only *in statu nascendi* [in a state of emergence] . . . and cannot remain stable, but becomes either traditionalized or rationalized, or a combination of both".³⁷ The original charismatic group lives off "'booty' or extortion, whether by force or by other means, [a]s the typical form of provision

³³ Weber, *Economy and Society*, v.1, p. 242; Also: . "It is the *mere fact of recognizing the personal mission of a charismatic master* [that] establishes his power. Whether it is more active or passive, this recognition derives from the *surrender of the faithful* to the extraordinary and unheard-of, to what is alien to all regulation and tradition and therefore is viewed as divine—surrender which arises from distress or enthusiasm" (v.2, p. 1115; italics added).

³⁴ Weber, *Economy and Society*, v.1, p. 243.

³⁵ Weber, *Economy and Society*, v.2, p. 1115.

³⁶ See, for example: Dr. E. Alshech, "The Emergence of the 'Infallible Jihadi Fighter'—The Salafi Jihadist's Quest for Religious Legitimacy," MEMRI, June 2008, Inquiry and Analysis, #446.

³⁷ Weber, *Economy and Society*, v.1, p. 246.

for needs” on the grounds that it “repudiates any sort of involvement in the everyday routine world.” With the death of the original charismatic leader and eventual decline of the original charismatic community a predictably tragic path leads from what is initially a “unique, transitory gift of grace of extraordinary times and persons” to inexorably become “a permanent possession of everyday life . . . In every case charisma is henceforth exposed to the conditions of everyday life and to the powers dominating it, especially to the economic interests”.³⁸ Once the right is finally granted to the charismatic successor community to “found families and to engage in economic pursuits” that “turbulently emotional life that knows no economic rationality” fatefully succumbs “to a slow death by suffocation under the weight of material interests: every hour of its existence brings it nearer to this end”.³⁹

Uncertainties about the relative authority, endurance, and predicted trajectory of charismatic persons or offices raises important *short-term* strategic and tactical challenges.⁴⁰ Is this charisma grounded in a meteoric but short-lived path? a planet with enormous gravitational attraction whose orbit appears set and all captured in its forces likely to pattern their lives according to certain dictates, and no others? a sun whose centrality to a deeply believing powerful constituency is truly vital and whose powers must be channeled and can only be avoided at one’s peril? Or a sun whose former heat, while still evident, is dissipating as it succumbs to its eventual fate, or can be assisted to realize it either sooner, or later?

Leveraging Traditional Domination. The strategic importance of traditional domination for COIN warrants the focused attention it has lately received,⁴¹ the increasing demand for enhanced cultural literacy, and astute observations on sub-state dimensions of legitimacy offered by cultural anthropologists familiar with non-Western tribally-based social orders.

Traditional domination—i.e. authority based on the belief in the sanctity of immemorial tradition—is humanity’s center of gravity. Core human relationships, institutions, patterns, and expectations arising in human reproduction, marriage, family, household, kin, clan, tribe, and nation are sanctified by tradition, and most often religiously sanctified as divinely-authored, favored, or commanded prescription and proscription. Traditional domination resides in the authority of precedent: the authority of fathers, parents, household, and clan elders; of tribal sheiks; of customary and traditional religious authorities. It upholds the sanctified ancient order against those who would overthrow its patterns and pulse. Tradition is the repository for the time-honored, and time-tested. It has passed the test of reality because it is present in and as reality. It is not hypothetical, but actual.⁴² It is the slayer of chaos, randomness, uncertainty, danger, the illicit, and the forsaken. Moreover, as charisma becomes routine and depersonalized it itself becomes time-honored tradition, though basking in charisma’s fading glow.

³⁸ Weber, *Economy and Society*, v.2, p. 1121.

³⁹ Weber, *Economy and Society*, v.2, p. 1120.

⁴⁰ See Thomas H. Johnson and M. Chris Mason, “Understanding the Taliban and Insurgency in Afghanistan,” *Orbis*, Winter 2007:71-89, esp. pp. 79-80, for a deeply insightful application of Weber’s analysis of charismatic domination to the Taliban supreme leader or Amir-ul Momineem (‘Commander of the Faithful’) Mullah Omar.

⁴¹ See endnote # 6 above.

⁴² See Lester Kurtz, *Gods in the Global Village: The World’s Religions in Sociological Perspective*, 2nd ed. (London: Pine Forge Press, 2007), pp. 27-36, for an insightful discussion of ritual theory and the notion that ritual, despite its logical status as non-rational, habitual, or customary, is deeply and functionally related to many key aspects of human survival and reproduction.

Traditional domination rests not on a person, but on *the authority of the tradition or precedent*, and applies in three spheres: (1) a *specific person* as its embodiment, exemplar, and carrier as one who is obeyed “because of their traditional status”. ; (2) a *specific rule or norm* to be upheld that “directly determine[s] the content of the command . . . believed to be valid within certain limits”.⁴³ and (3), the permissible *discretion or scope* provided for its interpretation and application “which tradition leaves open to him. . .”⁴⁴ Obedience owed to the patriarchal master, for example, is owed exclusively to “his traditional status” and his authority itself is “strictly bound by tradition”.⁴⁵

If COIN objectives are advanced by *defending* traditional domination it is imperative to avidly honor, uphold, and lend prestige to those traditions, and *on that basis*, the legitimacy of specific persons, norms or rules, and discretion are secured. An ardent defense of traditional domination is especially vital to the sin-qua-non counterinsurgent mission of identifying, isolating, and destroying anti-American global jihadist networks before they successfully subvert, co-opt, and transform tribal-nationalist, territorially-specific Islamist insurgencies.⁴⁶

Fear of evil happenings arising from having offended those divine powers commanding one’s traditions erects mighty barriers to innovation. Moreover, traditional domination is frequently localistic, particularistic and familistic; it elevates blood, household, clan, tribe, ethno-religious groups, a specific territory, way of life, and sacred narrative. It opposes universal revolutionary ideals that devalue existing socio-cultural, socio-religious, and socio-political prerogatives. Against revolution, including global jihadist revolution, tradition asserts at most incremental innovation, but far more often, its sanctity and continuity.⁴⁷ In sum, tradition’s irrevocably antagonistic relation to every kind of purely personalized revolutionary charisma should be exploited.

COIN strategy that necessitates opposing and delegitimizing traditional domination presents enormous risks: counterinsurgents cannot in the short-run challenge the sanctified status of those traditions which ‘from time immemorial’ have governed the ethos, folkways, and very nature of social organization and interaction. It *is* possible, however, *on traditional grounds*, to oppose a specific person, norm, or discretion. Counterinsurgents can charge that tradition is being misappropriated, misapplied, betrayed, mocked, or otherwise dishonored. In short, the insurgents’ power of command can be challenged using that very type of domination (tradition) they themselves claim. This strategy takes full advantage of the fact that tradition, despite its

⁴³ Weber, *Economy and Society*, v.1, p. 227.

⁴⁴ Weber, *Economy and Society*, v.1, p. 227.

⁴⁵ Weber, *Economy and Society*, v.1, p. 231.

⁴⁶ See David C. Gompert and John Gordon, IV, *War by Other Means*, esp. chapter 3, “Countering Type III Insurgency,” for an extremely insightful discussion of four types of insurgency and the necessity of disaggregation and eliminating the nexus between global jihadism (Type 4) and others; See also, David Kilkullen, *The Accidental Guerrilla: Fighting Small Wars in the Midst of a Big One*, esp. 12-16, 28-38. (Oxford: Oxford University Press, 2009).

⁴⁷ For an excellent example of leveraging traditional domination against Taliban violence in Afghanistan, see LTC Thomas Brouns, U.S. Army, “Exploiting Insurgent Violence in Afghanistan,” *Military Review*, July-August 2009, pp. 10-20, esp. pp. 18-19.

self-professions, contains tools for its revision (though only in the name of tradition and never a non-traditionally-sanctioned innovation).⁴⁸

However, *if* insurgents are fighting to defend, maintain, or restore authoritative traditions that are in opposition to counterinsurgent objectives, *and* few if any possibilities exist for challenging persons, rules, or interpretive discretion, the above leverage is unavailable. Assuming counterinsurgents cannot succeed in delegitimizing traditions that are antithetical to their goals, priority can shift to delegitimizing civilian-directed terrorist violence as means, and neutralizing or co-opting traditional-restorationist insurgents.

It is decisive to understand that tradition will be forced to defend (or even originate) an insurgency if the counterinsurgent aspires to establish a de-traditionalized form of life threatening (or appearing to threaten) existing prerogative. It is for that reason that the current *COIN Manual* can be criticized, i.e. it mistakenly elevates liberal democratic constitutional legal norms as a more or less dominant ideal for deflating the insurgencies to which we are now party. This is true if ‘good governance’ or truly effective governance is *only* possible on the basis of these ideals. It is deeply problematic, however, if legitimate governance can be differently sustained: for example, strategies that undermine global jihad while simultaneously asserting, defending, or restoring traditionalist domination resting on elders, patriarchal household, clan, tribe, nation, ethno-religious group, and religious law.⁴⁹

Leveraging Legal-Rational Domination. Owing to its replacement of charisma’s person-centered and tradition’s precedent-centered domination with “a ‘rational’ character,” governed by “rules, means-ends calculus, and of matter-of-factness predominating,” Weber claims that the “rise and expansion [of legal-rational domination] has everywhere had ‘revolutionary’ results”.⁵⁰ Yet by its very nature this revolution is *janus*-faced: in its wake we find winners *and* losers, creation *and* destruction, power *and* powerlessness, enablement *and* constraint. In the broadest sense the rise of bureaucratic organization gives rise to a bifurcation of societal organization into two rival mechanisms for organizing production and distributing its fruits: nepotocracy (i.e., “who you know” based on rule and reward of one’s kin, regardless of objectively determined ability), and meritocracy (i.e., “what you know” based on reward of objectively-determined ability, regardless of kinship).⁵¹

⁴⁸ See especially Richard T. Antoun, *Understanding Fundamentalism: Christian, Islamic, and Jewish Movements*, 2nd ed. (Lanham, MD: Rowman and Littlefield, 2008), chapter 3, for the ways in which this ‘traditioning’ is accomplished.

⁴⁹ Patrimonialism, though not directly germane to current COIN in Afghanistan, Pakistan, or Iraq, may be indirectly significant. Royal and princely patrimonial domination in conservative Gulf Arab oil sheikdoms, for example, may be highly significant in not only leveraging these societies against potential insurgency, but leveraging them in broader traditionalist coalitions designed to isolate and delegitimize global jihadists from traditionalist aligned populations residing in insurgent-vulnerable social orders.

⁵⁰ Max Weber, *Economy and Society*, v.2, p. 1002.

⁵¹ For a discussion of the origin of the concept ‘meritocracy’ and analysis of the conflict between meritocracy and nepotocracy, see Paul Kamolnick, *The Just Meritocracy: IQ, Class Mobility, and American Social Policy* (Westport, CT: Praeger, 2005), esp. chapter 3.

Individuals can and do benefit when ‘fairness,’ ‘efficiency,’ and unprejudiced, legal, bureaucratic, market, and organizational norms are institutionalized.⁵² It is important to recognize these potential benefits owed to legal-rational domination: not wishful thinking, they are highly consequential for persons’ well-being. Consider the positive fruits potentially reaped for example, by adhering to legal-rational criteria in those four key COIN lines of effort, i.e. governance, economic development, essential services, and security.

The ethos of bureaucratic organization--“ the more it is ‘dehumanized,’ the more completely it succeeds in eliminating from official business love, hatred, and all purely personal, irrational, and emotional elements which escape calculation”—is profoundly threatening to those prerogatives upheld by traditional domination.⁵³ If ‘who you know’ matters a lot in life even to relatively well-off citizens in western capitalist democracies, how much more so when ‘who you know’ is social survival and mediates *any* conceivable potential mobility? It is obvious then why legal-rational domination can conjure among a tribally-organized populace in the midst of insurgency, and without enduring traditions of legal-rational domination, deep ambivalence at best; and at worst, anxiety, fear, anger, hostility, resentment, and possible hatred.

Understanding legal-rational domination is crucial; leveraging it is vital. For partially counterintuitive reasons an admittedly conflict-ridden yet essential interdependence between nepotistic (kin-based) and meritocratic (non-kin-based) mechanisms in COIN-relevant traditional societal contexts can indeed be leveraged.

First, tribally-based patriarchal nepotistic networks and dynamics can be leveraged. Prudence counsels recognition and cooperation with this major fact of social structure. Moreover, kin-based allocation embedded in pre-existing trust networks, like the market mechanism, requires no central plan or god-like prescience to ascertain appropriate levels of production, distribution, and consumption.⁵⁴ The information conveyed of existing human needs arising from kinship networks is substantially better than that arising from less-informed plans created by ‘foreigners’ in the fog, friction, and violence of war.

Furthermore, work effort, sacrifice, savings, and investment increases when one’s household and kin are perceived to directly or indirectly benefit. This increased level of motivation and production-related energy expenditure partially offsets, then, inefficiencies that arise in the absence of non-kin-based meritocratic reward structures.⁵⁵

⁵² Max Weber: “The more complicated and specialized modern culture becomes, the more its external supporting apparatus demands the personally detached and strictly objective *expert*, in lieu of the lord of older social structures who was moved by personal sympathy and favor, by grace and gratitude. . . In particular, only bureaucracy has established the foundation for the administration of a rational law conceptually systematized on the basis of ‘statutes’” (*Economy and Society*, v.2, p. 975).

⁵³ Max Weber, *Economy and Society*, v.2, p. 975.

⁵⁴ Insurgent-linked charity and social welfare provision, which uses pre-existing and establishes new forms of trust networks, offers substantial challenges to COIN operators. See e.g. MAJ Erik A. Claessen, Belgian Armed Forces, “S.W.E.T. and Blood: Essential Services in the Battle between Insurgents and Counterinsurgents,” (*Military Review*, November-December 2007, pp. 91-98).

⁵⁵ Paul Kamolnick, *The Just Meritocracy*, pp. 112-116; See also, Abigail Barr, “Kinship, Familiarity, and Trust: An Experimental Investigation,” in Joseph Henrich, Robert Boyd, Samuel Bowles, Colin Camerer, Ernst Fehr, and Herbert Gintis, eds., *Foundations of Human Sociality: Economic Experiments and Ethnographic Evidence from Fifteen Small-Scale Societies*, pp. 305-334 (Oxford: Oxford University Press, 2004).

Second, a case can be made for using impersonal, objectively-applied rules as a means of securing opportunity and advantage. It is here that the role of intra-, inter-and pan-tribal authority—for example, trusted clan elders, sheiks, imams, the *Qur'an* and an entire edifice of Islamic jurisprudence—can be leveraged to reinforce and uphold the presumption of justice as fairness in transactions, exchanges, and elementary social interaction. Quranic social justice (*Qist*), drawing on its Jewish and Christian predecessors, is based in individual-level moral accountability and culpability before Allah, and applies universally to every member of the Muslim community, regardless of tribal affiliation.⁵⁶ In short, there is at least within Islamic sacred law a privileged role for a concept of justice as pan-tribal fairness, regardless of household, kin, clan, and tribal connections.

Third, utilities, essential services, and security are *so* essential to daily life their presence by whatever means possible is welcomed: sheer availability, let alone timeliness, quality, and efficiency, will trump kin-based criteria. It is the presumption that these vital services are unavailable except through kin, that explains preferential disposition toward kin in the first place.

Fourth, while one prefers to privilege one's own within economic relations, a *nationalist* case can be made—presuming that identity has salience—that national power and pride accrue to those nations that in the longer-run privilege norms of efficiency, transparency, objectivity, and are attentive to the requisites of competitive economic endeavor. Also, it can be asserted that as a result of increasing national prosperity, the likelihood of prosperity for one's household and kin is enhanced.

Fifth, uncorrupt and competent law enforcement; an efficient, accessible, and competent judicial system; effective intelligence; a professional, highly-trained uniformed armed forces; each of these necessary elements of an effective security regime for a functional nation-state are undoubtedly attainable (in the long run, at least) only on the basis of legal-rational authority.

Sixth, the counterinsurgent should maximally leverage the edifice of legal-rational domination authorizing the present COIN campaigns. This applies first, to all legal authority binding on the counterinsurgent campaign, i.e. the authority to assist a foreign government, and to use military force; the rules of engagement (ROE); legal and customary norms of the law of war; the laws specific to internal armed conflict; laws pertinent to detention and interrogation, and to enforcing discipline of U.S. forces; the legal framework governing humanitarian relief and reconstruction; the training and equipping of foreign forces, and of adjudicating and resolving claims that arise from armed operations; and finally, of establishing the rule of law in a host nation.⁵⁷ If the

⁵⁶ For Quranic authority upholding individual-level moral accountability, see *Qur'an* 17:13-15; 35:18, 39:41; for social justice as fairness in one's dealings and exchange relationships, see *Qur'an* 55:9, 60:8; see also Paul Kamolnick, *The Just Meritocracy*, pp. 88-90.

⁵⁷ See, *COIN Manual*, "Appendix D," Legal Considerations, pp. 347-361. See also *COIN Manual* (pp. 42-43): "Illegitimate actions are those involving the use of power without authority—whether committed by government officials, security forces, or counterinsurgents. Such actions include unjustified or excessive use of force, unlawful detention, torture, and punishment without trial. Efforts to build a legitimate government through illegitimate actions are self-defeating, even against insurgents who conceal themselves amid noncombatants and flout the law. Moreover, participation in COIN operations by U.S. forces must follow United States law, including domestic laws, treaties to which the United States is party, and certain HN laws. . . Any human rights abuses or legal violations

ultimate legitimacy of national governance does in fact rest on legal-rational authority, this also is an essential source of legitimacy that can and should be leveraged.⁵⁸

With respect to this latter goal, counterinsurgents should create, support and establish as quickly as practicable, a host-nation capacity to shift from using the law of war, to prosecuting insurgent violence as acts of illegitimate criminal violence directed against the established legitimate government, its laws, and its civilian population.⁵⁹ During an insurgency it is essential to understand that insurgents do not “have . . . special status under international law,” and that “U.S. forces conducting COIN should remember that the insurgents are, as a legal matter, criminal suspects within the legal system of the host nation. . . [E]vidence will be used to process insurgents into the legal system and thus hold them accountable for their crimes while still promoting the rule of law”.⁶⁰

Finally, counterinsurgents should become educated in, keep abreast of, and maximally-leverage the vehement conflicts among Islamic jihadists regarding the specifically *Islamic* legality of al-Qa’ida’s anti-Western global so-called jihad. It is highly likely that Islamic traditions and Islamic legal-rational authority can be leveraged to great effect particularly in relation to the means used by Al-Qa’ida to wage war against the West, western-supported nation-states, and any and all they accuse of ‘infidelity’ and ‘apostasy’. rulings pertaining especially to treachery, suicide, homicide, terrorism, murdering civilians (including women, children, and the elderly); the even more legally-problematic shedding of Muslim blood; and finally, rampant use of the takfir doctrine, i.e. heretification, by declaring another Muslim an apostate and thereby making their lives forfeit).⁶¹

committed by U.S. forces quickly become known throughout the local populace and eventually around the world. Illegitimate actions undermine both long- and short-term COIN efforts”.

⁵⁸ See, *COIN Manual*, p. 39: “The presence of the rule of law is a major factor in assuring voluntary acceptance of a government’s authority and therefore of its legitimacy. A government’s respect for preexisting and impersonal legal rules can provide the key to gaining it widespread, enduring societal support. Such government respect for rules—ideally ones recorded in a constitution and in laws adopted through a credible, democratic process—is the essence of the rule of law. As such, it is a powerful potential tool for counterinsurgents”. Where voluntary acceptance of a government’s authority does not rest on such ‘preexisting and impersonal rules,’ or a ‘democratic process,’ however, counterinsurgents can compromise COIN mission objectives by unwittingly privileging such norms.

⁵⁹ The *COIN Manual* (p. 42) makes this explicit: “To establish legitimacy, commanders transition security activities from combat operations to law enforcement as quickly as possible. Using a legal system established in line with local culture and practices to deal with such criminals enhances the HN government’s legitimacy. Soldiers and Marines help establish HN institutions that sustain that legal regime, including police forces, court systems, and penal facilities”. See also, David Galula, *Counterinsurgency Warfare*, pp. 43-47, p. 88 for a deeply insightful analysis of the very real challenges confronting counterinsurgents in constitutional democratic societies during the period when sabotage and subversion (but not yet violence) is suspected and/or proved..

⁶⁰ *COIN Manual*, p. 353; This does not of course apply to ‘foreign fighters’ whose legal classification and status is not determined by the host nation government.

⁶¹ See for example the very important recantations by key jihadi religious scholars and legal authorities: Daniel Lav, “An In-Depth Summary of Sayyid Imam’s New Polemic against Al-Qaeda, ‘Exposing the Exoneration,” MEMRI Inquiry and Analysis #500, February 23, 2009 (www.memri.org, accessed 2/24/2009); Daniel Lav, “The Party of Jurisprudence vs. the Party of Action: Sayyed Imam, Ayman Al-Zawahiri, and the Split in the Jihad Movement,” MEMRI, Inquiry and Analysis Series, #444, May 29, 2008 (www.memri.org, Accessed 11/28/2008); MEMRI Special Dispatch Series, #1785, December 14, 2007, “Major Jihadi Cleric and Author of Al-Qaeda’s Guide to Jihad: 9/11 Was a Sin; A Shari’a Court should be set up to hold Bin Laden and Al-Zawahiri accountable; there are only two kinds of people in Al-Qaeda—the ignorant and those who seek worldly gain.” (www.memri.org/bin/latestnews.cgi?ID=SD178507, accessed 12/17/2007); MEMRI Special Dispatch # 1826,

Some key questions are worth pondering as counterinsurgents attempt to leverage this revolutionary legal-rational form of legitimate domination. Is western-style legal-rational domination an *essential* premise for deflating an insurgency, i.e. does it essentially contribute to separating insurgents from the population, facilitating effective self-defense of the host nation government, and removing its primary causes? Can legal-rational domination be leveraged in ways that compliment rather than undermine—via compartmentalization, for example--traditionalistic sources of legitimate domination? Can a nuanced, complex, multi-stage approach be executed so that legal-rational domination is seen as one necessary, but insufficient source of ultimate authority? When is it *essential* to leverage legal-rational domination at the expense of charismatic and traditional domination, and vice versa, because for example, the longer-term nationalist and constitutionalist project demands it? Deep awareness of the winners and losers—actual, potential, perceived, and contrived—effected by completely deposing all sources of charismatic and legitimate domination linked to age-old traditions, families, tribes, and personages, is demanded at every step.⁶²

January 25, 2008, “Major Jihadi Cleric and Author of Al-Qaeda’s Shari’a Guide to Jihad Sayyed Imam vs. Al-Qaeda (2): Al-Zawahiri was Sudanese agent—Sudan’s VP Ali Othman Taha hired him to attack Egypt; ban on jihad against regime in Egypt; summary of Imam’s new Right Guidance for Jihad book.” www.memri.org, accessed 2/25/2009); Y. Carmon, Y. Feldner, and D. Lav, “The Al-Gama’a Al-Islamiyya Cessation of Violence: An Ideological Reversal,” MEMRI Inquiry and Analysis Series, #309, December 22, 2006. (www.memri.org/bin/articles.cgi?Page=archives&Area=ia&ID=IA30906, accessed 12/17/2007); Lawrence Wright, “The Rebellion Within: An Al Qaeda mastermind questions terrorism,” *The New Yorker*, June 2, 2008, pp. 37-53; Nazim Fethi, “GSPC founder calls for al-Qaeda surrender in Algeria,” www.magharebia.com/cocoon/awi/xhtml1/en_GB/features/awi/features/2009/10/21/feature-01, accessed, 1/22/2009; Rebecca Molloy, “Deconstructing Ibn Taymiyya’s views on suicidal missions,” *CTC Sentinel*, vol.2, March 2009, pp. 16-19; For the legal procedures and processes for issuing radical fatwas, illustrative samples and possible strategy for leveraging this process, see Shmuel Bar, *Warrant for Terror: Fatwas of Radical Islam and the Duty to Jihad* (Lanham, MD: Rowman and Littlefield, 2006). For key works providing background on the concept, history, and law of jihad in Islam, see: David Cook, *Understanding Jihad* (Los Angeles: University of California Press, 2005); Michael Bonner, *Jihad in Islamic History: doctrines and practice* (Princeton, NJ: Princeton University Press, 2006); Reuven Firstone, *Jihad: the origin of holy war in Islam* (New York: Oxford University Press); and Majid Khadduri, *War and Peace in the Law of Islam* (Baltimore: Johns Hopkins Press, [1955] 2006 reprint); and, MAJ Stephen Collins Coughlin, “‘To Our Great Detriment’: Ignoring what extremists say about Jihad (with appendices). (Unpublished masters thesis submitted to National Defense Intelligence College, July 2007 [available as pdf on web]). For a very detailed analysis of the contemporary global jihadist movement, including a nuanced disaggregation of the various salafist currents, see Jarret Brachman, *Global Jihadism: theory and practice* (New York: Routledge, 2008).

⁶² The *COIN Manual* to its credit provides a fairly nuanced treatment in its discussion of “identity-based” insurgency: “Many contemporary insurgencies are identity-based. These insurgencies are often led by traditional authority figures, such as tribal sheiks, local warlords, or religious leaders. . . . [T]raditional authority figures often wield enough power to single-handedly drive an insurgency. This is especially true in rural areas. Identity-focused insurgencies can be defeated in some cases by co-opting the responsible traditional authority figure; in others, the authority figures have to be discredited or eliminated. Accurately determining whether a leader can be co-opted is crucial. Failed attempts to co-opt leaders can backfire if those leaders choose to oppose the counterinsurgency. Their refusal to be co-opted can strengthen their standing as they gain power and influence among insurgents” (*COIN Manual*, pp. 24-25). An attentive reader will detect a focus on “power” wielded rather than “authority” granted to “traditional authority figures”. In short, the entire concept of traditional legitimacy and its basis in followers’ recognition of and adherence to sanctified custom is absent from consideration.

Conclusion

Utility and legitimacy are two bases counterinsurgents may use to win population allegiance. The importance of legitimacy to COIN success is repeatedly noted in the *COIN Manual*, and properly re-expanded into its more robust sociological conception, it is a variable of great strategic relevance. As a concept and sociological fact, legitimacy is applicable to all instances in which authority is granted to persons or institutions exercising the power of command. Leveraging these diverse bases of legitimate domination *for* counterinsurgents and *against* insurgents is another important tool in competing for population allegiance.⁶³ Attending to the COIN-relevant strategic properties of legitimate domination is therefore worthy of greater attention than it has thus far received.

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⁶³ Despite the modern prevalence of legal-rational domination it is crucial to keep in mind Weber's admonition: "[T]he three basic types of domination cannot be placed into a simple evolutionary line: they in fact appear together in the most diverse combinations" (*Economy and Society*, v.2, p. 1133).