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Department of Defense Special Branch:

An Organizational Proposal for Counter-threat Operations in Low Intensity Conflicts

by Matthew R. Modarelli

The United States military must develop a single, enduring organization for gathering and acting upon threat information in low intensity conflicts.¹ Around the globe, current and future strategic partners of the United States are mired in bloody and relentless internal wars for stability and legitimacy of government. Since the early 19th century, the US has played an important role in irregular warfare abroad and as the government continues to identify and pledge assistance to struggling nations, that role will expand and grow. With a growth in low intensity conflict missions comes an exponential need to adapt and apply successful information gathering methods from past conflicts. For the US, victory in today's low intensity conflicts will depend largely on our capacity to enable partner nation counter-threat operations (CTO)² conducted primarily by indigenous law enforcement agencies. To succeed in current and future low intensity conflicts, an enduring Department of Defense Special Branch dedicated to the complex mission of working with indigenous special police units and security agencies to gather and exploit threat information must be established.

¹ For purposes of this paper, the term 'low intensity conflict' will be used interchangeably with irregular warfare, small wars, people's wars, guerilla warfare, wars of insurrection, counterinsurgency, and stability operations. Each of these terms has been given independent definitions by countless authors. From research and practical experience, it is the belief of the author that the strategic nature of this paper and the similarities in the security intelligence activities needed to successfully engage in these types of warfare permit this generalization.

² The United States Air Force Office of Special Investigations adopted the doctrinal term counter-threat operation (CTO) in January of 2006 following extensive research and lessons learned in the Balkans, Afghanistan, and Iraq. CTO includes all special investigative techniques and methods employed by special agents to both identify and neutralize threats to security and force protection. CTO includes the resolution of major crimes, counternarcotics, antiterrorism investigations, counterintelligence, and research and technology protection. In low intensity conflict, CTO is the application of all relevant investigative tradecraft, often working through, by, and with similarly trained indigenous military and police forces, to gather intelligence, resolve crimes and eradicate threats to force protection. See Air Force Mission Directive (AFMD) 39 (Air Force Office of Special Investigations), 3 Jan 06. AFMD 39 is available at the Air Force Publishing Distribution Center via on-line ordering. Orders can be placed via the Air Force E-Publishing website: <http://www.e-publishing.af.mil/> (accessed 16 Mar 10).

The Role of the U.S. Military in Low Intensity Conflict

The United States has worked with its partners to defeat the enemies of freedom and prosperity, assist those in greatest need, and lay the foundation for a better tomorrow.

- Robert M. Gates³

The government of the United States has always employed the military instrument of national power to train partner nation security forces, participate in stability operations, and conduct aggressive counterterrorism missions. From the early 1800s to today, US military forces have operated from remote locations in the Philippine archipelago to the vast and rugged expanses of Africa. As recently as September of 2009, two US troops were killed in a land-mine attack in the Philippines by an Al Qaeda affiliate terror group.⁴ In Africa, Operation Enduring Freedom Trans Sahara (OEF-TS), Combined Joint Task Force Horn of Africa (CJTF-HOA), and eventually US Africa Command was each established to expand US counterterrorism and capacity building efforts following 9/11.⁵ As in the Philippines, US military operations in Africa have been nearly constant since Lt Presley O'Bannon led a coalition of locals, Arabs, and European mercenaries on the "shores of Tripoli" in 1805.⁶ Countless other low intensity conflict operations from the Balkans to Afghanistan and Iraq all highlight the contemporary demands placed on the US armed forces. The military instrument of national power has been and always will be used globally for low intensity conflict.

The conduct of irregular warfare, stability operations, counterinsurgency and all forms of low intensity conflict must be accepted and embraced institutionally as a core mission of the United States military. Today's United States National Security Strategy (NSS) states that, "championing freedom advances our interests because the survival of liberty at home increasingly depends on the success of liberty abroad."⁷ The National Defense Strategy (NDS) takes this one step further calling for the Defense Department to strengthen alliances and partnerships in order to enable the capacity of foreign nations to defeat common enemies.⁸ The nation has repeatedly called upon the US military to embrace and excel in low intensity conflict and the Department of Defense must relearn valuable lessons from military history and adjust itself to meet new challenges.

³ National Defense Strategy, June 2008.

⁴ CBS World News, *2 U.S. Troops Killed in Philippines, Blast Suspected al Qaeda-Linked Militants' Landmine Hits Joint U.S.-Filipino Convoy in Deadly Southern Region* (CBSNews.com), <http://www.cbsnews.com/stories/2009/09/29/world/main5348332.shtml> (accessed 27 Feb 10)

⁵ US Africa Command, Operation Enduring Freedom Trans Sahara (AFRICOM.mil), <http://www.africom.mil/oef-ts.asp> (accessed 27 Feb 10).

⁶ Joseph Wheelan, *Jefferson's War – America's First War on Terror 1801-1805* (NY: Carrol & Graf Publishers, 2003), 284. See also Virginia Memory: Library of Virginia, *PRESLEY NEVILLE O'BANNON AND THE MARINE CORPS SWORD* (VirginiaMemory.com) http://www.virginiamemory.com/reading_room/virginiana/presley_neville_obannon_and_the_marine_corps_sword (accessed 27 and 28 Feb 10).

⁷ The National Security Strategy of the United States of America, March 2006, 3.

⁸ The National Defense Strategy, June 2008.

Foundations of Success

It is a fact that during the war the enemy may take advantage of certain people who are lacking in conscience and patriotism and induce them to join the guerillas for the purpose of betraying them.
- Mau Tze Tung⁹

20th Century British colonial experiences proved that CTO in wars fought among the people was best accomplished by the Special Branch of the police force.¹⁰ Successful counterinsurgency leaders like Sir Frank Kitson (Kenya, Malaya, Oman, Cyprus)¹¹ and Sir Robert Thompson (Malaya and Vietnam)¹² along with accounts from successful special branch officers like Ian Henderson (Kenya)¹³ illustrate the unique capabilities of special branch organizations. In these examples, special branch officers were able to control complex pseudo operations¹⁴ using turned insurgents to penetrate and gather the most valuable security intelligence. CTO operations conducted by permanently placed or indigenous special branch officers were the most effective means of gathering information and eradicating threats.¹⁵

Proposal

You can always count on Americans to do the right thing—after they've tried everything else.

- Winston Churchill

In today's low intensity conflicts, the United States is not a colonial power with jurisdictional control over indigenous peoples and must work through, by, and with host nation security services. Therefore, the best positioned individuals to penetrate and neutralize insurgent/terrorist networks are the informants and undercover agents of the various host nation police organizations. While assisting foreign partners with indigenous security challenges is a mission of the US military, it is more commonly a Ministry of Interior or policing mission for the

⁹ Mau Tze Tung, *Yu Chi Chan (Guerrilla Warfare)*, Originally published in 1937, english translation by Samuel B. Griffith II, USMC, (Norfolk, VA: Headquarters Fleet Marine Force Atlantic, 1961), 42.

¹⁰ The colonial Special Branches provide excellent examples of how to fuse civil-military intelligence gathering missions in stabilization operations. Special Branch activities were regularly and successfully integrated with police and military security forces. The Special Branch of the British South African Police (BSAP) functioned as the special investigative unit for paramilitary police forces operating throughout rural and urbanized areas of British colonial Africa. The Special Branch served as the primary intelligence gathering and threat eradication unit for the BSAP in places like Kenya and the country formerly known as Rhodesia. It should be noted that the colonial legacy of the Special Branch is rightfully tainted by policing activities that were at times employed with bias to support corrupt apartheid governments in Africa. Still much of the tradecraft employed by both white European and black African special branch police officers was highly effective. The purpose of this proposal is to try and stoically capture the positive lessons learned from a highly adaptable and effective civil-military security intelligence organization.

¹¹ Frank Kitson, *Bunch of Five* (London: Faber and Faber Limited, 1977), Introduction.

¹² Sir Robert Thompson, *Defeating Communist Insurgency* (New York: Frederick A. Praeger, Inc., Publishers, 1966).

¹³ Ian Henderson, *Manhunt in Kenya* (New York: Doubleday & Company Inc, 1958).

¹⁴ Pseudo operations employ captured insurgents that are quickly turned to work under the control of counterinsurgents. They can operate independently, as a scout for a counterinsurgent team, or be organized into gangs trained to identify and neutralize insurgent groups. See also Matthew R. Modarelli, "Military Police Operations and Counterinsurgency," *Small Wars Journal* (Winter 2008), <http://smallwarsjournal.com/blog/2008/12/military-police-operations-and/>.

¹⁵ Matthew R. Modarelli, "Military Police Operations and Counterinsurgency," *Small Wars Journal* (Winter 2008), <http://smallwarsjournal.com/blog/2008/12/military-police-operations-and/>.

host nations engaged.¹⁶ The US interagency is understaffed, under resourced, and therefore often unable to play a significant role in these types of missions.¹⁷ In the last few decades, the Defense Department has assigned the complex mission of gathering and acting upon low intensity conflict threat intelligence to Special Forces organizations. The unorthodox nature of this growing mission was a contributing factor to the creation of Special Operations Command (SOCOM).¹⁸ The missions assigned SOCOM, however, do not formally include direct engagement or the enabling of host nation civilian police forces. While this necessary task may seem implied, it is not doctrinally sanctioned and SOCOM does not have the authority or resources to field Defense Department special agents trained in advanced policing tactics.¹⁹ According to the NSS and NDS, the United States does not intend to annex and rule over new territories but rather help partner nations defeat common enemies. The US military must therefore create an organization that can liaise, integrate, and work bilaterally with partner nation special investigations units to gather threat information and coordinate judicial or kinetic solutions to looming threats.

In order that a new organization focused on low intensity conflict may endure periods of large conventional combat operations and still maintain institutional knowledge and lessons learned, it must exist within a standing functional command. Dr Paul Melshen makes this point very clearly in opening his *Small Wars and Insurgencies* article titled: Mapping Out a Counterinsurgency Campaign Plan: Critical Considerations in Counterinsurgency Campaigning. Dr Melshen urged that, “in a period of peacetime it is essential that militaries develop a Standing Counterinsurgencies Concept Unit”²⁰ to help maintain and increase the military’s irregular warfare readiness posture. This Joint Counterinsurgency Concepts Unit (JCCU) might best be established as a sub-unified command under a larger functional command like US Strategic

¹⁶ Just as the FBI and police organizations are responsible for terrorism investigations within the borders of the United States.

¹⁷ While the US government has begun to take steps to increase state department funding and capabilities, it is more likely that, as the former commander of Multinational Forces, Iraq, Lt Gen Peter Chiarelli stated while addressing students at the Marine Corps University on January 3, 2008, “the interagency will be broken for our lifetime.” See also Matthew R. Modarelli, “Military Police Operations and Counterinsurgency,” *Small Wars Journal* (Winter 2008), <http://smallwarsjournal.com/blog/2008/12/military-police-operations-and/>

¹⁸ Claude C. Sturgill, *Low-Intensity Conflict in American History* (Westport, Connecticut/London: Praeger, 1993), 101-103.

¹⁹ Active Duty and civilian federal agents within the Department of Defense federal agencies (OSI, NCIS, CID) are granted their investigative authorities from their respective service secretaries. This cannot be delegated or granted to any office within the military operational chain of command. However, DoD special agents can conduct activities other than Title 10 investigations of US persons at the behest and under the operational control of theater or task force commanders. Historically, the learning curve faced by line soldiers and/or special operations personnel with no advanced police investigations training, when asked to fulfill policing-like missions, is extremely steep. In Vietnam, the CIA selected highly trained military officers from conventional units and Special Forces teams to lead their provincial reconnaissance units (PRU) in South Vietnam. PRUs used indigenous scouts and policing tactics to track down and neutralize Vietcong insurgents. As was common in Iraq in 2006-2007 as well, investigated insurgents were often arrested; evidence obtained, and case files and reports submitted for judicial proceedings. This far exceeds the skill level of a line soldier, conventionally trained intelligence officer, or special operations troop. The use of special agents from the Department of Defense federal agencies (CID, OSI, NCIS) should be considered in future initiatives of this kind. For detailed examples and further explanation, see also Matthew R. Modarelli, “Military Police Operations and Counterinsurgency,” *Small Wars Journal* (Winter 2009), <http://smallwarsjournal.com/blog/2008/12/military-police-operations-and/>

²⁰ Paul Melshen, “Mapping Out a Counterinsurgency Campaign Plan: Critical Considerations in Counterinsurgency Campaigning.” *Small Wars and Insurgencies*, Volume 18, No. 4 (Winter 2007) : 665.

Command or Joint Forces Command. It is within such a JCCU that a Defense Special Branch (DSB) function must permanently exist.²¹

The mission of the DSB must be to liaise, train, and/or conduct bilateral investigations and operations with partner nations facing insurgent uprisings. The DSB must be capable of supporting and conducting advanced activities whose training and complexities most closely resemble a law enforcement undercover operation. This type of mission is currently conducted within the Defense Department by special agents from OSI, NCIS, and CID.²² This DSB capability must be deployable and may at times need SOCOM-like mobility and kinetic precision to fully develop and enhance partner nation capacity. The DSB should be prepared to embed with partner nation special police organizations and work bilaterally on complex counterterrorism investigations. All Department of Defense field agents assigned to a DSB must be, “well versed in police protocol.”²³ Analytical support and the fusion of all-source intelligence with DSB operations must be done within a robust J2 division of the JCCU. These functions must also be expeditionary in the form of scalable Combined Intelligence Operations Centers (CIOC) capable of deploying in support of DSB special agents.²⁴ CIOCs must also be capable of conducting all activities bilaterally and be comfortable with host nation civil-military fusion, analysis, and exploitation of DSB-gathered threat information. It must be the principle goal of the DSB to support or conduct precise bilateral investigations and human source operations with indigenous special police agencies to yield actionable intelligence to counter insurgent threats and ideologies.

Additionally, low intensity conflicts must become a core curriculum in our military institutions of higher learning. The high intensity conflicts²⁵ commonly studied and revered by military professionals are comparatively short in duration and less complex in their nature to wars of insurrection. Conventional military lessons-learned were well documented as early as 431 BC by Thucydides²⁶ and the later works of Carl von Clausewitz and Antoine-Henri Jomini are commonly found in the libraries of today’s professional military schools.²⁷ However, it is also the writings of Kitson, Thompson, Henderson as well as extremists like Mao Tze Tung and Sayyid Qutb²⁸ that will better prepare our military officers for the enemies they will face in low intensity conflicts. The expansion of the irregular warfare curriculum in all Department of

²¹ In order for a DSB to reside within a functional command and still have proper supervision and authorities, the command and control relationships of the assigned Defense special agents must remain with their Defense federal agencies. However, the DSB must reside with and be resourced by a functional command with doctrinal authority to deploy and mission task. This is necessary in order to provide full spectrum counterintelligence and law enforcement engagement capabilities to the combatant and/or task force commanders that request JCCU and DSB forces.

²² Air Force Office of Special Investigations (OSI); Naval Criminal Investigative Service (NCIS); Army Criminal Investigations Division (CID).

²³ H. John Poole, *Tactics of the Crescent Moon: Militant Muslim Combat Methods* (Posterity Press: Emerald Isle, NC), 224.

²⁴ See also Matthew R. Modarelli, “Military Police Operations and Counterinsurgency,” *Small Wars Journal* (Winter 2008), <http://smallwarsjournal.com/blog/2008/12/military-police-operations-and/>.

²⁵ Large conventional, force-on-force warfare.

²⁶ Thucydides, *The Peloponnesian War* (New York: Random House Inc., 1982): xxxi, 1.

²⁷ Name spelling checked at Selected Military Papers and Essays of Colonel John Osgood, USAR Retired. *Carl von Clausewitz and Antoine-Henri Jomini and Military Strategy* (juris99.com/mil) <http://www.juris99.com/mil/w12.htm> (accessed 27 Feb 10).

²⁸ Albert J. Bergesen, *The Sayyid Qutb Reader – Selected Writings on Politics, Religion, and Society* (NY and London: Routledge, 2008), 1-31.

Defense professional military education programs is essential to enduring success in low intensity conflict.

Conclusion

The best organization to be responsible for all internal security intelligence is the special branch of the police force...
- Sir Robert Thompson²⁹

Success in current and future low intensity conflicts depends upon the US military's capacity to engage with partner nations to gather and act upon indigenous threat information. From the Philippines to the Horn of Africa, US military forces are directly supporting governments facing violent insurgencies. The NDS clearly states the Defense Department's role in engagement and capacity building to help struggling partner nations defeat common enemies. For partner nations, these common enemies are often their own indigenous peoples and history has shown that indigenous police agencies are best suited for identifying and eradicating home-grown threats.³⁰ The Department of Defense must establish a special branch of expeditionary special agents capable of assisting partner nations and/or conducting bilateral counterinsurgency and counterterrorism operations to defeat common enemies.

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²⁹ Sir Robert Thompson, *Defeating Communist Insurgency* (New York: Frederick A. Praeger, Inc., Publishers, 1966), 84-85.

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