



Rebuilding the Force:

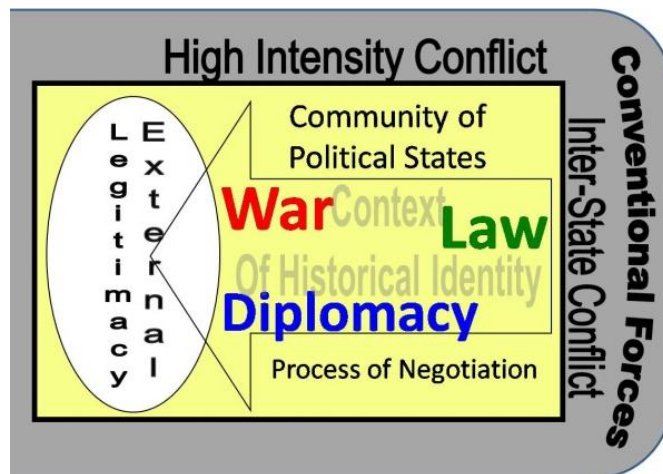
Unconventional Advisory Forces in Counterinsurgency

by Patrick James Christian

The United States Military strategy is in the midst of the largest disarray since the ending of the cold war with global communism in the early 1990s. US Ground forces are now split between two competing and divergent missions: Counterinsurgency Warfare and the projection of High Intensity Combat (HIC) capabilities to its potential adversaries. Even as Army and Marine brigade commanders prepare for their missions in Iraq and Afghanistan, they try to retain one set of HIC skills while learning an entirely new skill-set necessary for the unconventional nature of countering insurgent warfare. Most senior conventional brigade commanders do not believe that they can do both successfully, and their use in one (COIN), renders them less than capable in the other (HIC). Finally, the sheer financial costs of breaking and rebuilding conventional force units for their (mis)use in COIN advisory missions will certainly result in decreased COIN mission performance as well as decreased levels of deterrence of the remaining political states hostile to US interests and objectives. Given the reality that our military and diplomatic forces will be tasked with operating in both the unconventional and conventional theaters of conflict for decades to come, a rebalancing of forces against these mission sets is now a stark requirement that we must accomplish sooner rather than later.¹

US Conventional Forces are organized for high intensity combat against political states capable and willing to use force (or threat of force) to negotiate the legitimacy of the political state, the international political order, and the international systems in place which support that order and its member states. This includes proto-states such as Al Qaeda when they operate between political states. Political states use war, law, and diplomacy in a shared context of historical identity to continually negotiate and validate the legitimacy and integrity of the international political order.² In these contexts, law provides the state with the authority and duty to order society; diplomacy

provides the state with the ability to articulate and interrelate its historical role as well as its rights and obligations within the community of states; history provides for the basis of a common



¹ US Government Counterinsurgency Guide; USG Interagency Counterinsurgency Initiative. (January 2009), Pg Exsum.

² Patrick J. Christian, "Meeting the Irregular Warfare Challenge: Developing an Interdisciplinary Approach to Asymmetrical Warfare," *Small Wars Journal*, Vol.5 (July 2006), 49-53.

& accepted cultural identity and origination while war provides the state the ability to protect its jurisdiction from foreign violence. In short, traditional conventional forces secure the

American counterinsurgency practice rests on a number of assumptions: that the decisive effort is rarely military...that our efforts must be directed to the creation of local and national governmental structures that will serve their populations, and...replace the efforts of foreign partners; that...the 'human terrain' is essential; and that we must have the patience to persevere in what will necessarily prove long struggles. **USG COIN Guide – January 2009**

international ordering of political states and the diplomatic and market forces which support that ordering. This contrasts with the purpose of unconventional warfare forces and the counterinsurgency advisory missions now operating in Iraq and Afghanistan. These non-conventional forces and missions work to negotiate the *internal* legitimacy of the political states of Iraq and Afghanistan using law, history and war in psycho-cultural contexts of the societies they support.

Negotiating State & Societal Legitimacy

Conventional Combat Forces are organized, trained, equipped and manned for the specific purpose of countering military forces of other political states. From the psychology of the leadership to the type of weapons systems they employ, conventional military forces have evolved over centuries to perform their primary mission of countering other states in high intensity conflict scenarios. With few exceptions, warfare's history has shown conventional combat forces to be best qualified to secure political state legitimacy. In the middle of the last century however, the spread of democracy and emergence of other competing forms of governance sparked a revolution in military affairs (RMA) with the creation of a new form of military organization.³ These new military units were organized to apply calculated violence and micro-diplomacy as part of the negotiation of the legitimacy of a social order *internal* to the political state. Practitioners of this new type of military unit describe insurgency (UW) and counterinsurgency (COIN) as the *internal* negotiation over the legitimacy of the cultural identities which the political state produces protects and propagates.

Each nation's military and police forces are ultimately responsible for negotiating the legitimacy of their state, both internally between the competing cultural groups which make up the state and externally to the state's competing neighbors. US UW and COIN Advisory Forces however, were originally created for the purpose of negotiating the internal legitimacy of a foreign state using war, law and history in a shared cultural context. No other nation has military forces expressly trained and organized for this type of expeditionary mission. As a pre-condition of improving our success in this long war against extremist violence, we must realign the use of our UW/Advisory Forces and Conventional Combat Forces so that they are applied based upon the missions for which they were originally organized and trained. The difference between the conventional force mission and the UW/Advisory mission involves differences in equipment, organization, training, manning, doctrine and leadership, but also in recruitment. Conventional

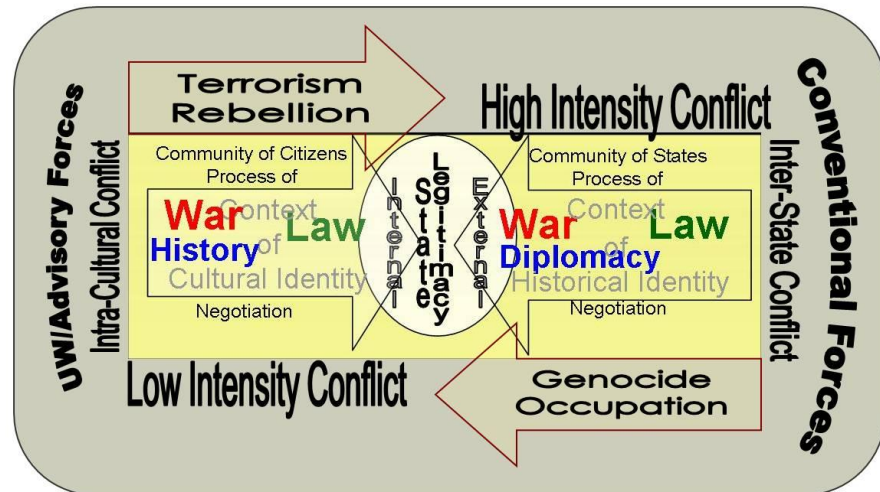
³ Patrick J. Christian, *The Evolution of State Legitimacy and its impact on 18th and 19th Century Warfare*, USA Command & General Staff College S600A, (Ft. Leavenworth, KS: USACGSC, 2004).

mission sets recruit for a certain type of soldier and leader, one which is markedly different than those recruited for UW/Advisory missions.

The diagram below builds upon the negotiation of external legitimacy, illustrating the internal struggle and showing the alignment of troops to task. The inner box shows the mutually related processes of negotiation over internal and external legitimacy, and the relationship of military forces – UW/Advisory to the internal struggle, and CF forces to the external defense. From an internal legitimacy perspective, the use of foreign conventional forces is viewed as a conquering occupation with the resultant fears of cultural and political genocide amongst the indigenous population.

From an external legitimacy perspective, the use of irregular or unconventional forces to negotiate the legitimacy of the political state is understood as terrorism and rebellion. The differences described here and the misalignment of troops to task explain much of the frustration of

conventional force commanders as they attempt to negotiate internal state legitimacy in Iraq using units organized and trained for the negotiation of external legitimacy.



War is a corollary to organized human violence which occurs as a part of the negotiation over state and societal legitimacy. States and Proto-states develop military forces to participate in this negotiation which we refer to as war. War is a fundamental negotiator of state legitimacy, and the human cultural institutions which the state produces, protects and propagates. Organized human violence is used by, for and against the state as part of a negotiation of the legitimacy of that state and its society. The other factors used by, for and against the state to negotiate its legitimacy are law (*the ordering and constituting of society*) and history (*the imaginative stories of the cultural identities which are protected by the state*), both of which are understood only within a specific cultural context.⁴

Because the legitimacy of a state is determined within the minds and hearts of the populace based upon this negotiation, foreign

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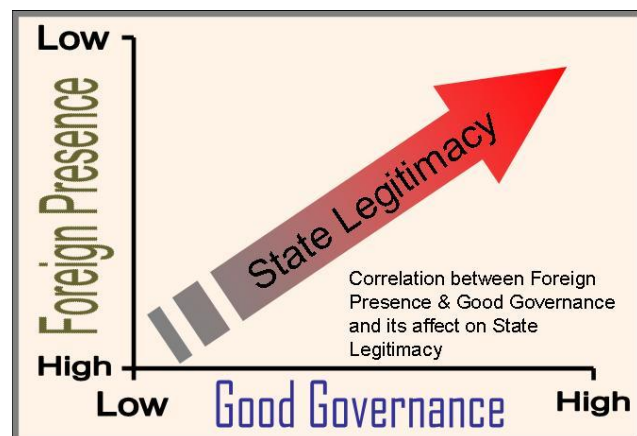
⁴ Patrick J. Christian, *The Rise of Internal Determinants of State Legitimacy and the Impact on 20th and 21st Century Warfare*. USA Command & General Staff College S600B, (Ft. Leavenworth, KS: USACGSC, 2004)

forces normally cannot negotiate internal state legitimacy without undermining the outcome. The military forces of one state can participate in mutual defense agreements with its neighbors without losing legitimacy, as long as the accords deal only with *external* legitimacy. The negotiation of internal legitimacy of a social order is as sensitive as the parenting of children. Parents of children cannot ask their neighbors to parent their children without losing the legitimacy of that role for themselves. Even if the neighboring parents are successful as surrogate parents, the original parents will find that their legitimacy deteriorates with each new success of those surrogates.

Misaligned Missions for Conventional Forces

The United States Army Counterinsurgency (COIN) Manual (FM 3-24) provides broad guidance for the conduct by US military forces in combating insurgencies. By applying these counterinsurgency missions indiscriminately to US military units that were recruited, organized, manned, equipped and trained for conventional high intensity conflict, we commit a fundamental miscalculation over the nature of organized human violence, and the political state's response to it. In an internal struggle over the legitimacy of the governing political state characterized by insurgency, rebellion and revolution, the community of citizens will ultimately determine the internal legitimacy of their state within which they live - not an outside source. The legitimacy of the state exists along a continuum of acceptance and rejection based entirely upon its ability to perform the functions it was designed to perform; namely the production, protection and propagation of the cultural identity of its constituency. The body politic of the state serves to define where the line of demarcation (of acceptance) exists at any given point in time. The reason so many insurgency and counter-insurgency campaigns have failed, is that they attempted to provide a basis for state legitimacy which was/is foreign in nature to this body politic. The result of a body politic being presented with a foreign state legitimacy is always, ultimately, one of rejection, even if it is a better one than the competition.

Modern conventional military forces have often been tasked by their governments to perform stability operations missions, often under the authority of the United Nations use of force directives; specifically, Chapters VI (Peacekeeping) and VII (Peace Enforcement). These non-standard missions are conducted by foreign conventional forces in an international setting, usually between warring political states or in failed states which pose a threat to regional or international order. These international military missions provide a framework for intervention for the purpose of countering "threats to the peace, breaches of the peace and acts of aggression."⁵ These missions however, are not counterinsurgency operations, even if those UN sanctioned missions have an indirect influence over the internal makeup or legitimacy of the host nation. Conventional forces which attempt to negotiate the internal legitimacy of a foreign political entity will always be understood as an occupation force regardless of what they are called by international diplomacy. Such



⁵ William H. Lewis & John O.B. Sewall, "United Nations Peacekeeping: Ends versus Means", (Wash DC: JFQ, Summer 1993).

occupation forces will always be resisted to the point of cultural and/or political genocide. Occupation forces will never successfully negotiate the internal legitimacy of a foreign state without some measure of force normally deemed unacceptable by both the host population and the audience of surrounding political states.

Without dedicated UW/COIN Advisory forces prepared to assist in the negotiation of internal state legitimacy of failed or failing states, the use of conventional forces will continue to be offered to political and diplomatic leaders as the option of last choice. The use of conventional forces in the conduct of COIN however can all too easily result in some form of political, cultural or physical genocide. Genocide is the ultimate state solution to a disagreement over the cultural identity of a state and its social order. The international political order's repudiation of genocide in the last century has paradoxically ensured that in this century, we will continue to see organized political violence employed in the struggle for internal state legitimacy. The rise of democratic governance and capitalist economies (with their need for heightened levels of human capital) has birthed a revolution in military affairs, creating an entirely new military requirement for stabilizing the international order: UW/COIN Advisory Forces. The key difference of UW/COIN Advisory Forces from the conventional military forces is their shift in focus from physical terrain to the human terrain. This change is not merely a 'new consideration', but rather a complete refocus and change of mindset in the application of violence in the protection of the political state.

In the current conflict in Iraq and Afghanistan, conventional coalition forces work to negotiate internal host nation social and governing legitimacy by performing an essential element of state sovereignty; the constitution of the social order and the enforcement of that constitution. Regardless of which side the conventional forces take, the other side will invariably reject that

Sovereignty can never be given to a people; they **must fight** for it, and more importantly, they **must sacrifice** for it. It is in the nature of this sacrificing that people find and accept the sovereignty of their social order and the legitimacy it contains

which is essentially foreign. The few real successes US conventional forces have had in Iraq most often stemmed from an isolated willingness on the part of enlightened commanders to commit their conventional forces to a partnership arrangement with host nation military and police forces. This partnership, often characterized by the mantra of "by, with & through" the indigenous forces, helped to legitimize their presence and activity,

especially in contrast to the remainder of the deployed foreign force's unilateral actions. Additionally, many of these conventional forces realized success only when their partnering actions coincided with the evolvment of sovereignty by the host government. Contrary to earlier US statements for instance, Iraqi sovereignty was not accomplished via the deliverance by an American President, nor by the voluntary dismantling of the provisional coalition authorities' control over the Iraqi governing apparatus.

Host nation sovereignty is accomplished when a critical mass of its citizens accept that it exists, and in Iraq, this corresponded in time to the partnering success of some US Conventional and Special Operations Forces units operating by, with & through Iraqi security forces. A state's sovereignty emanates from the internal negotiation, sacrifice and suffering required to achieve a common psycho-cultural identity. Georg Jellinek, a 19th Century professor of law at the

University of Heidelberg, wrote that the state does not give legitimacy to the individual; the collection of individuals gives sovereignty to the state, which makes the state legitimate.⁶ Philip Bobbitt, a constitutional law scholar at the University of Austin holds with Jellinek that state sovereignty is a “psychological mass function [which] has no reality apart from its human constituents, who associate in order to form a community of purpose.”⁷ Because part of the negotiating forces for state legitimacy and sovereignty in Iraq are foreign to that cultural identity, complete sovereignty will never be achieved until they are withdrawn. This explains why the Iraqi Army and Police are dysfunctional. A body politic without ownership of its sovereignty will never feel the responsibility for securing it. This is also why Sovereignty can never be given to a people; they *must fight* for it, and more importantly, they *must sacrifice* for it. It is in the nature of this sacrificing that people find and accept the sovereignty of their social order and the legitimacy it contains.⁸

Understanding the Revolution: UW/Advisors and the Negotiation of Internal State Legitimacy

Traditional US UW/SOF Advisory units working with or against insurgencies are essentially warrior-diplomats who fight a type of political warfare. Political warfare, due to the necessities of supporting multicultural, multi-religious societies, requires UW/COIN Advisory personnel to leave behind preconceived notions of conflict origination as they support or counter resistance movements seeking to challenge the legitimacy of political states. The intellectual theory of this type of military warfare unit has its roots within the militias formed by the American Continental Congress and the French revolutionary Directorate to safeguard the fledgling legal, executive and legislative institutions of post monarchical governments.

A Medal of Honor recipient turned lawyer named William (Wild Bill) Donovan, transformed this intellectual theory into military units organized for political warfare in World War II Europe, Asia, and South America. Donovan’s recruits formed the OSS, or Office of Strategic Services, which recruited, trained and deployed small teams of specialists into enemy occupied territories. Called Jedburgh Teams (after a small Scots-English town), they conducted modern political warfare using the tactics of terrorism, guerrilla warfare, and psychological operations to contest the legitimacy of the German occupation of Europe and the NAZI stranglehold over Germany and Austria.⁹ Jedburgh Teams achieved an ability to conduct a heightened level of missions using micro diplomacy and force because of the broad range of experience and training the members brought together. The team, made up of civilians and soldiers, all possessed deep cultural background training or experience in the targeted locale of their mission areas. Most often, members of the team were from the culture that they operated in and possessed extensive contacts within the areas involved. Jedburgh Teams served as effective negotiators of internal governmental legitimacy by helping to expose weaknesses within the fascist ability to monopolize legitimate domestic violence, and protect its borders against foreign intrusion.

⁶ Georg Jellinek, Ph.D., *The Declaration of the Rights of Man and Citizens*; a contribution to modern constitutional history, (NY: Henry Hold & Co., 1901).

⁷ Philip Bobbitt, Ph.D., *The Shield of Achilles, War, Peace and the Course of History*, (NY: Random House, 2002) 585.

⁸ Patrick J. Christian, *Chasing Sovereignty: War and Conflict as Negotiators of State Legitimacy in Four World Wars*, (2006) Unpublished Draft

⁹ S.J. Lewis, *Jedburgh Team Operations in Support of the 12th Army Group, August 1944* (Ft. Leavenworth, KS: US USACGSC, 1991)

The modern descendents of these Jedburgh Teams are the Army Special Forces Operational Detachment Alpha (ODA), a small, specialized type of military unit organized to conduct unconventional and irregular warfare of a sort most often found in the struggles for internal legitimacy of a political state. The focus of training for unconventional Warfare operators is on irregular partisan, or guerrilla organizations that work to destroy the elements of governing legitimacy and control over a populace. Team members are recruited for assessment and selection in perhaps the most grueling process of pure evaluation in the US Military, which concentrates upon psychological, emotional, and mental qualities needed for political warfare. Also evaluated are physical capabilities of handling pain and extreme discomfort, which exacerbate the former in depths greater than are normally tolerated in conventional warfighting units. Perhaps the most important factor in the selection of the UW/COIN advisor is the process of recruitment and selection. Advanced recruitment & selection of advisor candidates allows for the voluntary acceptance of sharing the burdens of another culture and accepting the (at times necessary) participation in the suffering of a cultural group fighting genocide by the political state. The numbers of available military personnel who possess the necessary traits and predispositions which make for an acceptable UW/COIN advisory trainee have been debated, and since 9/11, US Army SF recruitment authorities have resorted to recruitment from the general populace to obtain increased numbers of candidates who possess the correct psychological, emotional, mental and physical characteristics for participation in unconventional and irregular warfare in insurgency and counterinsurgency struggles.

Now in Iraq and Afghanistan, Special Operations Forces and adhoc teams of UW/COIN Advisors participate in bloody urban and rural political warfare campaigns contesting the internal legitimacy of these new Republics. The adhoc teams consist of an array of military and police transition teams as well as provincial reconstruction teams operating by, with and through indigenous governmental forces. These teams are formed, trained and deployed to combat in 60-90 days, without any evaluative process of the psychological, emotional, mental or physical suitability of the potential personnel for combat advisory work in environments characterized by insurgent political warfare. In surveys of one class of trainees, only half of the team members indicated that they had voluntarily sought out the assignment. The remaining responded that they had been involuntarily assigned, or accepted the assignment based upon post mission promises by their branch managers. Some responded that they had been involuntarily recalled from the individual ready reserve for the purposes of filling vacancies on these military advisory teams. A further complication in these adhoc advisory teams involves the assignment of males and females to military advisory teams without consideration of specialized training to address the obvious predicament of female personnel advising Muslim males in a patriarchic society. While there are definite methods which permit the successful participation of women in military advisory missions in such patriarchic societies, specialized training is necessary to cross the gender barriers inherent in such mixed gender missions. The purpose of the intense selection, assessment and training process for UW/COIN Advisory personnel is to alleviate the complications created by the introduction of foreign personnel into the most delicate yet violent field of political warfare.

...in political warfare waged over the internal legitimacy of the state, the realities of insurgent warfare shape the required capabilities of the UW/COIN advisor.

Political warfare is predicated upon an existing unwillingness of the indigenous population to accept the legitimacy of the governing structure. The ultimate goal of the insurgency is to force a renegotiation of the makeup or structure of the governing apparatus or, if necessary, full scale force on force warfare against the protective forces until they are defeated, and the partisan forces disband and reconstitute the now unprotected governing structure. UW/COIN advisory teams are injected right into the middle of this emotional, psychological struggle, and bear the weight of warfare in its most raw state. In conventional warfare between political states, the capabilities of soldiers and their equipment shape the battlefield. By contrast, in political warfare waged over the internal legitimacy of the state, the realities of insurgent warfare shape the required capabilities of the UW/COIN advisor. UW/COIN advisory personnel deployed unprepared or unable to bear this burden will turn inward from the conflict, becoming at least excess baggage to be dealt with, and at worst, exacerbate the situation with extraneous foreign behavior and presence, further delegitimizing the side they are purporting to help. UW/COIN advisors working in Iraq and Afghanistan are there to help these governments reinvent themselves, before a successful insurgency does it for them, or the failing government resorts to its last resort of sustenance: genocide. To successfully reinvent or reform itself, the governing structures of Iraq and Afghanistan must rebuild their ability to monopolize domestic violence, protect its borders from foreign violence and incursion, and articulate its historical unity within a cultural fabric. Only people who clearly understand what it is they are volunteering for and have the requisite psychological, emotional, mental and physical attributes should be subjected to this sort of complex and difficult work.

Conclusion

The development of teams of political warfare fighters organized to challenge the internal legitimacy of a state or societal structure using a combination of law, war and history in a cultural context is closely related to the emergence of democratic governance. The purposeful organization of this type of military unit by both organized states like the US and proto-states like Al Qaeda constitute in and of themselves, a Revolution in Military Affairs. This development comes as a response to the rise of internal legitimacy of modern states, and is a product of change in the basis of how a state is constituted. The organization of our elements of national power in this long war against insurgent terrorists must begin to take into account the type of war we are engaged in and build our military forces accordingly. We can no longer continue the negotiation of internal societal legitimacy with forces designed for protection of external legitimacy of political states. In short, where the human terrain dominates, then warrior-diplomats with complex skill sets must be allowed to work in low signature settings to help the host nation negotiate its own internal legitimacy.

Sociologist Max Webber theorized that modern states owe their existence to revolutions in military affairs¹⁰, and historian Professor Philip Bobbitt countered that military strategy is a determinant, along with law and history, of how a state is constituted¹¹. This article suggests that human conflict, found in both law and war, are essential components of the determination of internal and external legitimacy of a state, and that law, war and history are not only determinants of this legitimacy, but are themselves changed by its evolution. The development and employment of specialized teams of political proto-fighters (such as Al Qaeda's jihadist

¹⁰ Max. Webber, "Politics as Vocation," *Essays in Sociology*, ed. H. Gerth and C. Wright Mills (Routledge, 1970)

¹¹ Phillip Bobbitt, Ph.D., *The Shield of Achilles: War, Peace and the Course of History*, (NY: Random House, 2002)

cells) dedicated to the conduct of challenging a state's internal organization as a military strategy does not merely constitute a revolution in military affairs, but suggests an entirely new approach to viewing human conflict and state legitimacy.

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