Guerrillas From the Mist:

A Defense Attaché Watches the Rwandan Patriotic Front Transform from Insurgent to Counter Insurgent

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"*If you as the head of the UNHCR operation here in Goma do not address the issue of disarming of the ex-FAR* [former Forces Armées Rwandaise] *and militias in the camps, you will probably see an RPA* [Rwandan Patriotic Army] *brigade on that traffic circle within the next year,*" I said, pointing at the junction just outside the window. "*There is another war coming if we do not disarm the camps and get the refugees home.*"[1]

It was late fall 1994 and I had just finished another scouting trip through the Rwandan refugee camps in the area outside Goma, Zaire.[2] I did not like what I had seen: the ex-FAR area remained a uniformed camp with heavy weapons visible in various places

and the so-called "purely civilian" camps at Kibumba and Katale, some 30 and 65 kilometers to the north, were taking on an air

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[1] The Rwandan Patriotic Front (RPF) was used universally prior to the end of the civil war to describe the Tutsi-dominated insurgent movement and its armed wing, the Rwandan Patriotic Army (RPA). After the civil war and the creation of a new government, RPF was applied to the political party that emerged from the RPF insurgency and RPA was applied to all Rwandan armed forces including the Gendarmerie, considered separate from the Army. I adhere to this convention.

[2] From October 1993 until September 1994, I was the U.S. Defense Attaché in Kinshasa, Zaire. I served as the U.S. Embassy lead in dealing with the July 1994 Goma Refugee Crisis and was on the ground from July 16 to August 24, 1994. I worked with the initial planning team from U.S. Special Operations Command Europe and then with Brigadier General Jack Nix and Operation Support Hope. At the request of Ambassador David Rawson, I agreed to go to Rwanda for a 90-day extension to establish relations with the new Rwandan government. I did so in mid-September 1994 and spent the next 18 months in Rwanda. This essay covers that 18-month period in concentrated fashion. For a larger view, see my memoirs: Thomas P. Odom, *Journey into Darkness: Genocide in Rwanda* (College Station, Texas: Texas A&M University Press, 2005).

of permanence as the former regime authorities structured the camps to recreate Rwanda's civil structure. War was coming. Soon afterward, Ambassador David Rawson and I as his Defense Attaché coauthored a cable to Washington-- including the White House, the Joint Chiefs, the Department of State, the Central Intelligence Agency, and the Department of Defense-- stating that a Central African War was likely. Our central thesis was that the Rwandan war was *not* over and that an insurgency launched from the camps outside Rwanda could take Zaire, Burundi, and even Uganda into a full-scale regional war that could last years.[1] We asked for a permanent attaché office to cover the conflict area. Remarkably the cable drew but a limited response. My headquarters at the Defense Intelligence Agency, especially the mid-level bureaucracy, did not support the idea of making my acting position permanent. In contrast to the DIA, the Army Staff's strategy bureau did. No one else said a word about the fact David Rawson and I had gone on record warning that a war larger than the supposedly concluded Rwandan civil war and genocide was coming.

DEVISING A CAMPAIGN PLAN

The next spring I grew concerned that we as a country team and Washington D.C. as a collective were not synchronized. I suggested to Ambassador Rawson we formulate a campaign plan for Rwanda and the surrounding areas, a somewhat unusual step for a small embassy to take but one that seemed quite necessary at the time. To our mind, U.S. policy toward Rwanda since the April 6, 1994 downing of the President's plane, the genocide, and the

resumed civil war had been reactive.[2] I will relate the approach we took to the Rwandan problem as it then existed and concentrate on my own experiences as the acting Defense Attaché. I believe that our experiences then illuminate many of the issues we as a nation and a military face today in the War on Terror. A greater understanding of what country teams and especially military attachés do--or should do--would serve many of our civilian and

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[1] For a full discussion of the Central African War cable see Odom, 202-203.

[2] What I was really proposing was that we capture in our campaign plan the steps we already had in play as a country team. That would do two things for us: it would allow us to maintain the policy initiative when dealing with Washington bureaucracy and it would short circuit any drift toward mission creep as had occurred in Somalia. It would answer the question, "what in the hell is Kigali doing?" before it was asked. Not everyone agreed with our initiative and certainly not everyone agreed with our thinking. The reaction from the Department of State was in a phrase one of muted indifference. Our fellow embassies around Rwanda said little as well. In the case of the U.S. Embassy in Zaire, that indifference would soon grow to near open hostility. As a mission, they did not accept the premise that the camps in Zaire might actually hold bad people armed with guns and ill intent. The same could be said of the U.S. Embassy in Burundi; as a mission, they saw the Rwandan situation as a mirror image of Burundi where a "bad Tutsi army" dominated a "good Hutu" democratic government. In contrast, the U.S. Embassy in Uganda was a source of great collaboration and cooperation. Gratefully, I believe that the Central African War cable combined with our campaign plan cable prompted the Department of State and its African Bureau to take a more regional approach to the problems. Ambassador Richard Bogosian as a regional envoy breathed real life into that regional approach. On the military side, the U.S. European Command took the campaign plan to heart and accepted it almost in total as did the Rwanda watchers and policy makers in the Department of Defense. Overall I would point to these two cables as a key lesson: it is better to take the initiative and stake out an approach rather than waiting for Washington D.C. to issue instructions. Operating in that manner is more likely to result in policy and actions that reflect the actual situation. Put another way, "it is better to beg forgiveness than to beg permission." For more detail on the country team, the campaign plan, and Ambassador Rawson see Odom, 180-181, 233, 236-237.

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military leaders well, especially when you consider that these relatively small enclaves of American diplomatic, military, and economic power, and policy constitute much of our nation's front lines in the current war.

   The central objective of our campaign plan was to limit the killing by offering assistance to increase stability inside Rwanda and to reduce external threats. A return to genocidal civil war was very much on our minds. We sought to build self-confidence in a nascent government emerging from an exterior-based insurgent movement with a skewed view of Rwandan politics, society, and culture.[1] We believed--perhaps hoped--that fostering such self-confidence would slow the new government's instinct to strike back at its enemies, again reinforcing the central objective to limit the killing we saw coming. Put another

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[1] Gérard Prunier, *The Rwanda Crisis: History of a Genocide* (New York: Columbia University Press, 1997) 150-153.

way, we sought to buttress the ability of the new government to govern legitimately.

LOGICAL LINES OF OPERATION

As a country team, Ambassador Rawson divided our portfolios according to agency; a small job as there was but three of us in the policy "shop" of the mission. Put in today's vernacular, we followed three logical lines of operation that would lead us toward our central objective. These were not distinct paths: the Rwandan Civil War and the Genocide were manifestations of the political struggle to define the Rwandan people. The Hutu Power extremists held that only Hutus were Rwandan. The RPF offered a position that all Rwandan ethnic groups were Rwandan. A political initiative to draw the two extremes closer had to address justice after the genocide and it had to be offered in a secure environment for all Rwandans.

POLITICAL RECONSTRUCTION AND RECONCILIATION

Ambassador Rawson of course led the political effort internally in Rwanda with the new government, championing the issues of reconstruction, reconciliation, and restraint through the offices of the President and the Prime Minister, and externally on the international field with Department of State policy makers, the few Western countries seriously engaged in the Rwandan scene, and the United Nations operational elements in the greater Rwandan crisis. As we in the U.S. Embassy envisioned, the RPF's central political goal then in post–genocide Rwanda was to incorporate an essentially hostile population of 5 million Hutu inside the borders of Rwanda and reach out to the other 2 million outside the country. Given that large numbers of those 7

million Hutus had participated in the genocide, the RPF's challenge in getting the same Hutus to accept an inclusive definition of the Rwandan people was extreme.

JUSTICE AND LAW ENFORCEMENT

Our second line of operation ran through the US Agency for International Development Mission (USAID) mission in Kigali. Technically a separate mission from the embassy, USAID Kigali's Mission Director sat in every country team meeting. In fact, Richard McCall as the USAID Chief of Staff--number three in the agency--came out to Rwanda for months at a time. The main objective of the USAID mission focused on justice with secondary functions into areas of law enforcement and investigation. Rwanda was a country where all the judges and all the police were either dead or in exile. If you accept that 800,000 died in the genocide and you assume that an average killer--whether an ex-FAR soldier armed to the teeth, a militia member with a pistol, or Hutu peasant with a machete--probably killed an average of five victims, then you have a criminal population of at least 200,000. That does not include those who planned and directed the campaign. Granted many of those killers were outside the country but many were not. At its best, the Rwandan prison system was capable of holding 10,000 prisoners; by 1996 it had 70,000 and would nearly double over the next two years. After Peter Whaley arrived as our Political Officer in 1995, he assumed much of the political reporting issues associated with the justice sector, especially prisons. Given that the country remained very much a humanitarian crisis, USAID backstopped the Kigali AID mission with a full time Disaster Assistance Response Team (DART) to assist in coordinating

humanitarian assistance with the government, the UN agencies, and the NGO community.

MILITARY AND SECURITY CONSIDERATIONS

I pursued our third line of operation focused on the military and security. Ambassador Rawson recruited me to work with a military-dominated government, primarily through the office of the Vice President and Defense Minister Major General Kagame and the RPA general staff.[1] Externally, my portfolio extended to the U.S. Department of Defense, the Joint Chiefs, the Defense Intelligence Agency, and the U.S. European Command as well as the National Security Council officials concerned with Rwanda. Concurrently, I was the country team's primary interface with the military side of the United Nations Assistance Mission for Rwanda (UNAMIR). Finally, my mission in pursuing these contacts was targeted toward our primary objective in limiting the killing by increasing internal stability and reducing external threats. To support our plan, I had to maintain a clear picture of military and security events inside and outside Rwanda affecting the country. That was our country team and that was our plan. Ambassador Rawson at once guided, directed, and mentored us as we faced daily challenges and at the same time looked to the future. We

channeled our energies and our time into goals set forth in our plan. I will now concentrate on my role, relating it to our overall goal and associated efforts as necessary.

THE RPF AS A COLLECTIVE BODY

In our very first conversation in Goma the previous August, Ambassador Rawson asked me to join him in Rwanda because he felt that a military man would be better able to relate to the RPF as an insurgent military force struggling to become a government. My first challenge was in understanding how these former insurgents approached decisions.

CONSENSUS THROUGH THE COUNCIL OF COLONELS

As I built contacts and relationships over the coming months, I came to see that the RPF functioned as an insurgent organization based on consensus.[2] Real power in the RPF resided

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[1] But because the RPF had placed key military figures in positions like Minister of Health, my marching orders from Ambassador Rawson allowed me to trace military power figures throughout the new government and establish relationships as necessary. My secondary portfolios therefore extended into the medical and educational sectors. I benefited from a firmly established relationship with William (Bill) McCoy from the Office of the Secretary of Defense-Special Operations and Low Intensity Conflict (OSD-SOLIC). Bill spent quite a bit of time with me in Goma and he became my Rwandan version of Santa Claus; he had authority and the airlift available to take advantage of the large-scale closure of military facilities in Europe. With Ambassador Rawson's enthusiastic consent, I had a standing order with Bill; if he could get it to me, I would give it to the appropriate Rwandan agency. If that agency did not exist, I found a UN agency or NGO. Santa McCoy's sleighs brought everything from vehicles to a planeload of soccer balls for Rwandan orphans of which there were many. We started with 2 aircraft a month for several months and then slowed the pace.

[2] In late 1994, the United States National Security Advisor Anthony Lake visited Kigali. Lake's visit--immediately on the heels of Vice President Kagame's invitational visit to the U.S. Department of Defense--served notice to the newly formed Rwandan government as well as its supporters and its detractors in the international arena that the Clinton Administration was at last fully engaged in Rwandan affairs and fully supportive of the new government. Yet I encountered first hand confusion among key staffers who were with Lake on that visit. A U.S. military officer remarked that Rwanda was "Somalia all over again" and that "Kagame was just another warlord." Gratefully a very sharp senior advisor on the National Security Council soon set the officer straight.
But such expressions were not uncommon. Another common thought was Kagame was the ultimate authority inside the new government, one established on a modified Arusha Accords with a Hutu President and a Hutu Prime Minister. This second line of thought held that Kagame made the decisions and his nominal superiors merely echoed those decisions. As is often the case in matters Rwandan, the reality was much more complex. Kagame was not a mere warlord among other warlords. As the only general officer, Kagame was the senior ranking officer in the RPA and Vice President and Minister of Defense. He in essence was the RPF's power card in the make up of the new government. But from where did Kagame draw his power and legitimacy within the RPF? The answer to that lay in the revolutionary background of the RPF and its members.

in an organization commonly referred to as the "Council of Colonels." Not all were colonels. Not all were even military. Nearly all were Anglophone Tutsi who had been in Uganda, making them RPF "plank holders." The composition of the council changed with the issues brought before it; opinions from those on the political side of the RPF weighed more heavily when political affairs were on the table. The reverse held true if the issue was military.[1]

A PREFERENCE FOR THE OFFENSE

The other RPF characteristic I would note is these former insurgents preferred to maintain the initiative whenever possible. To them status quo equaled stalemate. Both RPF politicians and RPA soldiers preferred the attack, especially with an oblique approach. Their frustration with the UN in general and UNAMIR in particular was that the UN was slow to start, slow once started, slow to change course or adapt, and almost impossible to stop.[2] By combining a consensus approach with a natural activist bent, the new government in Kigali--with the RPF as its central core--moved relatively quickly to address the situation. RPA

officers operated according to the intent of such consensus based decisions. Events, actions, and reactions occurred in parallel, coordinated and synchronized to achieve maximum effect.[3]

MILITARY AND SECURITY ISSUES

Many casual observers immediately assumed that as a former insurgent movement, the RPF saw the Rwandan struggle purely as a military issue. To the contrary, the RPF leaders saw any such military-centric approach as a formula for defeat. Senior officers in the RPA told me on more than one occasion, "We know we cannot hold this country with a gun. We have to build confidence in a Rwandan people."

DISCIPLINE IN THE RPA

Even though the RPF enjoyed a tremendous reputation for its discipline during the war, the first military issue I faced was that of RPF atrocities against the Hutu, surfaced by the circulation of the "Gersony Report," claiming that the RPF had systematically killed 30,000 to 50,000 Hutus in the immediate aftermath of the war. [4] As reported by western

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[1] Because of our relationship with the new government, I often found myself being summoned to the Ministry of Health to meet Dr. Colonel Joseph Karemera, the Minister of Health. He would "float" issues past me in these meetings that fell far beyond his charter as director of Rwanda's health services. And it was not at all unusual to hear similar ideas from senior counterparts within the RPA. These were not idle conversations and my Rwandan counterparts understood that I knew it. We were being invited to offer our viewpoints to the RPF inner circle before that inner circle made a decision.

Karemera and I got on well. He was sharp, quite articulate, with a sense of humor not typically found or at least shared with foreigners like myself. As fate would have it, late September 1994 some embassy companions and I stumbled across a severe traffic accident involving "Ugandan" Tutsis returning to the Promised Land. We saved several by getting them to the best medical facilities we could find. One was related to Karemera's relative and secretary also of the same name; a fact I discovered one day while chatting with her and relating the accident as an example of the country's dire medical straits. Of course, that meant that the saved relative was also related to Colonel Dr. Karemera. As for the secretary, if you have seen the HBO film, *Sometimes in April*, you have seen her. She played the role of the Tutsi wife of the Hutu captain in the ex-FAR.

[2] In this regard, the RPF reminded me very much of the European Jews who founded Israel and the Israeli Defense Forces.

[3] See also Gribbin, 150-151.

[4] With regards to the "Gersony report," Robert Gersony on contract to the UNHCR claimed to have gathered documentary evidence of large-scale directed RPF massacres of Hutus largely in eastern and southeastern Rwanda, numbering as high as 50,000, between July and September 1994. There were and there still are many problems with the nature, method, and intent of the "Gersony report." First despite repeated claims that a report did exist, none was ever produced. Secondly, the report centered on area and a time when the presence of UN workers, UN peacekeepers, and NGOs grew steadily and not one offered corroborating evidence. Thirdly, none of the incidents investigated as a result of the "Gersony report" showed the promised results--and I took part in some of those investigative efforts with UNAMIR teams. Still in an environment like Rwanda, charges often have longer life spans than facts. Even authors I respect enormously such Alison des Forges and Gérard Prunier go too far in lending credence to these accusations. In any case, the "Gersony report" appeared at time when the new government was struggling to get on its feet and the issue was particularly sensitive.

I rank the SRSG Shaharyar Khan as the definitive source on the handling of the "Gersony Report" as he sat in the UN discussions on the subject. Khan, 50-65. I also rank Ambassador Rawson as an authoritative source on the subject; he too was fully briefed and he briefed me. I personally discussed this subject with Major General

observers (including me), the RPF did not shy from executing RPF soldiers engaged in theft, rape, or murder. Nevertheless discipline became an increasing problem for the RPF leadership as the genocide began and the war resumed in April 1994. Though massacres did occur, they generally were spontaneous events, often set off in response to the genocide. The more common occurrence was individual revenge killings. Closer analysis of this issue pointed to the rapid expansion of the RPF ranks with lesser-trained soldiers during 1993 and 1994 as a primary source discipline problem.[1]

The RPF or its military arm the RPA was not without fault. Individual soldiers did go berserk in post-genocide Rwanda. And unit commanders--some of whom were probably Tutsi hard-liners--did loose control of their units or even direct their units to commit murders against Hutu civilians. I observed and reported on the resultant investigations. But the crux of the Gersony issue was whether revenge killings or large-scale murders were politically manipulated and top-directed. Senior UN officials like Major General Tousignant and SRSG Shaharyar Khan along with Ambassador Rawson and others dismissed such allegations, as did the new government. Kagame and other RPA officers admitted that revenge killings had occurred and that more were taking place. Kagame also said soldiers and officers involved were in detention. Although getting an accurate list of names of those detainees later became a political issue between the U.S. and the new government, I knew one of the officers. And I considered him one of the best RPA brigade commanders I met. One of his companies went wild in following up an insurgent attack and killed nearly 100 villagers; he was relieved and detained.[2]

THE EFFECTS OF RPA INDISCIPLINE

The impact of such killings--especially an incident such as the Kibeho camp massacre discussed below--was felt well beyond Rwanda's borders. It was grist for the "Double Genocide" disinformation mill; that particular Hutu Power line was that any "Tutsi genocide" was balanced by"Hutu genocide" at the hands of the "Tutsi RPA." It was a propaganda line that was especially prevalent in France and the French government all the way to President Mitterrand. At a lower level, such killings and the often inflated reports emanating from them--Kibeho's 2,000 dead jumped to 8,000 in some reports--fueled fears in the countryside. And in many ways, the same killings and reports rearmed and legitimized the extremists in the camps in Zaire.

Tousignant, the new UNAMIR Force Commander, and I participated in some of the UNAMIR investigations. See Odom, 173-177. Des Forges' work for Human Rights Work remains a standard for the subject of the genocide. That said, at times the level of analysis is childlike; if it is said, it must be true. I would rate her entire chapter on the RPF and RPA at the end of the book very poorly because it is largely hyperbolic guesswork built on doubtful sources. See Des Forges, 695-732. Prunier's initial writings on the subject were largely on the mark. His revisions in Chapter 10 match Des Forges' quality in her chapter on the RPA. See Prunier, 322-328, 358-364.

[1] By the fall of 1994, there was no doubt that the RPA dominated all of Rwanda. Since early November 1990 when Major General Kagame took command of the RPF after its initial defeat, the RPF had matured into a formidable light infantry organization that enjoyed a seasoned and aggressive leadership. From its beginnings as 4,000-man force self-extracted from its parent National Resistance Army in Uganda, the RPF grew to some 50,000 troops as did its opponent the ex-FAR. The core of the RPF remained the 15,000 to 20,000-man force that Kagame had built and trained in the Virunga highlands. The additional 30,000 troops were hastily recruited and even more hastily trained as stalling continued on implementing the Arusha accords. Under those accords, the RPF and the ex-FAR were to have been merged in a 40-60 ratio, with the officer corps evenly split at 50-50. Just as the RPF had done on the political front, the RPF began to incorporate willing ex-FAR soldiers into its ranks. The U.S. encouraged this process and as the U.S. Defense Attaché, I visited the indoctrination course established by the Rwandan Patriotic Army (RPA) at Gako south of Kigali. The program though small was sincere; its success or failure would play large in Rwanda's future. For RPF/RPA discipline related issues see Lt. Gen. Roméo Dallaire, *Shake Hands with the Devil, the Failure of Humanity in Rwanda* (New York: Carol and Graf Publishers, 2005), 110-112, 115-118, 414, 419, 442-443;Des Forges, 13-14, 78, 81, 129-130, 702-723, 726-736; Gribbin, 141-142; Khan, 15, 50-56; Prunier, 174-176, 196, 262, 265-267, 270-272, 306, 322-328, 358-364.

[2] Khan, 150-151; Odom, 254-256.

COOPERATION AND FRICTION WITH UNAMIR AND THE UN AGENCIES

The issue of RPA discipline could be partially tied to the pressing security issues challenging the RPF. Even after the departure of French forces deployed as Operation Turquoise in the southwest quadrant of the country, a resurrected UNAMIR with 5500 troops and an obsolete mandate to protect peoples at risk remained in the country. Although the RPF saw the UN peacekeepers as superfluous, the RPF leadership had recognized the political necessity of cooperation. Our role in the U.S. Embassy was to act as a useful bridge between the peacekeepers and the new government. Frankly we saw the UN peacekeepers as a testament and a boon to Rwandan stability. The widespread presence of UN blue berets provided unbiased international force observing and reporting to the world through the United Nations. In a country torn by war and genocide, blue berets were reassuring. Keeping them on the ground as long as possible was, therefore, in the best interests of U.S. policy in Rwanda. As the U.S. Defense Attaché, I worked closely with the UNAMIR Force Commander Major General Guy Tousignant and Ambassador Rawson worked closely with the Special Representative of the Secretary General (SRSG) Shaharyar Khan. Both General Tousignant and Ambassador Khan were quite resourceful in seeking ways to help the Rwandans and the new government, especially when UN bureaucracy stood in their way.

THE INTERNALLY DISPLACED PERSON CAMPS

The most immediate security problem in the country was the large number of IDP camps still operating in the southwest with UNAMIR, other UN agencies, and NGO assistance.

Indeed, UNAMIR--especially the Ethiopian Battalion in the southwest corner of the country--was instrumental in forestalling another Hutu exodus into Zaire when the French withdrew in late August 1994. UNAMIR working with the government and the UN agencies and NGOs soon began a series of operations to deconstruct these camps by encouraging the occupants to return home. It was not a message or intent well received by all players; certain NGOs and players within the UN agencies were against such returns for a variety of reasons. One can be certain that the Hutu hard-liners inside the camps did not want to return to their villages. To counter the extremist viewpoint, UNAMIR Radio began broadcasting in early 1995, a step long over due.

The new government saw these camps for what they were: extremist-operating bases inside Rwandan territory. Vice President Kagame and other government officials made it clear the camps had to go. As the UNAMIR operations proceeded, they met with some successes. The RPA mounted its own parallel information operation to encourage those successes. RPA teams slipped into the camps on the eve of their closings by UNAMIR with a simple message, "leave with the UN or leave later with us." Some of the "DPs" as they were called did go home; others slipped into other camps or across the border. [1]

THE KIBEHO IDP CAMP TRAGEDY

By the spring of 1995, all the camps except the one at Kibeho were closed. Given the distillation of hard-liners from the other camps and their relocation to Kibeho, it is not surprising that the UNAMIR-sponsored return

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[1] Khan, 68-71, 85-90; Odom, 223-224.

process had died. Certain NGO and UN agency resistance against the return program did not help. General Kagame ordered the RPA to close the camp against the advice and will of the UN agencies and the NGOs. Acting in understandable defiance of UN headquarters, Major General Tousignant kept Zambian troops on the ground at Kibeho and reinforced them with an Australian medical contingent as an RPA brigade closed around the camp. Hard-liners turned against any of the DPs who cooperated and soon the camp was fleeing inward toward the Zambian positions. Hard-liners drove other DPs like cattle to try and break through RPA lines and the RPA commander lost control of the situation. RPA troops and Hutu hard-liners massacred some 2,000 people one evening before the situation was brought under control.[1]

Our role as the U.S Embassy was to put the Kibeho massacre in perspective. The 2,000 deaths were tragic; on the Rwandan scene the killings were hardly a major roadblock to further progress. Compared to the 800,000 dead in the genocide, the 2,000 dead was but a speed bump. And despite many accounts at the time and since, the RPA neither initiated the slaughter nor did all the killing. People involved in the 1994 genocide heavily populated the camp at Kibeho and the camp was an active insurgent base. The UN and the international community had failed to close the camp; the new government after repeated warnings to the UN did so. All of the IDP camps inside Rwanda

were now closed, leaving the external camps as the RPA's next logical target.

THE REFUGEE CAMPS AS AN EXTERNAL THREAT

The more long-term problem, the Rwandan Hutu refugee camps--especially those in Zaire--were the most serious threats to the RPF's control of Rwanda. Even the term "refugee" was laden with political judgments; the international agreements that supported the UNHCR's mission in aiding refugees prohibited support to criminal fugitives. And UNHCR support could not be given to "armies in being." The ex-FAR and the militias had taken control of the camps. Their immediate ability to challenge the RPF was almost non-existent. But their ability to dominate the refugee camps in Zaire and Tanzania was well established. That made them the center of Hutu Power and the physical embodiment of the Hutu center of gravity in the Rwandan identity struggle. The extremist government responsible for the genocide was resurrecting itself and attempting to recast the genocide as an unfortunate extension of the civil war, suggesting the RPF was an equal participant in slaughtering Hutus. Moreover, the international donor community was spending millions to support those camps, support that only reinforced the extremists' control, even as the same international community dodged the issue of disarming the camps.

INTERNATIONAL DITHERING

International efforts since July 1994 to come to grips with the "Camps Issue" floundered repeatedly. Even as UNAMIR 1 fell apart and UNAMIR 2 slowly flowed in to replace it, Major General Romeo Dallaire, a true hero in every sense of the word, floated a plan, Operation Homeward Bound that would

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[1] We reacted quickly to the events at Kibeho. I was on the ground the next day to assess the situation and pass my findings through the Embassy and Ambassador Rawson to policy makers in Washington. At the same time, Ambassador Rawson working with the UNAMIR SRSG and other ambassadors in Kigali pressured the Rwandan government to openly investigate the Kibeho tragedy, something the new government did though not without inevitable criticism. I did the same through military channels. For full descriptions of the Kibeho massacre see Khan, 104-119; Odom, 223-232.

supposedly draw the refugees back into Rwanda.[1] Planners for Operation Support Hope later echoed Dallaire's plan in laying out the U.S. military solution to get the refugees home. Neither had a snow ball's chance in hell of returning the refugees, certainly not the particular hell of those camps nor the hell those same "refugees" had enacted inside Rwanda, because word leaders were unwilling to address the key issue of disarmament.[2] Later that fall the UN would look at the camp issue and even went so far to survey the problem using elements of UNAMIR. Again a lack of international will undermined that initiative. The sole step taken was to hire portions of the Zairian military as a mercenary force on contract to the UNHCR to improve security in those camps, largely for the international workers.[3]

INSURGENCY AND MILITARIZATION OF THE CAMPS

Meanwhile, the insurgency I had feared began to raise its ugly head in the fall of 1994. Its beginnings came as isolated raids, murders, and thefts along Rwanda's western border. At first many of the incidents were regarded as banditry but over time a pattern began to emerge suggesting that the attacks were deliberately intended to garner support among the Hutu peasants and to spark RPA heavy-handed responses. Increasing reports of active training inside the Zaire refugee camps as well

as reliable reports of semi-clandestine arms shipments flowing into Goma paralleled those internal security improvements. The training and rearming of the camps became so blatant that Médecins Sans Frontières (MSF) issued a report condemning the militarization of the camps and withdrew its support from their operations.[4] In contrast, UNHCR Goma and the remaining NGO community moved closer to open relationships with the resurgent hard-line forces in Zaire. By late 1994 and early 1995, the ex-FAR had shifted southward from Goma to the Bukavu area, a move that better positioned their forces for operations into southwestern Rwanda and western Burundi.

ADDRESSING RPA SECURITY CONCERNS

My contacts in the RPA from the Vice President on down began by late 1994 to voice their concerns over the growing threat. Their concerns were at first secondary to the threat from the IDP camps inside Rwanda but after Kibeho Kagame and the RPA general staff pointed westward when the subject of security came up. Ambassador Rawson and I began to push the idea of expanded security assistance to the new government. [5]

We resumed Expanded-International Military Education and Training (E-IMET) programs and I successfully started a Rwandan-U.S. Demining Training program. Still RPA leaders like Colonel Sam Kaka--the RPA Chief of Staff--looked for what Sam called "real training" for his soldiers. Finally in mid-1995 the U.S. Department of Defense green lighted me to unofficially canvas the RPA for a list of its

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[1] Dallaire, 517-519.

[2] Perhaps a single force with a lethal charter and a unified chain of command could have done it. On July 18, 1994 Brian Attwood, the Administrator for USAID, asked me what was required to do that job. I told him a separate brigade of around 5000 soldiers with a mandate to use necessary force and a clear chain of command could do the job; in answering so, I was describing the capabilities necessary. I could not and did not address the political will necessary to field such a force. See Odom, *Journey*, 98.

[3] Khan, 71-80, 96, 127, 130-132, 140-146, 189-190; Gribbin, 141-145; Odom, 92-94, 98, 104, 108, 124-129, 182-183, 196-198, 205-207, 248-249, 261, 269; Prunier 312-321.

[4] Prunier, n374.

[5] Vice President Kagame had made a trip to Washington DC at the invitation of Secretary of Defense Perry. Kagame wanted to get the May 1994 UN arms embargo lifted; it would take until August 1995 to get that done.

needs in non-lethal materials. With Ambassador Rawson's full support, I soon had a cable on its way to Washington describing a "Border Security Package" built largely around increased transport--land and water given the fact that Lake Kivu accounted for much of Rwanda's western border with Zaire--and improved communications.[1] Shortly afterward Assistant Secretary of Defense Dr. Joseph Nye and his deputy Mr. Vince Kern flew to Rwanda for direct talks on the border security initiative and larger security issues.

THE RPA CLEARS IWAWA ISLAND

In November 1995, the RPA mounted a night attack over 20 kilometers of Lake Kivu to hit tiny Iwawa Island just inside Rwandan territorial waters.   The attacking force used two high-speed patrol boats towing larger fishing boats to land a 100-man assault force along the south edge of the island. Another 150 RPA troops were shuttled in behind them. The attackers surprised some 300 to 400 ex-FAR and militia members. The RPA suffered less than 50 total casualties and destroyed the hard-liners force, taking some 50 prisoners. [2]

This attack and the proof I obtained in visiting the island as RPA forces completed secondary clearing operations documented the threat from the Zairian camps.[3] But events internal to Rwanda affected our external security assistance planning for Rwanda. In the course of the Nye and Kern visit, Major General Kagame had promised to provide a list of RPA officers and soldiers then currently in detention

for various revenge killings and larger massacres like Kibeho. When I pressed the Ministry of Defense to supply the promised list, I was formally rebuked for interfering in Rwandan internal affairs. It would take time and RPA movement on the military discipline issue to move the border security package any further along.[4]

A NEW GENOCIDE?

In the interim the external threat to Rwanda kept growing. By the fall of 1995, a new group of refugees appeared on the Rwandan scene. Ethnic Tutsis from Zaire's Kivu province were arriving in Rwanda after suffering depredations, persecutions, and massacres at the hands of Hutu extremists in the camps and local allies in the Kivus.[5] Reports from the area made it clear the Rwandan Hutu extremists were at their old tricks again. By early 1996, some 15,000 "Zairian" Tutsi refugees were encamped near Gisenyi.[6]

As Ambassador Rawson departed at the end of 1995, he and I both felt Rwanda was on the edge of another precipice. We had repeatedly drawn U.S. government attention to the issue and we had a security assistance program ready to implement. We believed

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[1] Gribbin, 121-124; Odom, 250-253.

[2] Khan, 168-169; Odom, 260-269.

[3] Gribbin, 143. Ambassador Gribbin refers to the Iwawa Island operation as a "wake up call' to the RPA about the threat and the extremists forces that they would not fare well in open battle with the RPA. He is on the mark about the RPA; unfortunately I never sensed that Washington D.C. really saw Iwawa for the turning point it was. I suspect Ambassador Gribbin is correct about the extremists; but I was gone before I could see a detectable shift in tactics.

[4] Odom, 255-257.

[5] In south Kivu, the Banyamulenge were Tutsis who had been in the area since the late 19th Century. In north Kivu, the Banyamassisi were more recent arrivals in the Massissi valley some going back to the 1920s. But in the early 1990s on the eve of the Hutu refugee crisis, ethnic tensions in North Kivu had already blossomed into a bloody little war among the Bahunde, Tutsi, and Hutu ethnic groups in the area. When the bloody-handed Hutu extremists from Rwanda arrived in the hundreds of thousands in 1994, they soon joined their Hutu brethren in driving the Banyamassisi Tutsi out of northern Kivu. More sinisterly from a Rwanda perspective was that Banyahunde were mixed with the new Tutsi refugees, confirming that a Hutu Power homeland was developing on Rwanda's western border. Meanwhile similar tensions were developing between the Banyamulenge Tutsi and the combined groups of Hutu extremists from Rwanda and Hutu refugees from Burundi. Mamdani, pp. 234-263.

[6] Ambassador Gribbin states over 10,000. I recall some 15,000 in the area actually by late December 1995. Prunier reports 12,000 Tutsi and 8,000 others (Bahunde and Bayana) were in Rwanda beginning in 1995. Gribbin, 173. Prunier, 380-385.

Kagame's threats to take action against the camps were real. Washington seemed inclined otherwise. Ambassador Robert E. Gribbin, another experienced Rwanda hand, became my ambassador for my last three months in country. In his first meeting with General Kagame, the Vice President warned Ambassador Gribbin about the camps, exactly what I told him Kagame would say. Ambassador Gribbin also believed him.

SUMMING UP

I started this paper by relating a conversation I had in late 1994 with the head of the UNHCR in Goma. My purpose was to show that we--the US Embassy Kigali country team-- were greatly concerned by the prospect of renewed war and possibly genocide. I believe that our efforts as a team pushed Washington as a collective of various agencies and agendas to remain aware if not focused on events. Indeed after the U.S. government's failure during the 1994 genocide, Rwanda became one of two standing items for discussion at every meeting of the National Security Council through 1995 and on into 1996 when I departed. I believe equally that Ambassador Rawson did an extraordinary job leading us under extraordinarily difficult conditions.

But I must also say that when Ambassador Robert E. Gribbin took charge in January 1996 the overall Rwandan situation remained hung up like a boat on the three pillars of our campaign plan. Political reconciliation across ethnic lines could not take place as long as 2 million plus Hutu refugees remained under hard-liner control just outside Rwanda's borders. The hardliners controlled the refugees by fear: fear of the hardliners if they tried to leave and fear of the "Tutsi regime" in Kigali. The latter fear would not ease

until the new government could guarantee security in the countryside from revenge killings, attack by insurgents, or arbitrary arrest and imprisonment. The RPA with its own challenges of discipline could not fully defend its borders from within Rwanda and faced an international backlash if it crossed those borders. Justice need trained courts, investigators, and an agreement or concept for administering justice to hundreds of thousands of killers. And justice demanded access to those killers who lived in relative comfort in the refugee camps. Something had to give.

In November 1996, the Rwandan government using client militias established among the Tutsis in eastern Zaire and allies of convenience to threaten, disrupt, and then attack the camps in South and North Kivu. As a result half a million former refugees walked home and the extremist forces were driven further into Zaire with as many as 200,000 other refugees. This draconian step did not end the insurgency inside Rwanda but it did allow the RPA to more easily get at the insurgents. When exterior support to the insurgency continued, the Rwandan government using the same client forces, elements of the RPA, allies in Uganda and even Angola conquered the sad remnants of the Mobutu regime in Zaire and set off the Central African War that David Rawson and I predicted two years earlier. At last count the number of dead in the resultant struggle has exceeded 3 million.

LESSONS LEARNED

After admitting that lessons learned are often a function of viewpoint of the person drawing such lessons and that a certain level of egotism is involved in offering such lessons (the person offering inherently assumes such

lessons are worth learning), I offer ten that I took from my experiences in Rwanda. The order they are listed does not reflect a priority because they are equally important.

1. *Cultural, ethnic, and racial differences are often political in their effects simply because they define who has power and who does not. Such differences cannot be erased by decree but they can be mitigated over time through communication and education.* The "Tutsi Question"--an inherently political issue--drove the Rwandan Civil War and the Genocide.

2. *Foreign policy and its instrument diplomacy are about influencing people not* controlling *them. If you don't talk to them, you lose control.* The exclusion of Hutu hard-liners from the Arusha talks and resultant accords was a critical diplomatic mistake.

3. *Those who believe that genocide is unthinkable are not thinking. They are wishing. Man's capacity for genocide comes from our capacity for mercy.* Hutu Power extremists planned and directed the Rwandan genocide. In the prism of Rwandan politics, it was a Hutu Power political victory, regardless of the resultant international condemnation.

4. *Will power is the true test of military strength. A country with the best-trained military in the world must have the will power to use its strength appropriately or not at all.* UNAMIR 1 failed because the UN and western leaders like the U.S., Great Britain, and Belgium failed to listen to Major General Dallaire. The RPF/RPA won the civil war militarily because they fought for a cause under highly skilled leaders. The RPA won great international legitimacy by stopping the genocide. But slippage in RPA discipline near the war's end and continuing on through 1998 directly fueled the resurrection of Hutu Power in the camps and on the international scene.

5. *Civilians on the battlefield in counter insurgency are not only part of the battlefield; they are the objective. There are no collateral casualties. All non-insurgent casualties are friendly.* As a force born in Uganda's wars, the RPF's leaders had fought as insurgents and as counter-insurgents in Museveni's struggle to gain and maintain power in Uganda. The Rwandan civil war and aftermath was in many ways a replay of those events (with the major exception of the genocide). When the RPF treated the Rwandan people as the objective it made great gains; when it did not, it suffered severe setbacks.

6. Information warfare as a political struggle is about perceptions not facts. That means that a counter insurgent force or an insurgent force must first identify its own weaknesses because such weaknesses fuel perceptions. In the case of the RPF, its greatest weakness was its largely Tutsi exile composition. The Hutu hard-liners use of that RPF weakness fueled the Hutu Power information campaign that culminated in the genocide.

7. *Ignorance is dangerous. Taking action or prompting action based on ignorance is lethal.* The RPF view of Rwanda was in many ways ignorant of Rwanda's internal situation. The RPF nearly met total disaster in its initial foray into Rwanda as a result. The Hutu hard-liners used the ignorance of the Rwanda Hutu peasant to co-opt and coerce them into genocide.

8. *Keep talking to your enemies* until *you have to kill them. They might be civilians at heart.* The RPF did in fact act on this principle. The reintegration of ex-FAR leaders and

soldiers in accordance with the modified Arusha accords was a critical step toward pacifying Rwanda. The exclusion of the Hutu hard-liners at Arusha offers a clear counter point.

9. *Deliver on promised support. Deliver it on time. And deliver more than promised.* The United Nations greatest failure in Rwanda was that it promised much and delivered little when it was most needed. Our greatest strength as a country team in Kigali was that we clearly identified what we could deliver before we offered it. And when given the opportunity to do more than anticipated, we acted.

10. *Technology cannot tell you what your enemy is thinking. His neighbor can make an educated guess.* One of the RPA's greatest strengths was its use of human intelligence. I believe that our successes as a country team in Rwanda came largely from the fact that none of us spent much time inside the embassy; we were out looking at the situation and talking to the participants. And we listened to what they had to say. UN successes were similarly achieved; UN Military Observers, UN Human Rights Monitors, and UN Field Workers provided critical insights on the Rwandan situation. Both UNAMIR Force Commanders established intelligence shops to process such information.

And a free tip from my Navy Chief gave me as he left Rwanda, "Remember machetes don't click on empty."

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Lessons from Iraq; Invasion and Occupation

Major M W Shervington, British Army

On 21 November 2001, just 72 days after the most calamitous event in American history, President Bush asked his Secretary of State for Defence "what kind of plan do you have for Iraq? How do you feel about a war plan for Iraq?"[1] In asking the question, the President initiated a course of events that would, within 16 months, lead to a US-led Coalition invading and subsequently occupying Iraq. He would begin the justification for this war during his first State of the Union address given to Congress on 29 January 2002.

Bush's speech, the first that he had given to Congress since 9/11 and the first of his Presidency, outlined his Administration's strategy for dealing pre-emptively with the threat from international terrorism. In corralling those threats, the President spoke of an 'Axis of Evil' in which North Korea, Iran and Iraq formed a triumvirate of rogue states that sponsored terrorism and threatened world peace. Bush stated that "…by seeking weapons of mass destruction, these regimes pose a grave and growing danger. They could provide these arms to terrorists, giving them the means to match their hatred. They could attack our allies or attempt to blackmail the United States."[2] Over the coming months, the US continued to narrow its focus on Iraq and developed a twin-tracked policy of coercive diplomacy and military deployment that would "deal with Saddam Hussein once and for all, peacefully if possible; by war if necessary."[3]

The diplomatic approach was tackled principally by the UK's Foreign and Commonwealth Office and the US Department of State. Both Prime Minister Blair and President Bush pursued it reasonably aggressively. This culminated in the unanimous passing of UN Security Council Resolution 1441 on 8 November 2002. The Resolution accused Iraq of being "in material breach of its obligations" and that it would "face serious consequences" if it failed to agree access to UN and IAEA weapons inspectors.[4] When Iraq submitted a 12,000-page "mishmash of a document 73 [which was] effectively an insult to the Security Council and its resolutions,", the transfer of weight from a diplomatic to a military solution was complete. "For Bush, military invasion was now inevitable and the UN route would only be useful insofar as it nailed Saddam's perfidy before the world community."[5]

CENTCOM had planned a four-phase operation to remove Saddam's regime and find and destroy his WMD. Phase I (Preparation) would conclude with the establishment of an 'air-bridge' that would transport forces into the region to secure regional and international support for the operation. Phase II (Shape the Battlespace) would involve air operations that would shape the conduct of ground operations. That would lead into Phase III (Decisive Operations) that would see "regime forces defeated or capitulated" and "regime leaders dead, apprehended or marginalised." Phase IV (Post-Hostility Operations) would be the longest phase and arguably the greatest challenge.[6]

While America's position was hardening, Great Britain's approach to Iraq had remained equally apportioned between diplomacy and

military action; the Prime Minister remained 'committed to go with the Americans if there was a conflict [but] he was not committed to conflict."[7] The deterioration in diplomacy over the summer had allowed British military planners to join their American counterparts in June 2002 on a strictly "no commitments" basis.[8] By the autumn the US "wanted the Brits to share the political and military risk"[9] of an occupation. The evolving and occasionally hesitant nature of Britain's commitment to a US-led military operation raised a number of concerns. How much did the US Administration want or need British military capability? When would the British efforts at a diplomatic solution be abandoned? One senior British officer in Washington DC summed up the frustrations,

> "How late could we leave the decision [to commit]? Although we were coordinating quite well we didn't have the integrated planning staff officers in place. There was never a discussion about where we have got to or what are the options? Britain never got its act together. We weren't welcome and we were not prepared to be in there nor were we able to really insist that we should be and make a song and dance about it because diplomatically we were still pursuing a peaceful solution."[10]

Washington Politics and Post-Conflict Iraq

From 9/11 the Pentagon rather than the State Department had emerged as the leading foreign policy advisor to the President. The military-induced collapse of the Taliban had ushered in a period in which the US military was considered capable of collapsing any regime. That position did not change despite the contextual framework shifting to Iraq. However

the bipartisan domestic and international support afforded to the Pentagon and the President during the Afghanistan campaign was not replicated in the run up to conflict in Iraq. Decision-making over Iraq now lifted the seal on the 'internecine and deeply dysfunctional' politics that existed inside Washington DC's Beltway.

The struggle for political supremacy, and for the mind of the President, was fought principally by supporters of the US Department of State on one side of the river and the Department of Defence on the other. Vice President Cheney was firmly in the Pentagon's camp. He used his position to protect Rumsfeld as one senior British civil servant explained,

> "The VP had stolen more power from the Oval Office than any living Vice President in living memory…and he used it to protect Rumsfeld's area. He wanted to make sure that the neo-cons[11] had room to command and control the operation without interference from other parts of the US government."[12]

In threatening unilateral pre-emptive action against another sovereign nation based on strong suspicion but little fact, the debate also exposed Washington's adoption of a generally indifferent opinion concerning political and military advice offered by its international allies, other foreign governments, and the United Nations.[13] Simply put, international allies would not jeopardise the neo-conservatives agenda for Iraq.[14] Military action alone would defeat Saddam and thereafter herald a new era of democracy in the Middle East. The problem was that, compared to Phase III, very little thought was given to that new era.

The US and the remainder of the Coalition, "seduced by the idea of quick victory and decapitation [of Saddam's regime],"[15] did not plan for a post-conflict Iraq to the same magnitude or with the same resolve that it had committed to winning Phase III. As the British military staff in Washington remarked, "Lots of people were thinking Phase IV and there was planning for worst-case but it focused mainly on the humanitarian side and major infrastructure catastrophe."[16] The Pentagon ultimately chose to ignore the US State Department's 'Future of Iraq' project published in late 2002.

The 'Future of Iraq' paper brought together 17 working groups with a remit 'to systematically cover what would be needed to rebuild the political and economic infrastructure of the country.'[17] Ultimately a source of ideas emanating from experts drawn from a number of fields, including a large Iraqi expatriate community[18], the project numbered 13 volumes, much of it in Arabic, at a cost of $5 million. It made a number of recommendations of which three were critical. The immediate requirement and "key to coalition and community relations" concerned the urgency to provide electricity and water to the population as soon as military hostilities had ended."[19] Secondly, the working groups emphasised that Iraq, once the regime had been removed, was likely to sit in a dangerous power vacuum during which criminals would have "the opportunity to engage in acts of killing, plunder and looting."[20] Thirdly, central to Iraq's future would be an apolitical and re-structured military that would be built after a comprehensive Disarmament, Demobilisation and Reintegration (DDR) programme.

Stapled to the project's recommendations were a series of CIA assessments that urged caution in removing the regime. One report stated that "rivalries in Iraq were so deep, and the political culture so shallow, that a similarly quick transfer of sovereignty would only invite chaos."[21] Despite these highly qualified assessments, it was the collective voice of the neo-conservatives that dominated the networks, talk-shows and political discussion in Washington. Ironically, given the Administration's disinclination to listen either to domestic or foreign advice, it was the influence of a group of Iraqi exiles that would set the course for American foreign and military policy in Iraq.

The 'London Seven', a group of Iraq exiles led by Ahmed Chalibi promised a swift reemergence of Iraqi government institutions and security forces. It was an enticing message and one that the neo-conservatives firmly trumpeted. Coalition forces would be welcomed as liberators in similar fashion as Allied soldiers had been at the end of the Second World War. Asked on NBC's Meet the Press "…if your analysis is not correct and we're not treated as liberators but as conquerors, and the Iraqis begin to resist, particularly in Baghdad, do you think the American people are prepared for a long, costly, bloody battle with significant American casualties?" Dick Cheney replied,

> "Well, I don't think it's likely to unfold that way because I really do believe that we will be greeted as liberators. Various groups and individuals, people who have devoted their lives from the outside to trying to change things inside Iraq…The read we get on the people of Iraq is there is no question but that they want to get rid of Saddam Hussein and they will welcome as liberators the United States when we come to do that."[22]

In what has now become a famous parable, Rumsfeld's personal and very precise involvement in building the TPFDD to match Cheney's outlook ran at odds with a number of senior US General Officers. Foremost among those was General Shinseki, the US Army's Chief of Staff. In November 2002, when asked about the size of force required for Iraq, General Shinseki told Congress that "something on the order of several hundred thousand soldiers are probably…required; we're talking about post-hostilities control over a piece of geography that's fairly significant, with the kinds of ethnic tensions that could lead to other problems."[23] The Administration subsequently ridiculed him. Paul Wolfowitz told a House Budget Committee that the "higher-end predictions that we have been hearing recently, such as the notion that it will take several hundred thousand US troops to provide stability in post-Saddam Iraq, are wildly off the mark."[24]

The Defence Secretary, who had never really respected his Army Chief of Staff[25], now believed that he had ample reason to get personally involved in crafting the invasion force. By interfering in the TPFDD, Rumsfeld scaled back the size of the invasion force to its leanest and lightest level similar in scope to the Afghanistan and RMA-centric model. In General Franks, CENTCOM commander, he had a loyal servant who believed that "the days of half-million-strong mobilisations were over."[26] Throughout 2002, American force levels were reduced from 500,000 down to 160,000 and beyond to meet the requirement of a rapid deployment followed by a swift victory against a dilapidated Iraqi Army. General Franks articulated the American approach to war, "this is not 1990. The Iraqi military today is not the one we faced in 1991. And our own forces are much different. We see that in Afghanistan."[27] It

was with this confidence that Secretary Rumsfeld persuaded President Bush to sign his National Security Presidential Directive 24 on 20 February 2003, approximately one month before the Coalition would invade Iraq.

Reconstruction and Reintegration

Throughout the latter half of 2002 and early January 2003 the US Administration had begun talking about creating a non-deployable office for post-war planning. NSPD 24 formerly authorised the creation of an Office of Reconstruction and Humanitarian Assistance (ORHA) under DOD leadership. Rumsfeld was now responsible for not post-conflict operations in Iraq[28] and American foreign and strategic policy "which it is not equipped to do."[29] On Rumsfeld's advice, the President appointed retired US general Jay Garner to lead it. Garner immediately began the task of pulling together a widely experienced team from across the US government. British interests were represented by Major General Tim Cross and a small contingent of British military staff officers.[30]

Garner immediately convened a Rock-Drill at Fort McNair to which virtually every US government department attended. General Tim Cross recalled that,

> "It was a very good rock-drill [including] a variety of presentations ranging from people in the education plan, the de-nazification programme, the Treasury…the entire spectrum of where people had got to; it was during this drill that the idea emerged of deploying ORHA."[31]

One of those who had been invited by General Garner was Thomas Warrick, the State department official who had been the principal

author of the 'Future of Iraq' project. Garner had great confidence in Warrick and was delighted to have him on the ORHA team. Despite this, Rumsfeld summoned Garner to his office a day before ORHA was due to leave for Kuwait and ordered him to release Warrick and 15 other State Department officials.[32] He was concerned that they would paint a pessimistic picture of what was required after Phase III thereby derailing the war plans he almost keenly wanted to implement. General Cross bluntly assesses the 'neo-cons' grip on the Administration, "…the neo-cons had their own paradigm of what Iraq was going to look like and if your plan didn't conform then you were out."[33] But their plan for post-conflict Iraq was not clear. One American commander summed up the concerns within the Coalition,

> "When you remove a regime by military power, you [usually] have some government institution to step in and take control. It's either inside the country already or outside the country. At the national level, I think that there were some questionable assumptions over what would happen after Saddam Hussein was removed. There was somewhat a naïve sense that somehow the Iraqi population would be very happy that Saddam was not in power, and all of a sudden that they would come out and rejoice and control their own destiny, get back to work, but unfortunately we took some advice from some ex-patriots that probably had no relationship to modern Iraq."[34]

Although Franks's believed that Phase IV "might prove more challenging than major combat operations,"[35] the heavy weight on emphasis remained with the Decisive Operations of Phase III. One British senior officer noted the level of CENTCOM planning,

"Military planning for the military phase had been going on in huge depth. CENTCOM had been planning this for some time. They had been together since 9/11 and they wanted to execute the Iraq Plan before they broke up."[36]

Nonetheless, comprehensive discussions were held in Tampa, the Headquarters of CENTCOM, about the challenges that Phase IV posed. Massive funding would be needed to address the immediate needs of the Iraqi people and thousands of ex-soldiers would need jobs. Political leadership would need to be identified, although a de-Ba`athification programme would take place first. Above all, it was vital to adjust "American expectations that the process would be fast and painless."[37] But in reality the discussions failed to provide the answers that ORHA needed: "We asked about the health system, the electrical grid and the sewage treatment plants. The intelligence community could tell us very little. We just didn't know how decrepit the system was and how easily it could be disrupted."[38]

Despite Franks's concerns and the efforts of Jay Garner, General Cross and others, the reality of ORHA's late entrance meant that it was not particularly welcome either in DC or in Tampa. The war planners at CENTCOM resented the late arrival of bustling civil servants and retired military officers who were not contributing anything to the main effort of Phase III. Planning meetings now became closed door sessions where the presence of ORHA representatives was rejected: "At one stage there was a onestar US engineer who was introduced to the planning team as being the man who was going to run a task force and the bottom line is that he was cut out [as] not a warfighter.

So he was told to go somewhere else."[39]

ORHA's exclusion from the important discussions being held in Tampa was due to the blurred command relationship between ORHA, CENTCOM and CFLCC that would exist in Iraq. Garner was clear that he was working for General Franks but the NSPD had clearly stated that ORHA was to be the "senior entity" on the ground, usurping both CFLCC and CENTCOM and working directly to Rumsfeld. Was Garner going to be the Viceroy of Iraq? If so, when would the transfer of command between CFLCC and ORHA take place? What exactly was meant by regime change? No-one could provide the answers. When ORHA deployed to Kuwait on 16 March 2003, three days before the war began, its presence resembled that of an unwanted guest.

In short, post-war assumptions rested entirely on the views of the 'London Seven', the majority of whom had not been in Iraq for nearly 25 years. From a purely military standpoint, there was widespread belief that ORHA was not organised adequately across all of the lines of operation to deal with the problems that Iraq would pose 80 regardless of what the exiles said.[40] General Franks recognised the difficulties that ORHA faced:

> "...it was understaffed...under-funded and their mission was not clear to everyone on the team. Jay Garner is going into this situation badly handicapped. Before the war had begun, Garner had spent weeks walking the corridors of power in Washington, hat in hand. He needed people and money. But he could only suggest a hypothetical situation: If the United States went to war, could your department provide...? No experienced bureaucrat would refuse a hypothetical request. They would meet it – with hypothetical resources, vague promises

that cost their department nothing in terms of funds or personnel...Penny wise will surely be pound foolish. We will spend dollars today...or blood tomorrow."[41]

It was a thought that in time became a reality.

War-Fighting

On 17 March 2003, President Bush publicly issued the order that "Saddam Hussein and his two sons must leave Iraq within 48 hours. Their failure to do will result in military action, commenced at a time of our choosing."[42] When the ultimatum expired, Bush informed the world that the Coalition had launched military operations to 'disarm Iraq, to free its people and defend the world from grave danger."[43] For the next three weeks, all eyes were firmly fixed on Phase III.

The plan that Lieutenant General McKiernan and the staff at CENTCOM and CFLCC had devised was militarily spectacular. Along a western boundary, American forces spearheaded by the 3rd Infantry Division raced alongside the west edge of Euphrates River towards the Karbala Gap and into Baghdad. Along a parallel eastern boundary between the Euphrates and Tigris rivers, the 1st Marine Expeditionary Force manoeuvred through the heart of Iraq and attacked Baghdad from the east.[44] SOF operated throughout the country to destroy strategic threats and secure Iraq's oil fields. Basrah was occupied by Britain's 1st Armoured Division while Mosul, Iraq's 81 3rd largest city, was occupied by the 10th Special Forces Group and 26th Marine Expeditionary Unit. Ground forces were accompanied by numerous fighter aircraft and strategic bombers as well as a fleet of naval vessels in

the Persian Gulf.[45] Unprecedented Information and Deception Operations were conducted.

Despite the audacity of the plan to occupy Baghdad, Coalition forces did not manoeuvre through, or engage any Iraqi forces, in the towns and villages in the western corridor running from Baghdad to the Jordanian border. They were not considered a threat. Among them were the towns of Fallujah and Ramadi. It was an oversight not lost on some in the US chain of command, "…historically they were Ba`athist strongholds and probably the location of bad guys and we had bypassed those places."[46] Other than the occasional logistics truck driving to Baghdad from Jordan, the Dulaimi and Shammur tribal populations along the corridor never saw frontline US forces. Instead they listened to the BBC World Service as the towns and cities south of Baghdad fell in quick succession. As Coalition forces pulled down Saddam's statue in central Baghdad on 9 April 2003, the tribes of the western desert realised that not only was a distant war coming to a close but that Coalition forces had not, and perhaps would not, conquer their towns, cities and tribal areas. Their local councils remained in place and their buildings and infrastructure were still standing; tribal life could continue as it had done for centuries before. However when the hunt for Saddam and his associates spread from Baghdad into the western desert, that perception was shattered. On 11 April 2003, the US Air Force launched six JDAM missiles at a house 11 miles outside of Ramadi in the heart of al Anbar province. The effects were not only destructive to the house, but to American aspirations in what soon became euphemistically known as the 'Sunni Triangle.'

Window of Necessity

The missile warheads were seeking Saddam's half-brother[47] who was meant to be holding a meeting at the house but had left some time beforehand. The only people in the house were the tribal chief shaykh Malik Al-Kharbit and 21 members of his family. The Kharbit are a major force in the Dulaimi tribal federation, whose 82 stronghold includes the main urban centres in the Triangle – Fallujah, Ramadi, Qaim and Rutbah.[48] After the attack, in which the shaykh and his family were all killed, the tribes along the western corridor were "no longer willing to help US forces."[49] Tribal solidarity, and antagonism towards American forces, now spread throughout the Dulaimi federation. On 17 April 2003, more tribal blood was spilt in Fallujah. The effects were as similarly destructive.

When the first units of the 82nd Airborne Division occupied Fallujah in mid-April 2003 their presence in local government buildings and schools led to a series of demonstrations. On 28 April, protests at a local school became violent when troops opened fire on the crowd, killing up to 17 civilians and wounding a further 75.[50] The shootings enraged the city's population. Nearly all of whom were members of the Dulaimi tribal federation and the incidents galvanised them into a coherent resistance movement. Some accused American forces of "stealing our oil and slaughtering our people" while others urged its forces to not only leave Fallujah but "leave our country completely. We are a Muslim country."[51] Other, more sinister pleas were issued, "Now, all preachers of Fallujah mosques [Fallujah is known as the City of Mosques due to it having over 80] and all youths…are organising martyr operations against all American occupiers."[52]

Despite the underlying threat that these incidents had for long-term American security in Iraq, the Coalition's military gaze remained transfixed on Baghdad. The demolition of the statue was meant to not only symbolise the end of Saddam's rule but also the end of Phase III. On 1 May 2003, a triumphant President Bush bestrode USS Abraham Lincoln and declared that "major combat operations have ended. In the battle of Iraq, the United States and our allies have prevailed…our coalition is now engaged in securing and reconstructing that country."[53] However, in place of the predicted Humanitarian and Infrastructure disaster was a rapidly escalating internal security crisis which prevented the transfer of command from taking place. It was into this environment which ORHA arrived and for which it was totally unprepared.

ORHA's Role in Post-War Iraq

ORHA had spent a considerable amount of time and effort in Kuwait shoring up its capability to implement its plans for the humanitarian and infrastructural crisis that CENTCOM predicted. It had successfully encouraged most US government departments to commit an Advisory Team consisting of three to four specialists. Additionally, it had surreptitiously flown in specialists from across the Coalition in an attempt to 'internationalise' the organisation, though this caused much consternation in Washington which was deeply suspicious of its intentions.[54] There were a number of absentees, the most notable being any officials from the Pentagon forcing ORHA's retired military officers to form their own Defence Advisory Team.

While building up its force structure and cross-area capabilities, ORHA's staff had been developing its contingency plans to cope with

the range of scenarios that CENTCOM had predicted. As one staff officer recalled,

> "The consensus was that there were going to be major issues – NBC, lack of water, starvation, [and] doomsday. [All of it was] clearly an exaggeration but it was just difficult to know how much. In trying to get a reality check there was no direction from anyone."[55]

Despite a lack of strategic direction, Garner's concept would see ORHA initially help each Ministry to start operating again by giving small cash payments of between $20 and $25 and promising to help where it could. By August, Garner wanted an Interim Iraqi Authority stood up. The London Seven would then arrive and use the Iraqi military and police forces to establish power. At no stage would Garner assume 'Viceroy' status, relying instead on the London Seven set up an administration in which people who have been in Iraq for the last 25 years would have critical roles. The new government would then be able to write a constitution before staging elections. In proposing such an ambitious plan "no-one told him any differently and certainly no-one in the UK told me how to stand up a government."[56]

When ORHA arrived in Baghdad on 21 April most of the infrastructure needed to run the country was still in place. Its headquarters comprised 270 staff officers[57], limited communications facilities, no offices to move into, no personal security officers and a security situation on the ground which nobody had either predicted or prepared them for. Its late arrival ensured that it was never able to wrest command and control from CFLCC because it was not equipped to deal with the security crisis. However, Garner insisted that ORHA push forward with its agenda. He chaired two meetings with Iraqi political representatives

and the London Seven in Nasiriyah and in Baghdad. These were intended as "initial moves towards the establishment of a national conference, which could set up the interim Iraqi authority and make progress towards constitutional change and the election of a new government."[58] In addition, ORHA's 18 Advisory Teams began the onerous task of getting hold of the Iraqi staff at each of the government's ministries.

On reaching a particular ministerial building, the Advisory Teams often found members of its staff waiting outside and eager to work. Many had computer disks containing databases of names and addresses for all of the ministerial staff. Subsequent meetings were arranged at ORHA's makeshift headquarters in the heart of the former Ba`athist sector and now known as the Green Zone. In choosing the Iraq Convention Centre, ORHA had a central location but one which the majority of Iraqis citizens did not know how to get to the area as it had been cordoned off from the rest of the city since 1968. As Paul Hughes later recounted,

> "I was talking to an employee of one particular Ministry outside of the Green Zone one night and told him to come and see me the next day to discuss how his Ministry could be stood up. When I told him where to come he had no idea where I was talking about. When I told him that it was next to the Al Rashid Hotel he became very nervous; he had never been to that part of [Ba`athist–controlled] Baghdad before. We paid in spades for that mistake."[59]

Despite the sense of optimism that these meetings generated, CFLCC only had enough troops to guard four of the Baghdad's 21 ministries.

Security Vacuum

The security situation rapidly deteriorated after 9 April. Buoyed by the presence of tens of thousands of prisoners that Saddam had released before the war had started, widespread looting and destruction of the visible elements of Saddam's regime now took place. Organised criminal groups and gangs of men armed with assault rifles swept through Baghdad's commercial and government districts, ransacking buildings and pillaging the residences of the Regime's officials.[60] Thieves 'jumpstarted' tractors and bulldozers and drove them away. Mobs ransacked factories and warehouses, returning home in a parade of cars, trucks, and wheelbarrows piled with stolen goods. Government ministries were stripped of all plumbing, wires and furniture before being burned to the ground.[61] Every unguarded ministry was looted and burned to the ground.

The four ministries that remained standing included the Oil Ministry. To many Iraqis, the sight of American troops guarding its Oil Ministry while its Ministry of Culture and central museum smouldered nearby reasserted the Iraqi perception that the US was only interested in Iraq for its oil. As one bystander remarked, "it's that they protected nothing else. The Oil Ministry is not off by itself. It's surrounded by other ministries, all of which the Americans allowed to be looted. So what else do you want us to think except that you want our oil?"[62] Anarchy threatened as one senior Coalition commander recalls,

> "There we are, in a fairly chaotic situation in May timeframe where there are no institutions in operation, from fire departments, police departments, to national political leadership, to

regional political and national political leadership. There are no ministries, no prisoners in prisons [because] they've all been released, no judicial system, no economic system, there's nothing. And you have fairly small military footprint at that time for a country the size of California with a population of 26 million people and so you try and deal with it without having martial law authority and without having a government apparatus ready to take control."[63]

In order to protect its own forces, CFLCC ramped up its own security posture and issued the order for all Coalition vehicle convoys leaving the Green Zone to have a Military Police (MP) escort. The relative scarcity of MP trucks and the pressure on them to accompany military patrols that were attempting to stem the growing violence, meant that ORHA missions dropped down the priority queues. This was highlighted on one morning when every ORHA team assembled in the forecourt of the Convention Centre and waited for MP trucks to escort them to the ministerial meetings. When the escorts didn't arrive, those meetings were cancelled. "One ORHA staffer arranged to meet 1,000 employees of the Ministry of Planning to give each an emergency $20 payment – a standard subsidy for government workers until a new salary scale can be devised. The military, which didn't deem his mission a priority, cancelled the convoy at the last minute, leading to hours of arguments and finally an appeal to a general to secure the vehicles."[64]

ORHA never could pick up the pace again, a situation made worse by those ministerial staff being unaware of where ORHA's HQ was. Stranded behind the Palace's walls, pleading with Washington to give it more authority and

with CFLCC to take it more seriously, ORHA disintegrated as rapidly as the security situation around them. Back in Washington, "…Administration officials watched the chaotic images on TV and blamed General Garner. White House officials muttered about 'Occupation Light' and decided that Garner, who was strolling around in shirt sleeves and genially chatting with the locals, was a little too chummy with the vanquished."[65]

Prepared to Fail

ORHA failed for a number of reasons. Despite the assertions of NSPD 24, Garner was never given the authority as the pro-consul in Iraq over the military commanders. His organisation was understaffed and under-resourced and drip fed a series of erroneous predictions upon which they hatched equally unrealistic plans. Though Garner's political ambitious for an Iraqi constitution were perfectly reasonable, a mass of detail needed to have been worked out in Washington beforehand for them to work. All of these factors were not insurmountable if the security situation in Baghdad had been benign. ORHA's plans were ultimately blown away by a dangerously contagious 87 security situation for which CFLCC had neither the resources nor the energy with which to deal. As one senior Coalition official criticised,

> "At some point in the campaign [you have] to control the population and dominate terrain, and let me define what I mean by that. Control population – at some point for some transitional period of time you are the defacto authority. In Bosnia it almost was martial law. In Iraq the military is going to be the authority for this transition period. By dominating terrain you are going protect the sovereignty of that

nation, control the borders, public buildings, oil [and] electricity that is going to require a presence on the ground which is going to be larger than perhaps the ground presence that you had for the kinetic part of the operation. The numbers needed to control a population is the dilemma.

The logic for military leaders with our experience would tell you that it was a no-brainer: it would take you more people after you break something to control it for a while so that you can turn it over to a stable and secure arrangement."[66]

The final nail in Garner's coffin concerned his freedom to re-invigorate Iraq's economy by handing out cash. But there wasn't much available. The money was held back in DC and if it was used a complex auditing process was attached to it. Similarly the economic contracts that would have brought the large reconstruction corporations to Iraq were buried in a political quagmire in DC. If they could get to Iraq they had to have security. Therefore the failure of ORHA was as much as failure of the military plan that was meant to allow it to prosper but in reality never did. The end result was that the Coalition "went in with the minimum force to accomplish the military objectives, which was a straightforward task, never really in question. And then we immediately found ourselves shorthanded in the aftermath. We sat there and watched people dismantle and run off with the country."[67]

On 6 May 2003, President Bush appointed Jerry Bremer as his Presidential Envoy to Iraq and "senior leader of the Coalition."[68] On 8 May 2003 the USA and the UK informed the Security Council that they had created the Coalition Provincial Authority (CPA), to include ORHA, "to exercise powers of government temporarily

and, as necessary, especially to provide security, to allow the delivery of humanitarian aid, and to eliminate weapons of mass destruction."[69] General Garner, although he was asked to remain in Baghdad, returned to Washington but was cast a "complete and utter failure by the Administration."[70]

Bremer and the Dismantling of Iraq

Ambassador Bremer flew into Baghdad's Saddam International Airport on 12 April 2003 aboard a US Air Force C-17.[71] The initial impressions were encouraging. Standing next to Jay Garner, Bremer told reporters that "We are not here as a colonial power. We are here to turn over to the Iraqi people…as quickly as possible."[72] Although Bremer was a State Department official, "he will report to Secretary of Defense Rumsfeld and will advise the President, through the Secretary, on policies designed to achieve American and Coalition goals for Iraq."[73] As General Cross recalls,

"Bremer flew into Baghdad with the style that Jay should have come in. Inside the C17 was a containerised office. On the first day he told the military to move your headquarters and you will do what I am telling you to do. He became the CPA, it was embodied in him and it was accompanied by a letter from the President. Soon afterwards there were a lot more people."[74]

Within a week of arriving, Bremer enacted three orders that "fundamentally flawed [despite being] told by an awful lot of people that they were fundamentally flawed. It was the only time that I saw Jay Garner lose his temper."[75]

On 16 May Bremer announced the "disestablishment of the Ba`ath Party of Iraq."[76] It was the first of an eventual total of 100 CPA orders. The Order set up an Iraqi De-Ba`athification Council (IDC) and charged it with the authority of investigating and "removing roughly the top six layers of bureaucracy."[77] The promptness in which Bremer announced the order strongly implies that the decision had been made by the Administration before Bremer departed for Iraq. In issuing it, the CPA hoped that a "representative government in Iraq is not threatened by Ba`athist elements returning to power and that those in positions of authority in the future are acceptable to the people of Iraq."[78] Although the Order was necessary to purge Iraq of the senior political and military leadership of the country, the immediacy of its implementation created not only a groundswell of sympathy for those that had been purged, but left a gaping hole in the ability of a future Iraqi government to lead the country. The decision to de-Ba`athify Iraq was greeted broadly in America although there was immediate concern in Iraq over what would replace it. As for the military decision, Bremer later described it as "the single most popular thing I've done since I've been in Iraq."[79]

Bremer's second decision, announced on 23 May 2003[80], dissolved the Iraqi security services, its army and Republican Guard, the defence and information ministries and all military courts without payment or access to pensions.[81] Although it had disintegrated during the war, the Army's formal dissolution was a staggering reversal of the publically proclaimed pre-war plan to employ the military as the leading institution to rebuild the country during Phase IV. 400,000 people suddenly lost their only source of income without any

consideration for the effect. Overnight, the political and military landscape that had been in existence in Iraq for 30 years was changed. Humiliated, angry and armed, scores of former soldiers and officers decided at that moment to form a resistance movement. Flash demonstrations broke out across the country. US forces, many of whom were still in a 'war-fighting' mode, were deployed to break them up. Although they were successful on a number of occasions there were occasional but costly errors.[82] On 18 June in Baghdad, two former soldiers were shot and killed and several were injured when US troops fired into their demonstration.[83]

Given the hubristic perception within the Pentagon that both decisions would be welcomed the prospects for ordinary Iraqis were ominous. The point is not that these institutions should have been allowed to carry on 'business as usual'; the blunder lay in the timing. CPA officials seem to have forgotten to ask themselves what it might mean to turn tens of thousands of military officers loose on the street without at first even the promise of monetary compensation.[84] Combined with the final decision that Bremer enacted these decisions were fatal.

Within a week of arriving, and advertising Washington's deep sense of unease with the 'London Seven' and the aspirations of Ahmed Chalibi's in particular. Bremer cancelled the plans for a provisional government. On 13 July he appointed an interim Iraqi Governing Council (IGC) that would assist the CPA in drafting a constitution and planning future elections.[85] It attracted immediate criticism. Whereas Garner's conferences in Nasiriyah and Baghdad had given Iraqis real encouragement to shape their own future, the perception was that the exile-heavy 25 member IGC[86] had a different and

more threatening agenda. As General Cross recounts,

> "[Garner] slowed down the whole political process. In other words all the meetings that Jay had had, all the work that Jay had put into practice, 'stop it…now. And stop it now because we want to ensure that the right people emerge to run this government.[87]

Furthermore, it struggled to find sunni Arabs to join the council thus eroding the meagre legitimacy that it already had.[88]

The magnitude of Bremer's three decisions would be played out almost immediately but they would have long-term consequences. First, they dismantled the structure of society that the majority of Iraqis had grown over the course of their lives and built nothing in its place. Secondly, the Coalition's military onslaught had not only terrified millions of ordinary Iraqis but its subsequent inability to secure the country and provide for its people in accordance with all that Bush had promised on 19 March robbed it of legitimacy and trust. Thirdly, an already wary sunni population immediately became disenfranchised when Bremer re-negotiated the political programme and, seemingly, their role in a future Iraq. When the UN announced Resolution 1483 on 22 May, it confirmed to many Iraqis what they had long been suspecting; their liberators had now become their occupiers. Anyone who had studied Iraq's history would realise that the Coalition had set an ominous precedent.

Six Months and Counting…

As with all previous counter-insurgency campaigns, the opening moves of the campaign are fundamentally important. The three months that sit either side of 19 March 2003 represent that critical period. In the three months before the campaign, the amount of effort that the US military spent on planning for Phase III completely overwhelmed the effort apportioned to Phase IV. In the three months after G Day, the decisions that the Coalition made, and the situation that was unravelling on the ground, ultimately sealed its fate. Perfecting counter-insurgency is now the clarion call within Iraq. Several moments over the last two years have exposed the fault lines that run across the Coalition campaign in Iraq – UN Resolution 1483 bestowing occupational powers to America and Britain; the killing of the UN Special Representative to Iraq on 19 August 2003; the capture of Saddam Husayn; the Abu Ghraib prison scandal; the Shi`a-led uprising in April and August 2004; the murder of four private security contractors and subsequent military assaults on Fallujah in April and November 2004; the deployment of the Black Watch battle group to North Babil; the countless kidnappings, executions, beheadings and suicide bombings; the training of Iraqi Security Forces and the entire Security Sector Governance (SSG) process; and the elections at the beginning of 2005 and the political stalemate that followed.

Each has its own series of consequences which have dogged the campaign. In analysing the broad lessons that have been identified from the campaign it is necessary to look at the nature of the insurgency that exists in Iraq today. By understanding this, one can put into context the scale of the mistakes that the Coalition has made in the last two years. Western political and military doctrine must now be re-cast.

Major Shervington, Para, has just completed the Higher Command and Staff Course at the Joint Services

Command and Staff College. He is slated for company command and deployment to Afghanistan or Iraq.

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[2] President Bush's State of the Union address, his first. Cited in James Fallows, Blind into Baghdad,The Atlantic Monthly, January 2004.

[3] Michael Clarke, "The Diplomacy that Led to War in Iraq," in The Conflict in Iraq, 2003, edited by Paul Cornish, Palgrave Macmillan, 2004, pp.27-59

[4] UN Resolution 1441 (2002), S/RES/1441 (2002), dated 8 November 2002

[5] "The Diplomacy that Led to War in Iraq", p.43

[6] All information in this chapter from General Tommy Franks, American Soldier, Regan Books, 2004

[7] Interview with senior British diplomat, June 2005

[8] Hans Blix, Disarming Iraq, pp.12-13, cited in Michael Clarke, p.38

[9] Interview with senior British Foreign Office official, June 2005

[10] Interview with senior British civil servant, June 2005

[11] This is a somewhat controversial term referring to the political goals and ideology of the "new conservatives" in the US. The 'newness' refers to the term's origination as either describing converts new to American conservatism (sometimes coming from a liberal or big-government New Deal background) or to being part of a 'new wave' of conservative political thought and political organisation. Definition taken from http://en.wikipedia.org/wiki/Neoconservatism_(United_States)

[12] Interview with senior British civil servant, UK, 9 June 2005

[13] The caveat to this is that the US did listen to certain key individuals from the UN, Great Britain and Australia. Unfortunately these somewhat lone voices had sympathetic ears in DC but were unable to influence the overall direction in which the US was headed.

[14] It was at this time that all non-Americans began to realise the effects that 9/11 had had on the American psyche. Simply put, the Americans were at war.

[15] Interview with Defence Attaché, 19 April 2005

[16] ibid

[17] These ranged from a working group to consider 'Democratic Principles and Procedures' and a 'Transitional Justice' group to 'Public Finance' and 'Oil and Energy'.

[18] The majority of the exiles belonged to Ahmed Chalibi's Iraqi National Congress (INC) and several Kurdish groups and Assyrian and Turkomen organisations. It also included the Iraqi Constitutional Monarchy.

[19] Future of Iraq Project, cited in Fallows.

[20] Fallows. Further predictions were given by Rend Rahim Francke, an Iraqi exile serving in Washington, who told the Senate Foreign Relations Committer that "the system of public security will break down, because there will be no functioning police force, no civil service, and no justice system [immediately after the fighting]…there will be a vacuum of political authority and administrative authority. The infrastructure of vital sectors will have to be restored. An adequate police force must be trained and equipped as quickly as possible. And the economy will have to be jump-started from not only stagnation but devastation."

[21] Fallows. These views were shared with the author with senior representatives of the US Council of Foreign Relations, Washington, April 2005

[22] E.J. Dionne, "Behind the Failure," The Washington Post, 22 August 2003, p.A22, cited in Carlos L. Yordan, "Failing to Meet Expectations in Iraq: A Review of the Original US Post-War Strategy," Middle East Review of International Affairs, Vol. 8, No.1, March 2004, p.55

[23] Senate Armed Services Committee report, 25 February 2003.

[24] Paul Wolfowitz testifies to the House Budget Committee on 27 February 2003. He went on to say, "It's hard to conceive that it would take more forces to provide stability in post-Saddam Iraq than it would take to conduct the war itself and to secure the surrender of Saddam's security forces and his army. Hard to imagine." Rumsfeld announced the successor to General Shinseki 14 months ahead of time.

[25] Rumsfeld thought that Shinseki was a army general of the old-school – ponderous, overly cautious and built from the same mould as General

Colin Powell. He subsequently announced Shinseki's successor 14 months ahead of time by calling out of retirement General Peter Schoomaker. The final snub came when the Secretary did not attend Shinseki's Farewell Ceremony.

[26] General Tommy Franks, American Soldier, Harper Collins, 2004, p.394

[27] ibid, p.333

[28] NSPD 24 has not been made available to the public. A news article stated that ORHA was tied to the Pentagon and that, while USAID would handle much of the humanitarian and reconstruction work, ORHA would be in charge of the funding. ORHA's goals were to assist with Humanitarian Relief, defeating and exploiting terrorist networks, dismantle Iraq's WMD, facilitate the protection and reconstruction of Iraq's infrastructure and organise the transition to an Iraqi-led authority

[29] Interview with Major General Cross, May 2005

[30] The mechanics of the early days of ORHA and the appointments of Generals Garner and Cross reveal the chaos that US and UK political and military planners were involved with. General Garner was a respected retired General who had led the successful US mission to assist the Kurds (Op XXX) from Saddam's purges after the 2nd Gulf War. Rumsfeld had met him at a conference on the military in space and was impressed enough to ask him to set up the office of post-war reconstruction. Within days he had called a number of retired former military colleagues to join him. They all did, leaving behind well-paid civilian jobs 'at the drop of a hat.' General Cross, who had originally been appointed as the 2-star commander of British forces in Turkey (for an expected assault into Iraq from the north) before returning to the UK and then two days later being asked to be the UK representative in ORHA. On accepting the appointment, General Cross similarly telephoned former colleagues to join him. A number of these officers had worked with General Garner in northern Iraq and a mutual professional and personal respect existed between both parties.

[31] Interview with Major General Tim Cross, Netheravon, May 2005

[32] The chronicle of events behind Warrick's sacking runs like a true Washington conspiracy. On 23 Feb, a day before he was due to leave for Kuwait, Rumsfeld asked Garner to remove 16 of the 20 State officials "Jay, have you got a guy named Warrick on your team? "I said, 'Yes, I do,' He said, 'Well, I've got to ask you to remove him.' I said, 'I don't want to remove him; he's too valuable,' But he said, 'This came to me from such a high level that I can't overturn it, and I've got to ask you to remove Mr. Warrick.'" Warrick was allegedly suspicious of the Iraqi exiles. Newsweek's conclusion was that the man giving the instructions was Dick Cheney. John Barry and Evan Thomas, The Unbuilding of Iraq, Newsweek, 10 June 2003, Vol.142, Issue 14

[33] Major General Cross, interview, May 2005

[34] Interview with senior American general, April 2005, USA.

[35] Franks, p.352

[36] Cross, May 05.

[37] Franks, p.424. It is interesting to note that Franks admits that CENTCOM's plans included de-Ba`athification and de-mobilisation, decisions that were severely criticized when Ambassador Bremer made them in May 03.

[38] Interview with Paul Hughes, senior ORHA official, May 2005

[39] General Cross, interview May 05. This runs against what Franks says in his book: "Jay and his team spent countless hours with the CENTCOM staff and the key planners on the Joint Staff and in OSD, hammering out processes and procedures that would place US army civil affairs specialists in every province in Iraq." It is easy to criticize CENTCOM but as General Cross highlights General Franks and his team had been on working since 9/11

[40] The US military uses the acronym DIME to explain the lines of operation that are required in postconflict scenarios. Standing for Diplomatic, Information, Military and Economic, it is clear from my interviews that the senior military leadership did believed that only part of the DIME equation had been sychronised before the war started and that once it did start it was extremely difficult to pull together because the situation on the ground is so fluid.

[41] Franks, pp.525-526. His emphasis.

[42] www.whitehouse.gov/news/releases

[43] ibid

[44] Williamson Murray and Major General Robert H. Scales, Jr., The Iraq War, Harvard University Press, 2003, pp.59-70. Britain's 1st Armoured Division was attached to 1 MEF and attacked Basrah.

[45] ibid

[46] Interview, April 2005

[47] Tahir Jahir Habbush was, according to Newsweek, working for the CIA and was at the house trying to organise a meeting with a CIA station chief before the missiles were launched. He escaped. See "Unmasking the Insurgents," Newsweek, February 2005, downloaded from www.msnbc.msn.com on 18 May 2005

[48] Carl Conetta, "Vicious Circle: The Dynamics of Occupation and Resistance in Iraq,"Al Jazeerah, 17 May 2005 and "Unmasking the Insurgents," Newsweek, February 2005

[49] Baram, p.13

[50] www.washingtonpost.com

[51] Edmund Blair, "Anger Mounts After U.S. Troops Kill 13 Iraqi Protesters," Reuters, 29 April 2003,downloaded from www.commondreams.org/cgi-bin/print/cgi?file=headlines03/0429-01.html on 6 July 2005

[52] ibid

[53] "Bush Speech Aboard USS Abraham Lincoln, 1 May 2003," seen on 6 Jul 05 at www.home.earthlink.net/~platter/speeches/030501-bush-lincoln.html

[54] Furthermore, each government department in DC had contributed 3-4 of its staff to ORHA. Thus there were representatives from the US Department of Agriculture, Commerce, the Treasury and so on. The Pentagon did not send anyone and so ORHA operated without a Defence Advisory Team.

[55] Major General Tim Cross, interview, May 05

[56] ibid

[57] General Garner asked that General Cross be his Deputy to work alongside an Operational Deputy, an International Deputy and a Long-Term Reconstruction Deputy. General Cross filled the International Deputy role but nobody turned up to fill the other two vacant positions.

[58] HC Deb, 28 April 2003, c.22 cited in UK House of Commons Research Paper 03/51, "Iraq: law of occupation," 2 June 2003, written by Paul Bowers

[59] Interview with Paul Hughes, Washington DC, 19 April 2005

[60] Robert M. Perito, The Coalition's Provincial Authority's Experience with Public Security in Iraq, Lessons Identified, Special Report 137, United States Institute of Peace, April 2005. Downloaded from www.usip.org/pubs/specialreports/sr137.html

[61] ibid

[62] Unidentified Iraqi interviewed in David Rieff's "Blueprint for a Mess," New York Magazine, 2 Nov 2003

[63] Interview with senior Coalition commander, April 2005

[64] Joshua Hammer, Colin Soloway, John Barry, Tamara Lipper, "Who's in Charge Here?" Newsweek, Vol. 141, Issue 21, 26 May 2003

[65] "The Unbuilding of Iraq," Newsweek, Vol.142, Issue 14, 10 June 2003

[66] Interview with senior Coalition commander

[67] Thomas White, interviewed in Fallows

[68] White House, Office of the Press Secretary, "President Names Envoy to Iraq," May 6, 2003, available at www.whitehouse.gov/news/releases/2003/05/20030506-5.html

[69] Letter to the Security Council from USA and US, S/2003/538, 8 May 2003. There is widespread dispute over the exact origins of the CPA. "Available information about the authority found in materials produced by the Administration alternatively (1) denies that it was a federal agency; (2) states that it was a US government entity or instrumentality; (3) suggests that it was enacted under the UNSCR 1483; (4) refers to it, and ORHA, as "civilian groups…reporting to the Secretary of Defence"; asserts that it was created by General Franks. Without a clear, unambiguous statement that declares the CPA's organisational status; clarifies what its relationship was to DOD and other federal agencies, and addresses the competing explanations for how it was created, various questions are left unanswered, including whether, and to what extent, CPA might be held accountable for its programmes, activities, decisions, and expenditures." CRS Report for Congress, "The Coalition Provincial Authority (CPA): Origin, Characteristics, and Institutional Authorities," 6 June 2005

[70] Interview Major General Cross

[71] Clare Short, the UK's Cabinet Minister for DFID, resigned on the same day, citing that "…mistakes that were made in the period leading up to the conflict are being repeated in the post-conflict situation."

[72] "New U.S. Administrator Arrives in Baghdad to Stabilize Country," PBS Online NewsHour, 12 May 2003. Seen at www.pbs.org/newshour/updates/bremer_05-12-03.html

[73] White House, Office of the Press Secretary, "President Names Envoy to Iraq," May 6, 2003, available at www.whitehouse.gov/news/releases/2003/05/20030506-5.html

[74] Interview with General Cross, May 2005

[75] ibid

[76] Coalition Provincial Authority Order Number 1, De-Ba`athification of Iraqi Society, 16 May 2003; downloaded from www.iraqcoalition.org/regulations

[77] J. Barry & E. Thomas, "The Unbuilding of Iraq," Newsweek, 1 October 2003

[78] CPA Order No.1 dated 16 May 2003

[79] ibid

[80] The decision was actually made some two weeks beforehand when Bremer was in DC.

[81] The order included war widows and disabled veterans who were senior party members, defined as any officers at the rank of colonel or above.

[82] In what many commanders viewed as an impressive start, the CPA reversed its decision and handed out cash payments to 370,000 conscripts and more than 250,000 officers. In conjunction it initiated a country-wide recruitment drive for Iraqi security forces in the form of Facility Protection Security Forces (FPSF) and a new Iraqi Police Force. In the face of growing violence, military commanders were ordered to hire and arm as many officers as they could find.82 Thousands of former Ba`athists rejoined.

[83] ibid

[84] Adeed Dawisha, "Iraq: Setbacks, Advances, Prospects,", Journal of Democracy, Vol.15, No.1, January 2004, p.8

[85] Celeste J. Ward, "The Coalition Provisional Authority's Experience with Governance in Iraq," United States Institute of Peace, Special Report 139, May 2005, downloaded from www.usip.org/pubs/specialreports/sr139.html

[86] The majority Shi`a received 13 of the 25 seats; Sunni Arabs – 5; Sunni Kurds – 5; one Turkmen and one Assyrian Christian representative.

[87] Interview with Major General Cross, Netheravon, May 2005

[88] The IGC's role was set out in a 7-point plan. One of its key tasks was to develop a process for drafting an Iraqi constitution by December 2003. According to this plan, after the document was written, it would be ratified in a referendum, and then a sovereign Iraqi government would be elected. The whole process would take several years.

Mao in Mufti?: Insurgency Theory and the Islamic World

Dr. John W. Jandora

Those readers who recognize the symbolism of the above title may doubt the seriousness of this essay. It is indeed serious, as I will proceed to demonstrate. However, for those who do not recognize the symbolism, my first task is to explain it.

Certainly among older generation Americans, many undoubtedly recall that Mao Zedong was the man who led the Chinese Communists to victory in 1949. Through his position as Party Chairman, he retained a more or less dominant influence in China's government through 1976. More significantly for this study, Mao was considered to be a practical and theoretical authority in peoples' wars of liberation – movements to overthrow traditional or colonial-imperialist masters. He converted Karl Marx's theory of the inevitable revolt of the proletariat (industrial working class) into a strategy for the mobilization of the largely agrarian society of China. Chairman Mao was a source of inspiration for insurgent movements throughout the Third World during the Cold War era (1947–91). The Cold War has ended, but the world community is still beset by peoples' striving against the established order, and so some see his influence as remaining relevant, albeit in a new milieu.

The difference is one of geographic setting. East Asia's upheaval has for the most part ended. It has been decades since the Chinese Communists consolidated their control of the mainland, the Malayan Communists were defeated, and the Vietnamese Communists united their own country and disciplined the Khmer Rouge in Cambodia. The Communist insurgency in the Philippines has dwindled considerably. The locus of upheaval has apparently shifted westward, with peoples' struggles enduring in Palestine (Gaza and the West Bank), Afghanistan, and Iraq and recently erupting in northern Yemen and southwestern Pakistan (Baluchistan). It is this geography that evokes the term *mufti*, which originally alluded to the custom of British officers in Middle East service wearing, on their off-duty time, garb resembling that of a *mufti* (native authority on Islamic law).

This metaphor raises some serious questions, as the U.S. Government considers the prospect of "staying the course" in its current engagements. Is the resistance activity in Iraq, and secondarily Afghanistan, comparable to the Cold War era insurgencies in East Asia and their "replicas" in other parts of the world? Is the transnational jihadism that originated in the Islamic World comparable to the global subversive activity that was abetted by the Communist International? The answers to those questions largely shape the response to the problems of pacifying Iraq and Afghanistan and winning the war on terrorism.

Among the conflicts in question, there is of course an apparent similarity in the enemies' strategy, that is, their master plan for victory. Some common axioms are to make the populace a key factor in the arena of conflict, plan for a long war, and engage in all power arenas -- political, economic, and informational, as well as military -- to erode the stronger side's will to sustain the struggle. There is also similarity of method -- what the

military community refers to as "tactics, techniques, and procedures." Offensive action entails raids and ambushes, hit-and-run and stand-off attacks, and improvised use of weaponry. Protective measures include concealment, blending with the populace, deception, and denial of engagement, compromise, or key assets. Psychological warfare (against non-combatants) involves brutality, intimidation, and disinformation. Sustainment efforts include living "off the land," smuggling, looting weapons and supplies, and operating secret factories and clinics. (These lists are exemplary, not all inclusive.)

Such observations have rekindled interest in insurgency theory and, by extension, counter-insurgency theory, which is reflected in military-educational, news-journalist, and book-publishing circles. The authors who see analogies between the jihadist and Communist-inspired movements have framed their thoughts in terms of some interesting, albeit contentious, themes. We are engaged in "fourth generation warfare," which combines the aspects of primitive (first generation) warfare with the practice of Mao. We might consider for Iraq "the Salvador option," which recalls the Cold War era technique of employing hit/snatch teams against Marxist-inspired insurgent leaders. We face a "global insurgency," which, in concept, seems to be a substitution of *al-Qaeda* for *Comintern*.[1]   Even some who claim uniqueness for conflicts within the Islamic world have modeled them in terms

of the three phases of Mao's protracted popular war - strategic defensive (subversive activity), strategic stalemate (guerrilla warfare), and strategic offensive (war of movement). It would seem that the analogy is compelling, but it should not be. Is there some way to expose the misfit?

The answer to that question takes us into a "fuzzy" area of the international relations discourse – the concept of worldview. Reference to *worldview* appears in both textbooks and expository works, yet its meaning and implications are generally taken for granted. Scholars of other disciplines have examined the relations between worldview and philosophy, religion, language, and culture in general. Where precise definition has been attempted, the task is usually undertaken by experts in sociology or anthropology.[2] Some scholars would argue that worldview is undefinable since its subjective, symbolic nature transcends rationalization. Moreover, the concept does not lend itself to empirical method, and it has to accommodate "counter-culture" and change over time. Despite these caveats, the concept of worldview must be real and meaningful, as it widely occurs in the titles and contexts of myriads of books, scholarly essays, and media articles.

In simple terms, worldview is the intersection of various aspects of man's understanding of his world and life -- as shaped by culture. Worldview is both descriptive and normative; it explains what *appears* to be as well as what *ought* to be. The concept is highly complex and involves many

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[1] This term is synonymous with the Communist International (organization) that was founded in 1919 (disbanded in 1943) with the aim of revolutionary overthrow of capitalist regimes around the world. Michael Vlahos proposes a more practical concept of "civilizational insurgency," in "Terror's Mask: Insurgency Within Islam" (Occasional Paper, Joint Warfare Analysis Department, Applied Physics Laboratory, Johns Hopkins University, May 2002), pp. 4, 6-7, and 27. Although the concept has merit, I disagree with the methodology, especially the analogy with the Reformation in Europe, and the recommendations of the report.

[2] For some helpful references, see: Michael Kearney, *World View* (Novato, Calif.: Chandler and Sharp Publishers, 1984), chap. 3; Clifford Geertz, *The Interpretation of Cultures: Selected Essays* (New York: Basic Books, 1973), chap. 5; and James H. Olthius, "On Worldviews" in Paul A. Marshall et al. (eds.), *Stained Glass: Worldviews and Social Science* (Lanham, Md.: University Press of America, 1989).

cognitive categories. The present task is to focus on those that are most germane to the motivation, legitimation, and measure of victory of some cause – some purposive, collective effort. Hence, I propose the model in the chart below, which includes seven categories and some corollary notions added for clarity. Regarding two terms that may not be self-evident as to meaning, "end state" equals the outcome of the human ordeal, and "agency" is the class of people through which the end-state is achieved. Infusing the categories with the appropriate images creates a basis of comparison/contrast of the mindsets of Communist (Marxist-Maoist) militants vice Islamist militants. Of course, the below scheme is based on abstraction and generalization and does not account for variants among either the Communists or the Islamists. Nonetheless, the two ideals are useful for comparative analysis.

Worldview Notions	Communist	Islamist
Self-Perception of "We"	Workers	Muslims
Perception of "They"	Capitalists/Exploiters	Infidels/Apostates
We/They Relation	Necessarily Adversarial	Potentially Adversarial
- Active Participants	All Adults	Adult Males Only
Mandate (for Action)	Historical Determinism	Divine Purpose
- True Word	Dialectical Materialism	Qur'ân
Agency	Party Bosses	Mujâhidîn
(Spatial) Domain of Adversity	Global	Global
End State	Classless Society	Spiritual Salvation
- Temporal Precondition	Social Justice	Social Justice
- Orientation	Materialist	Anti-Materialist

To give more substance to the above notions, it might be helpful to see how some of them are reflected in the words of Mao Zedong and Usama bin Ladin.[1]

Active Participants

Mao: "The richest source of power to wage war lies in the mass of the people."

Usama: "So, then, I urge the (male) youth to think for themselves about jihad, for they are the first of those obliged to pursue it today."

Agency

Mao: "The secretary of a Party committee must be good at being a 'squad leader.'"

Usama: "Arab mujâjidîn rose up and left their jobs, universities, families, and tribes to earn the pleasure of God" (in Afghanistan).

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[1] English translation are found respectively in *Quotations from Mao Tse-Tung* (Peking: Foreign Language Press, 1966) online version, Mao Tse-Tung Internet Archive 2000; available from http://www.marxist.org/reference/archive/mao/works/red.book; Internet, Sections 8, 10, and 5 and *Messages to the World: the Statements of Osama Bin Ladi*n ed. Bruce Lawrence, trans. David Howarth (London and New York: Verso, 2005), pp. 205, 147, and 18.

End State

Mao: "When human society advances to the point where classes and states are eliminated, there will be no more war."

Usama: "And life, to which the Qur'an, God, and His Messenger are calling you, should be a life of self respect in this world and victory in the next – a life of jihad for the sake of God Almighty."

Comparing the primary and corollary notions of the two worldviews reveals the obvious, and perhaps anticipated, dissimilarity: differences with perceptions of *we* and *they*; the materialist/non-materialist contrast regarding mandate and end state. Lest some readers be stunned, I should better explain my rendering of the Islamists' sense of the we/they relation. First, the image for the corollary notion of *participant* disputes that female suicide bombers (in Palestine) generally act on an Islamist worldview. They more likely respond to Arab codes of honor that enjoin retaliation for harm inflicted on an immediate- or extended-family member. Secondly, the notion of *potential* (vice inevitable) adversity recalls Qur'anic guidance to seek predominance by peaceful means, unless confronted with force. The caveat is that the Islamists are willing to concede on the necessity for force -- but not on conviction to the true word or the temporal precondition for the end state. The difference with the Communists is that they compromised on the true word, and once they did so, the formula for reaching the end state was negated, as was the necessity of adversarial relations.

The reader will no doubt quickly see the commonality where both worldviews involve a global domain of adversity and attainment of social justice (a fair chance for everyone, not strict equality) as the temporal precondition for the end state. What does this comparison suggest? Awareness that the conflict is global merely clarifies the scope of the challenge. However, the prerequisite of social justice will probably attract the notice of counter-insurgency theorists who see opportunity for an analogous "carrot" versus "stick" approach. The recourse would be the proverbial effort to "win hearts and minds" via aid and development projects. Thus, the analogy would be complete because the "stick" option addresses a very similar set of insurgent "mechanics" -- the strategy and methods mentioned in the first part of this essay. The analogy falters, however, because the apparently common prerequisite of social justice has different implications in each case. The historic fact is that Communism never had much appeal in the Islamic world. Islam itself enjoins social justice -- and tribal code enjoins mutual support among kinsmen.

In contrast with the militant Communist mindset, that of the militant Islamist has an anti-materialistic orientation and a spiritual goal. Thus, an appeal to the "heart and mind" might not suffice because "soul" is a key element of the Islamist worldview construct. Although the patent victory of capitalist-democracy in the Cold War undermined the Communist worldview, that is largely irrelevant in the current conflict with the radical Islamists. Showing a better way to worldly utopia (classless society) hardly counts when the focus is spiritual salvation. But is the focus *always* spiritual salvation? Perhaps not. Muslims, as any people anywhere, can become pre-occupied with the tasks of making a living. However, when those tasks become too overwhelming, there are many symbols,

traditions, institutions, opinion–leaders, and other prompts to remind them that religion offers the best remedy – the true solution. To challenge this "truth" would be very counter–productive. It is nonsense to presume that, since the former Communist societies of Russia and China abandoned Marx's dialectical materialism, Islamic societies could bypass the Qur'an.

The predominant message of the Qur'an is the imperative of social justice, and Islamic teaching establishes the benchmark for morality and social ethics -- the right conduct of both rulers and ruled. There is presently no secular alternative of any real significance. Thus, the Qur'an, as the true word, is the nucleus of the whole Islamist construct, and that is the key to conflict resolution. The moderate opinion leaders have already pointed out the distortions in the radicals' use of the scripture. However, much more must be done because the grievances of the radicals are unlikely to vanish. The regional governments face the daunting task of improving technical education, productivity, and income distribution for their respective societies. They might also complement such effort by helping to establish progressive social institutions.[1] If they ever were to achieve a modicum of social justice, people would probably not need to ask: what is wrong with the world, and what response is enjoined by the Qur'an? Meanwhile, the U.S. might consider as bilateral programs: 1) a developmental assistance campaign that vets, engages, and works through moderate Islamic non–governmental or quasi–governmental organizations, and 2) an information campaign that accommodates the

dialectic of Muslim moderates, for example substituting *kharijites* (translated as *deviants* in the Arab World's English press) for *Sunni extremists* and condemning *extremism* – not *jihad* per se. Perhaps the damage of communicating the themes of "clash of civilizations" and "crusades" has already been recognized?

In conclusion, the defeat of Communist insurgency offers no analogous lessons from this comparative worldview analysis. Nor does it do so from the practical perspective of insurgent/counter–insurgent methods. America is not dealing with the same kind of enemy. A fellow Vietnam veteran recently asked why there is no "Charlie in the wire" experience (stealthy, determined assault against an American position) in Iraq. The Viet Cong ("Victor Charlie") agreed with Mao on the need to concentrate forces for frontal and flanks attacks under certain circumstances. The Iraqi insurgents have yet to follow suit. They probably never will. One reason is that American military technologic advances have made this tactic very risky. Another reason is that the native way of war has for over two thousand years tended to favor stand–off and close–combat avoidance in contrast with the West's reliance on shock action.[2] Moreover, the factionalism of Iraqi resistance starkly contrasts with Mao's concept of a people's army coming together with a "conscious discipline . . . (to) fight for the interests of the broad masses and of the whole nation."[3] We see, for example, Sunni militias, in one instance, contending against the Coalition, in another, fighting other Sunnis who follow Zarqawi, and in yet another, changing

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[1] It might be feasible to create futûwah-like organizations that promote inventiveness and pride of work. I use this term not in its modern but in its medieval sense, which denotes an urban fraternal organization or youth group that follows some code of conduct.

[2] This *thesis* is presented in John W. Jandora, "War and Culture: A Neglected Relation," *Armed Forces and Society* 25, No. 4 (1999), pp. 541-556.

[3] *Quotations from Chairman Mao*, Sect. 9.

alignment.   Turning to counter-insurgent methods, the "Salvador option" might make sense for a non-tribal society or for a genuine foreign-fighter dominance. However, in much of the Islamic World it would merely invoke the tribal code of blood-revenge.

So, there is yet more complexity to the insurgency issue -- the mix of radical Islamist, tribal, and partisan (Ba'thists in Iraq) interests. Groups cooperate for the same near term objective, withdrawal of the U.S. and Coalition forces, and tout what seems to be similar jihad lore. Yet they adhere to different principles to legitimate violence, and they pursue different long-term goals. Bringing the conflicts in question to a successful conclusion requires a full understanding of this complexity. One

must discern, for example, the alternative means of aggregating power at the macro and micro levels --alliance building vice indoctrination and mobilization of kin-groups vice recruitment of (alienated) individuals. Such understanding should come from situation- and culture-specific analysis, not questionable analogies.   Yes, the image of Mao in mufti is absurd.

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Counterinsurgency: "A Realistic Appreciation"

Captain Robert B. Asprey, USMC

Ever since the explosion of the first atom bomb over Hiroshima, paradoxes have been the order of the military day. The advent of counter-insurgency is no exception. At a time when man-made vehicles are reaching for the moon and when the state of the weapons art is so advanced as to defy the understanding of most laymen, suddenly we revert to small wars in remote areas–suddenly the individual soldier comes back into his own.

Enter Paradox Two. The old context of small war in the remote area has undergone drastic change. What used to be good for the United Fruit Company in Nicaragua has given way to issues that threaten to engulf mankind. Such is the thrust of Communism the rise of nationalism, and with it the pride of small and sometimes new countries, that today's small war becomes a production rather more sophisticated than firing a king-sized missile 4,000 miles on target.

The problems introduced by counter-insurgency are made abundantly clear both by the individual remarks of the Forum experts, and by the logical case with which these remarks glide from one area of the subject to another. To Gen Krulak's assertion that counter-insurgency is a complicated war, we have Adm Libby quietly adding that counter-insurgency is but another type of war, one that should not stampede us into precipitate reorganization of the military establishment. With Mr. Galula's and Dr. Tanham's assertions that counter-insurgency must be fought as a war-by-committee, we have Gen Griffith's belief that the conventional military establishment is not the best organization to wage war-by-committee. With Gen Krulak's mention of the annoyance of enemy sanctuary in a foreign country, we have Mr. Baldwin's advice that the government should consider authorizing our forces to participate in attacks on foreign sanctuaries.

If by clarifying certain issues of counter-insurgency our experts have mingled in each other's areas, they are merely underlining Paradox Three of counter-insurgency–its clear-cut confusion. Insurgency and counterinsurgency are as difficult to grasp as Gen Griffith's metaphorical drop of mercury. Their fragments will probably intrude on every facet of American life; yet their wholeness does not lend itself to immediate comprehension; one purpose of my few pages is to try to file a pragmatic path to the cumulative arrow of the experts' thoughts.

The mental has always been more difficult, to cope with than the physical–this, after all, is why humans are more difficult than animals. Perhaps unfortunately a mental war does not lend itself to the emotional symbols of a Berlin wall or a boy throwing a bottle of gasoline against a Soviet tank in a Budapest street. I doubt that counter-insurgency is ever going to produce such striking symbols of man's resolution and determination, and I think

that this may be the first of two very real problems that plague our understanding.

The second problem, in my opinion, is the word "counter" with its defensive overtones. Mr. Galula pointed out the psychological problem of a legitimate government facing an insurgency. Not having anything to offer, the insurgent ran offer anything, especially to people who are pathetically prone to the Baruum-like promises of Communism because they have never seen a circus. The problem of the legitimate government becomes our problem multiplied by the number of legitimate governments who ask for and receive our help. This is difficult enough but the system also works the other way. Even if we pinpoint a prospective insurgency we cannot always persuade a legitimate government to act either with or without us. Further, such are the social conditions around the world that the Communists can pretty much pick and choose where they want to start trouble.

I doubt that either of these problems grew by chance, and I doubt that cither is incapable of solution (by education in the first instance, more positive action in the second). To anyone familiar with Russian cunning and patience, the appeal of either industrial or agrarian insurgency to the Communists is obvious. Its present emphasis can be explained by a variety of reasons: the domestic setback in the Russian and Chinese economies; the frustration experienced in other areas of the cold war; the theory, increasingly popular among western scientists of Pavlovian diplomacy, of "creating neurosis on a global scale"; an attempt to smokescreen more conventional efforts; for example, a push into Iran.

Whatever the reasons, the admixture of these problems seems to have dissipated further the already nebulous issues of counter-insurgency. As of this writing, what Adm Libby calls the Great Debate is still going on. This means that counter-insurgency is fast becoming a political issue–a fate that Mr. Baldwin logically warns will "doom it to futility." Worse, the bulk of the American public appears as yet 10 have very little idea of even the basic issues. In a private survey I found that some otherwise educated Americans don't know the geographical location of Viet-Nam, don't know this nation's obligations under the SEATO treaty, don't know the term much less the meaning of counter-insurgency.

In monitoring California newspapers and TV programs off and on for two months I was struck by the absence of foreign affairs coverage. Rather than pursuing this subject I would recommend Bill Lederer's A Nation of Sheep and comment only that if Viet-Nam had received half the coverage recently devoted to the suicide of a film star many segments of the American public would be more healthily informed.

This clear-cut confusion is limited neither to American politics nor to the American public. What S. L. A. Marshall calls "the dogfight within the services over the right to stake a claim on guerrilla warfare" is also in full bloom as of this writing. While not suggesting a settlement, I will point out a few of the shibboleths that are complicating the fight.

The first is the confusion of military with police action in an insurgency. Mr. Galula has pointed out that a legitimate government, including its police force, is often not large enough to combat an insurgency; therefore its armed forces are called on. I know most of the

arguments to the contrary, but it seems to me that the onus of actually fighting the insurgents must be borne by the military, particularly when the insurgency enters the so–called military phase. To superimpose civil authority on top of military tactical operations is comparable to calling out a fire brigade, then allowing laymen to direct its operations.

I have never been sold on the theory that conventional forces cannot successfully fight counter–guerrilla actions–I don't say win them in entirety but rather achieve a degree of stability where other healthy activities can assert themselves. A recent article on the subject offered Samar as an example and went on to say that the Philippine Insurrection was downed by irregular warfare under the aegis of Philippine Scouts. In fact the Samar insurrection was downed by irregular warfare by a battalion of Marines under Maj Tony Waller. The only real danger of collapse faced by Tito's guerrillas during WWII was when German forces made a concerted effort to capture his mountain headquarters. The closest the French came to a positive, major success in Indochina was their organized attack in strength against Viet Bac. That these two attacks failed to gain their objectives is, in my opinion, due more to such factors as second string troops in the case of the Germans, insufficient and worn troops and lack of armament and equipment in the case of the French, than to any failure of an organized offensive against any enemy.

Who is to conduct the organized offensive or any other facet of the actual fighting in a counter–insurgency? Obviously, ground troops supported by naval and air power. I don't see that it makes one whit of difference what ground troops conduct it so long as they ultimately do the job. At this stage of our counter–insurgency effort, to say that one set of ground troops can do the job better than another seems to me unsubstantiated by experience. Leaving out the Navy and the Air Force, which perforce are confined to the secondary if vital role of support, this leaves the Army and the Marines.

In the article quoted above, S. L. A. Marshall says "the Army was in on the ground floor, having started ten years ago to build a small anti–guerrilla corps of highly trained specialists." In this Forum, Gen Griffith suggests that a special organization is needed to fight counter–insurgency, and that its military nucleus exists in the Army's Special Forces. I want to know who is kidding whom. Quite by chance I went into the field with Special Forces in 1956, at a time when most Army officers had never heard of this organization; not quite by chance I visited this same Special Forces again just over one year ago. If the reader is interested in the raison d'etre of Special Forces up to a few months ago he should read my article in the January, 1962, Army magazine. Since its beginning ten years ago Special Forces has trained solely to be able to generate guerrilla movements hundreds of miles behind the enemy line–"to harness guerrilla activities direct to [the] conventional military effort." My friends in Special Forces know what I think of them–they are a superb outfit well–trained to carry out their mission. But not once in my association with them, not once in the numerous articles later written about them, was the claim made that they were counter–guerrilla specialists. Certainly the old corps of Special Forces soldiers–and less than a year ago this was a pitiably small corps–has studied guerrilla warfare to a fare–thee–well. However, the ex perienced Mr. Galula points out that "when the counter–insurgent attempts to copy [the rules of the insurgent] he falls into

a disastrous trap. . . ." I doubt that without further specialized training the Special Forces unit is any more qualified to field a counter-guerrilla operation than would be either a well-trained Army battle group or a Marine battalion.

What about the Marines? We like to talk about Nicaragua and Haiti. If a reader has studied these campaigns he knows instantly that counter-banditry is but a poor relation of counter-insurgency. Our experience here, of course, was valuable. It also was limited, and I doubt that many of today's generals or sergeants-major, not to mention the rest of the active Marine Corps, fought in either place. Certainly we do have a proud small-unit tradition, and certainly today's organization includes certain prerequisites demanded by counter-insurgency. Both the Thailand and Viet-Nam expeditions irrefutably showed to the world our training and readiness. At the time of this writing our helicopter pilots in Viet-Nam are daily displaying a courage and perseverance that stand in the highest tradition of the globe-and-anchor.

Having seen something of the FMF within the last few months I am quite convinced that our divisions and wings have taken the new hit in the teeth and are running ably and intelligently with it. I would guess the same is true with the Army. But I am also quite convinced in either case that for this effort to pay its fullest dividends, a great deal more work will be necessary.

The months and years ahead hold plenty of challenge for all hands, military and civil. In our own sphere, as shown by the Thailand expedition, intelligence (particularly counter-intelligence, including linguists) leaves something to be desired. In the military-civil sphere our lack of people trained in military

government and civil affairs is obvious. Thailand showed that our weapons (but not the new family), rations, and equipment were up to the task of rice-paddy warfare. It also demonstrated that our dungarees are too hot for certain climates, that our boots can't, take the water treatment. Thailand showed, and Viet-Nam is showing, the incredible importance of helicopters to counter-guerrilla warfare. We must ask Congress to understand our interest in this problem. At this moment our people in VietNam are being shot at daily. We must consider taking more active counter-measures, and we must ask the government to understand our interest here.

A veteran counter-guerrilla fighter, Col N. D. Valeriano of the Philippine Army, has recently written to me as follows: "I belong to that school of thought that democracies and their respective military forces, provided that they have a realistic appreciation and approach to Communist revolutionary warfare and doctrines, can beat or at least stem off all these small wars or limited wars or shadow wars all over the world."

Something of that realistic appreciation and approach has been the purpose of this Forum.

Capt R. B. Asprey has been the guiding hand for Lejeune Forum since its inception in Jan '62. For the past several months he has been getting a first-hand look at counter-insurgency operations in Viet-Nam ("Saga at Soc Trang," Newsletter: Dec '62) and also at the Marines who are constantly training for any kind of operation. About his own Marine background: he enlisted in 1942 and was commissioned the next year via OCC. He landed on two Jima in 1944 with 5th MT Bn. After WWII he returned to college (University of Iowa), was graduated in 1949 and went on to post-graduate study at Oxford and University of Vienna. Recalled to active duty in 1952, he served two years with FMFLant in G-2 section, then as a member of Special Advisory Group to Greek General Staff. He makes his home in Bermuda.

Cops, Spies, and Commandos:
The Legal Quagmire that is the Global War on Terror

Capt Matthew Collins

There is an old adage at the CIA's Directorate of Operations: when you have to make a tough call in the field, you won't want a lawyer; you'll want a priest. America's fledgling Global War on Terror has proven the wisdom of adage. Most experts agree that terrorism must be studied as a subset of the insurgency. "Terrorism is a tactic. Insurgency is a strategy.[1]" In dealing with terrorism as a tactic, we must not allow our focus to become so myopic that we lose sight of the broader political and ideological struggle that makes up the underlying aims of the insurgency. The utility of terrorism as a tactic lies in the fact that the phenomenon falls neatly between the purview of domestic criminal law and international laws pertaining to armed conflict. In many ways, terrorists have the best of both legal worlds. If they are caught, they may fall back on the legal protections afforded to them by either their nationality or the laws of the nation they are captured in such as the European Union's human rights laws or the US Constitution. They can also claim the protection afforded to combatants under the provisions of the four Geneva Conventions. If captured Al Qaeda training manuals like the Manchester Document are any indicator, some terrorists receive more training in the law of armed conflict than many soldiers. The War on Terror has raised many vexing and indeed, unprecedented legal questions about the legal status of both terrorists and the agencies that pursue them.

As America embarks on a public debate about the moral and legal efficacy of the Patriot Act and the legal status of captured terror suspects, it is worthwhile to look at the laws that govern the structure and conduct of our military, intelligence and law enforcement agencies and the historical circumstances they were created in. As we will see, both America's unique historical experience and national culture makes terror legislation particularly troublesome.

It is worthwhile to begin a survey terror laws by looking at nations with more extensive terrorism problems than our own. The British experience in Ireland and Israeli experience with the Palestinians offer tempting comparative case studies in the study of terror legislation. They are, to an extent, western democracies with similar cultures that we are comfortable relating too but it should be noted that both are hardly models of Jeffersonian democracy. Neither the British nor the Israelis have a bill of rights. While they both dealt with their insurgencies in a legal framework, they often did not extend the same rights to terror suspects they did to rest of their citizenry. In times of duress, they both resorted to passing special terror laws that gave their authorities expanded powers to interrogate and detain suspected terrorists. These expanded powers did not prevent excesses from either side. The Israelis continue to have pariah status among much of the developed world for human rights abuses as part of their war on terror. The Israelis have resorted to internment,

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[1] Author interview with Dr Peter Marks at a meeting of the Counter Insurgency Board, Wednesday 7 December 2005

assassination and torture in their fight against terrorism but they are no closer a meaningful and lasting peace with the Palestinians.

While the British have produced some of the leading theorists in the world of low intensity conflict their domestic counter-terror campaign in Northern Ireland has been messy and indecisive. While British Sir Robert Thompson makes rule of law a central component of his counter-insurgency theory, both the British Army and police forces were mired by high profile scandals arising from excessive use of force and the contravention of Britain's terror laws by authorities. High profile incidents like Bloody Sunday and the Guilford Four as well as the official internment policy undercut the legitimacy of British cause enough for high profile IRA members like Gerry Adams to be elected to public office. While the US hasn't interned it citizens since the Japanese Americans of the Second World War, it could be argued that the reservation system used during the Indian wars was a de facto internment policy. Clearly in the annals of counter-insurgency history, there are no saints.

As other nation's experience with anti terror laws offer few clear cut lessons, our own history provides a better guide. Understanding the American experience with countering terrorism can best be understood by studying three key pieces of legislation: The Posse Comitatus act of 1878, the National Security Act of 1947 and the Intelligence Oversight Act of 1981. These acts both shaped the bureaucratic structure of America's counter-terrorist agencies and provided a legal framework for them to operate.

Where are your handcuffs?

"From and after the passage of this act it shall not be lawful to employ any part of the Army of the United States, as a posse comitatus, or otherwise, for the purpose of executing the laws, except in such cases and under such circumstances as such employment of said force may be expressly authorized by the Constitution or by act of Congress; and no money appropriated by this act shall be used to pay any of the expenses incurred in the employment of any troops in violation of this section[1]"

The Civil War saw the genesis of America's first counter-terrorism legislation. Our founding fathers never intended for America to have any sort of gendarme or Guardia Civil. It was not until Lincoln found himself embroiled in the most destructive insurgency in American history that the need for a national intelligence service became apparent. Interestingly, Lincoln looked to the private sector to create this agency. Allen Pinkerton, founder of the Pinkerton Detective Agency, led the Union Intelligence Service and as its head, coordinated the Union's military and civilian intelligence efforts much like today's Director of Central Intelligence or Director of National Intelligence.

Over a decade after the war, Congress passed the Posse Comitatus Act.

This was the south's response to over a decade of de facto military occupation by federal troops. As the role of federalism was one of the most contentious issues of the constitutional convention and the central issue of the civil war, the act was intended to temper the excesses of Reconstruction. The original act and all the subsequent revisions also contain clauses that allowed it to be suspended by the President in times of civil disorder.

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[1] Available online at: http://www.dojgov.net/posse_comitatus_act.htm

Posse Comitatus has played an interesting role in development of America's counter terrorism structure. In the wake of several high profile international terrorist incidents such as the attack on the Munich Olympics in 1972, the US military created the 1st Special Operations Detachment Delta. Its original charter called for it to be able to respond to terrorist attacks anywhere in the world, including on American soil. This became a point of concern after Attorney General visited the newly formed unit. After watching a hostage rescue demonstration and looking at a display of the equipment Delta used, he asked Major General Scholtes, commander of the Joint Special Operations Command, where why he didn't see any handcuffs. He replied "We don't have handcuffs. It's not my job to arrest people[1]." Soon thereafter, Delta was relieved of its domestic responsibilities and the FBI stood up its Hostage Rescue Team, trained and organized much like Delta and the British Special Air Service.

Neither the Israelis nor the British have an equivalent of the Posse Comitatus. The Israelis, who have essentially been on a war footing for its entire fifty year history and still practice universal conscription, do not consider the Palestinians "citizens" as such nor do they generally consider their security services pursuit of terrorists an affront to their civil liberties. The British regularly deploy their military in law enforcement roles. The Special Air Service's most famous raid took place on British soil, when Iranian terrorists took over the Iranian Embassy at Princess Gate. In 1987, the SAS was used to stop prison riots in Peterhead, Scotland; much like the FBI's Hostage Rescue team was used to rescue prison

guards in Talladega, Alabama and St Martinsville, Louisiana. The British military has been continually deployed on British soil in Northern Ireland for the last several decades and some of the most egregious excesses committed by the British government, such as the killing of several unarmed protestors on Bloody Sunday, were committed by soldiers. It appears the concept of Posse Comitatus is a uniquely American phenomenon.

America has a deep seeded cultural reluctance to use the military inside its border in anything resembling a law enforcement role. The presence of two military technical advisors from Delta during the siege at Waco gave rise to wave of conspiracy theories and congressional inquiries into their role. In the wake of Hurricane Katrina, the military commander in charge of the relief efforts made it quite clear that despite widespread looting and a shortage of police, the military would not be party to any law enforcement efforts. While some contemporary commentators have suggested employing the military to reinforce America's borders under the auspices of preventing terrorism, politicians remain wary of anything resembling a deterioration of the concept of Posse Comitatus

The Enemy Within

The next key piece of terrorism legislation was the National Security Act of 1947. In addition to creating the department of defense and laying the groundwork for the modern military, this act created the Central Intelligence Agency and outlined the current counter-terrorism structure. It also established the role of the Federal Bureau of Investigation (FBI) in national security affairs. The FBI had come into being at the turn of the century to stop racketeering and enforce Prohibition. Its

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[1] Danny Coulson and Elaine Shannon, *No Heroes: Inside the FBI's Secret Counter-Terror Force* New York: Pocket Books, 1999, p138

size and responsibilities had gradually expanded to include catching spies and foiling Nazi domestic sabotage plots.

The bureaucratic animosity between the FBI and the newly formed CIA predate the creation of the CIA. The main point of contention was the division of counterintelligence responsibilities. Prior to 1947, the FBI was the sole counterintelligence agency and was as close to a civilian national intelligence agency as existed before World War II. When global intelligence collection and analytical responsibilities were consolidated under the War Department's Office of Strategic Services, William Donovan, its founder, squared off against the bureaucratic juggernaut that was J. Edgar Hoover. Hoover wanted all international intelligence efforts consolidated under the FBI after World War II. Donovan successfully lobbied to have a separate civilian agency created to collect and analyze national level intelligence under the CIA. A compromise was reached on counterintelligence responsibilities. The FBI would remain the lead agency with responsibility for domestic counterintelligence, while the CIA would work abroad.

This clumsy compromise would prove troublesome. This requirement to "split a man in half" meant that every time a suspected intelligence officer crossed the border, responsibility shifted between the agency. This would help continue bureaucratic animosity between the agencies. It also served to calcify the organizational cultures of both the CIA and the FBI, fixating each on their established turf.

The early decades of the Cold War were a turbulent time for the America. McCarthyism and the all too real threat of Soviet espionage contributed to a climate of paranoia. The FBI

began investigating both communist and radical groups as part of the COINTELPRO or counterintelligence program. This carried over into investigations of anti-war groups and civil rights groups. While many of these investigations were politically motivated witch hunts against legal dissident groups, some of these groups, such as the Black Panther movement, openly espoused violence. The anti-war group Students for a Democratic Society took their revolutionary rhetoric one step further, engaging in a domestic terror campaign that included several bombings and riots, before being shut down by the FBI. In this period, J Edgar Hoover also kept extensive files of potentially embarrassing information on prominent public figures for blackmail purposes. The FBI had, to a greater or lesser extent, become the politicized Guardia Civil the founding fathers were afraid of. The CIA also got in the act, opening the mail of suspected communist dissidents keeping files on Americans as part of what became known as Operation Chaos and reporting on domestic social movements like "The New Left." While CIA's abuses were less egregious then the FBI's, they were only different by degree[1].

As the public became aware of these abuses, Congress established the Church Committee to investigate the conduct of the FBI and CIA. Their findings sparked a series of sweeping reforms culminating in the Intelligence Oversight Act of 1981, more commonly known to the intelligence community as Executive Order 12333. This act forbids any intelligence agency from collecting on US persons and codified the rules that now govern the conduct of intelligence operations.

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[1] Mark Riebling, *The Wedge: The Secret War Between the FBI and CIA* New York: Random House, 1999, p459

The common thread woven through all three of these statues is that while they are criminal in form they are structural in function. No one has ever been convicted of violating Posse Comitatus. Likewise, outside of espionage cases like Aldrich Ames, no CIA operations officer has ever been successfully prosecuted for violating Executive Order 12333 or acting beyond the authority given to the under Title 50. The FBI has investigated several CIA officers, usually during the various scandals that have plagued the Agency since its founding. Indeed, some of the best works of literature available about case officer work are memoirs written to underwrite legal defenses a la Duane Clarridge and Robert Baer. To date, in every scandal involving officers of the CIA, the Nuremburg Defense, "I was only following orders", has proven infallible. Executive Order 1233 is on particularly shaky legal ground, as it is not a law. As an Executive Order, it can be suspended at anytime without the consent of Congress and can be easily sidestepped when terrorism is involved. What we are left with it not so much a fixed set of legal boundaries for dealing with terrorism, but a nebulous structural framework that outlines responsibilities, but gives the executive wide latitude to make exceptions. With this vague legal landscape, it is not surprising that the current administration would have as many problems as it has had in it dealings with the legal status terror detainees.

In the world of counter-terrorism strategy, commentators often fixate on the dichotomy between the law enforcement approach and the intelligence approach. Much like the maneuver verses attrition debate taught to new Marine lieutenants at the basic course, this dichotomy is as shallow as it is false. The correct approach is whatever is most

appropriate for the circumstances. At its heart, the differences between the FBI and CIA lie not in their approaches, but their organizational philosophies

The FBI is a law enforcement agency. While it is beholden to elected officials, it is ultimately bound by the law and the nebulous concept of justice. Their philosophical dilemma is what to do when the exigent circumstances blur the line between the imperative of protecting the public and the obligation of observing the letter of the law. The CIA is an intelligence agency. While it is bound by the law, its mission is inherently illegal and is ultimately a servant of the executive. The tasks it performs for its duly elected civilian masters are merely a reflection of those official's potentially flawed values. The philosophical dilemma they find themselves in is; where does the servant's moral culpability end and the master's begin? As one commentator noted in the wake of a scandal involving the elder Bush administrations channeling military assistance to Iraq during its war with Iran, intelligence involves a degree of intrusiveness that the public would otherwise consider unacceptable [1]. The question them becomes, how do we reconcile these two philosophies and how much obtrusiveness will the public accept from their spies or cops?

The New Great Game

> "A strict observance of the written law is doubtless one of the highest duties of a good citizen, but it is not the highest. The laws of necessity, of self-preservation, are of higher obligation. To lose our country by a scrupulous adherence to the written law, would be to lose law itself, with life, liberty and

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[1] pg 91

property, and all those who are enjoying them with us; thus sacrificing the end to the means"

– Thomas Jefferson [1]

"For what would it profit a man, if he shall gain the whole world and lose his soul?"

– Mark 8:36 [2]

The beginning of the Cold War was a time of tremendous change. America emerged as superpower and found itself locked in an existential ideological struggle with the Soviet Union. The Great Game played between the intelligence services on either side of the Iron Curtain was played by rules both sides understood. Both sides observed the rules and practiced moderation in order to head off the unthinkable. As we have seen, the intelligence laws and structure that currently exist are largely a reflection of the strategic reality that existed during this era. The end of the Cold War was a time of tremendous change as well. The Great Game has been replaced by the New Game of terrorism with fewer rules, enemies defined by ideology not nationality and a different set of stakes. America lost more innocent lives on one Tuesday in September than the British lost in two decades of "The Troubles"[3].

In the end, the question we, as Americans, are faced with are more philosophical than legal. Our grand experiment with democracy created one of the safest, freest, and prosperous nations the world has ever known. But the freedom that makes us strong is also the freedom that makes us

vulnerable. As we continue our public debate about the degree and extent executive powers to fight terror, we must strive to strike the right balance between winning the battle against the terrorists and losing the ideological war that created them. In the end, the question we, as Americans, are faced with is, what kind of nation do we want to be?

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[1] 148 the wedge
[2] http://www.godrules.net/library/kjv/kjvmar8.htm
[3] Martin Dillon, *The Dirty War* New York: Routledge, 1990, pg xxxvi
The Dirty War

The Cost of Expediency in
Counter Insurgency Operations

Major John C. Davis, US Army

Conventional armies frequently refer to the tactics, techniques, and strategies of guerrilla warfare as being "unfair", or "dirty". The statement is frequently made by leaders of a conventional force faced with fighting an insurgency that "we could wipe them out if they would only stand up and fight." Commanders seldom stop to realize exactly how ridiculous this line of reasoning is.

An enemy faced with overwhelming conventional forces would be foolish to fight according to the "rules" espoused by an army which would crush them if they followed those "rules". It is that very reason which drove the leaders of that enemy to organize as a guerrilla force rather than to organize themselves as a conventional force which would stand no chance against the superior forces suggesting that they fight in a manner which would lead to their destruction. Since the dawn of human conflict there are accounts of large military formations being unable to "pin down" guerrilla bands in order to destroy them.

Commanders of the attacking forces frequently complained that after pursuing a band of guerrillas, they would simply disappear into their surroundings. The guerrilla's familiarity with his surroundings, as well as their ability and willingness to disperse and subsequently reform elsewhere has historically been critical to their survival. Whether it is the swamps of the Carolinas, the mountains of Spain, or the Gophna hills, Guerrilla forces frequently establish their base camps in the most inhospitable regions available. Frequently the terrain in these areas, while familiar to the defenders, canalize an invading force either allowing the guerrillas to ambush them, escape, or move around them to attack their rear areas.

A successful insurgency is almost always characterized by popular support in the long run, which provides the insurgents a dispersed base of logistics support, a vast intelligence network informing them of the invaders actions if not intent, as well as a source of additional fighters frequently driven to them by increasing brutality on the part of an increasingly frustrated conventional army. The primary targets of successful guerrilla uprisings have historically been lines of supply and communications, patrols, groups of enemy foragers as well as isolated outposts. While a guerrilla leader's choice of tactics can lead him to destruction; the actions taken in defending against an insurgency are frequently the lever insurgent leaders can use to gain the upper hand or at least extend the struggle.

Historically, the ability of insurgents to strike where their larger opponent is unprepared, and then disappear into the surrounding countryside or amongst the civilian population has caused a great deal of frustration to the defending soldiers who never know when or where the next blow will fall, as well as their leadership who can not come to grips with this enemy who attacks but refuses to give battle in the traditional sense.

In 19th Century Spain and Portugal, Napoleon caused public outrage by first

summoning the royal family to Bayonne, forcing Ferdinand to abdicate, and placing his brother Joseph on the throne. Numerous guerrilla bands took to the hills, and while the French armies occupied themselves with destroying the Spanish military, the guerrilla bands grew and acquired arms by ambushing initially small French patrols. The increasingly brutal French response to these attack and raids led greater numbers of Spaniards and Portuguese to join the guerrillas. French forces blundered about the countryside without intelligence, attempting to destroy guerrilla bands which would disappear before them, fighting under disparate commands, each of which relied upon tenuous supply and communication routes which were constantly subject to guerrilla attack.

Throughout history commanders and armies have taken expedient actions in the name of force protection or in attempts to draw insurgent forces into battle. From the forces of Seleucid Empire fighting the Maccabees in 160 BC, to the Armies of Napoleon in Spain, and the German forces in the Balkans during WWII, commanders have threatened to kill various numbers of locals for every one of their soldiers killed, in every case this has led to increased recruiting opportunities for the insurgents as well as a hardening of their resolve in response to the increased brutality on the part of the conventional army.

During the Algerian Revolution of the 1950s the French found themselves facing a series of terrorist attacks in areas where French settlers were concentrated. As the majority of the French presence was in or around the cities the rebels embarked upon a terror campaign in the urban areas where they targeted French settlers as well as those Algerians who supported the French. The eventual French response to these activities was to seal off the Casbah, an area which could be likened to an Algerian ghetto, and implement stringent controls over its native residents, as well as conducting periodic sweeps in search of weapons or persons with known nationalist ties. French response to urban terrorists, while effective, also served to alienate even more native Algerians, providing even more support for the nationalist rebels.

Another series of actions often taken by field commanders in the mistaken belief that the "protection of their troops" outweighed the possible damage they may cause is the torture or "field interrogation" of prisoners. Regardless of the techniques employed, from hanging blindfolded prisoners outside moving helicopters to faking an imminent execution these actions bring discredit not only against the commander or soldier or soldiers in question but against the entire country they represent.

Not only do these actions erase every bit of good will built up previous to the action, but the "intelligence" gained is often corrupted and always suspect do to the nature in which it was gained. In addition to the questionable nature of the resulting intelligence, the insurgents will use the methods of the offenders to characterize the government they represent and gain further support from the population at large.

The more support the insurgents gain, the more effective they can be and the more likely they are to inflict more casualties on the army they are facing not less so as we see, the use of torture, threats, or other questionable behavior in the name of force protection is actually counterproductive. Expedient and "extra-legal" actions taken in the name of

"force protection" are more likely to result in additional friendly casualties rather than fewer.

Whether it is "interrogations" by commanders in the field, the execution or threat thereof of locals when soldiers are killed, or the more recent burning of Muslim insurgent corpses turned to a "propaganda opportunity," actions taken in the name of expediency further complicate the difficult task of counter insurgency operations. Even the simple and apparently sensible act of ramping up force protection measures can drive a wedge between military forces and the local population, hastening their transformation in the minds of the population from forces of liberation to an army of occupation, and providing recruiting opportunities for the insurgents. Mounting ones army in heavily armored vehicles, limiting their exposure by limiting off post activities to combat patrols, and even the simple act of outfitting every soldier with sunglasses can cause a lethal degree of separation from the civilians the army seeks to protect.

The heavily armed and armored troops rolling about in their noisy armored boxes may have a greater degree of protection against insurgent attacks, booby traps, or improvised explosive devices, but are dehumanized in the eyes of the very people they should be trying to win over. While some insurgents may come from outside a nations borders, an insurgency must have a significant relationship with the community amongst which it operates

otherwise it could not survive for very long. A significant proportion of the population must provide it with intelligence and supplies, or the very least are willing to keep silent as to their location or activities if they are to have any measure of success.

If, on the other hand, the army engages on an aggressive civil affairs campaign, improving the conditions for the population, and developing human intelligence sources, the insurgents will soon find themselves at odds with the population, with no place to hide.

Whether a country is fighting an insurgency within its own borders, or elsewhere in support of a allied or friendly government, any nation which institutionalizes, encourages, endorses, or condones questionable actions on behalf of its military regardless of the goals which led to those actions risks driving additional recruits into the arms of the insurgency, the morale imperatives which justify its involvement in that conflict, and possibly its very existence in either a political or physical sense if not both.

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Meeting the Irregular Warfare Challenge:

Developing an Interdisciplinary Approach to Asymmetrical Warfare

Lieutenant Colonel Patrick James Christian, US Army

One of the most profound political-social developments affecting warfare and political violence is the nexus between state legitimacy and the type of warfare facing the United States today. The recently released Quadrennial Defense Review now recognizes that Irregular Warfare of the type we are now dealing with is based upon a challenge to the legitimacy of governance and the cultural identities it protects and propagates. Increasingly, the Department of Defense is calling upon the SOF community to step up in this war against cultural extremists that use organized violence to contest the legitimacy of governing institutions. To meet the growing expectations of Army SOF, we must rebalance our doctrinal foundations with emerging knowledge gained from interdisciplinary studies of the social sciences. The Irregular Warfare challenge mounted by our adversaries dictates an evolution in the understanding of conflict origination and our responses to it.

For the past half century, US Army Special Forces trained personnel and units to conduct the Army service mission of Unconventional Warfare (UW) and its corollary, Foreign Internal Defense (FID). These two types of military missions have their direct roots in World War II, and indirect roots within the American and French Revolutionary Wars. Unconventional Warfare is the development of partisan, or guerrilla organizations that work to destroy the elements of governing legitimacy and control over a populace. This type of warfare is predicated upon an existing unwillingness of the indigenous population to accept the legitimacy of the governing structure. While there are no 'book' solutions to the insurgent's goal of challenging a government's legitimacy, there are major threshold steps that lead to an escalation of partisan conflict followed by an increased reliance by the governing structure on the element of coercion. This increase in coercion serves to enhance recruiting by the partisans in a cyclical manner until success or failure of the partisan objective is met. The ultimate goal of the revolution is to force a renegotiation of the makeup or structure of the governing apparatus. Failing this goal, the successful insurgency builds sufficient capability to conduct full scale force-on-force warfare against the protective apparatus until it is defeated. Once defeated, the partisan forces disband and reconstitute the now unprotected governing structure consistent with their own cultural identity. The corollary to the insurgency mission is Foreign Internal Defense. FID missions are actually more complex, while UW missions are inherently more difficult and dangerous. In its simplest definition, FID is helping the foreign friendly government reinvent itself, 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, a governing structure must rebuild its ability to monopolize domestic violence, protect its borders from foreign violence and incursion, and articulate its historical unity within a cultural fabric.

US Military personnel conducting these types of missions are essentially warrior-diplomats who fight a type of political warfare that requires them to leave behind preconceived notions of conflict origination (due to the necessities of supporting multicultural, multi-religious cultures). The intellectual theory of this type of military warfare unit has roots within militias formed by the American Continental Congress and the French Revolutionary Directorate to safeguard the fledgling legal, executive and legislative institutions of post monarchial governments. A Medal of Honor recipient turned lawyer named William (Wild Bill) Donovan, a close friend of Franklin D. Roosevelt, 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 Office of Strategic Services (OSS), 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. The teams helped create partisan organizations from France to the Eastern provinces of the Nazi realm, which grew in strength correspondingly with the attempts at eradicating them by the Fascist Governments. Recruited from both military and civilian backgrounds, they were effective negotiators of internal governmental legitimacy. They helped to expose weaknesses within the fascist ability to monopolize legitimate domestic violence, and protect its borders against foreign intrusion. Their activities did prove to be costly in terms of their survival rate, and many of the teams' members were captured or killed by Germany's police and military apparatus. The development of these teams constituted in and of themselves, a Revolution in Military Affairs. This development came as a response to the rise of internal legitimacy of modern states, and was a product of change in the basis of how a state is constituted. 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 military teams dedicated to the conduct of challenging a state's (actual or proto-state) internal organization as a military strategy does not merely constitute a revolution in military affairs. Rather, this development suggests an entirely new approach to viewing human conflict and state legitimacy. If human conflict does in fact exist as part of an ongoing negotiation by communities of citizens and states over the legitimacy of a state, then a change in the organizational structure and theory of the public functions of military strategy and foreign policy may achieve better functional results. Army SOF must build teams which have the capacity to understand and act within the cultural identity of friendly, neutral, or opposing social structures. To successfully act within a cultural identity and achieve discrete results, these teams must integrate the multi-disciplinary functions of psychoanalytical cultural historical anthropology, combined with law and military strategy to un-package targeted cultural identities and either support or attack them at their most vulnerable points.

More than ever before, our understanding of the world around us depends upon

interdisciplinary explanations for the complex interaction of our social, political, economic and cultural systems. There is generalized resistance to interdisciplinary theoretical models however, because academic disciplines and military branches tend to understand the world around them in single discipline terms. This tendency must be overcome to successfully understand the interdisciplinary nature of asymmetrical warfare. There can be no war, for example, with out law and politics to frame and contextualize this type of human conflict. Organized human violence without any context exists as random, social Darwinian violence inflicted for the purpose of adaptive survival of the fittest. Organized human violence expressed as political conflict or war exists because of the development of human law and history within a context of cultural identity. War is a corollary to human conflict developed to support the application of our law, history and evolving cultural and individual identities. War and human conflict do not and cannot, create a human institution. They cannot build houses, roads, lives, or even a future. They cannot create new ideas or evolve a human identity, which provides human purpose in existing. All it can do is defend and destroy. Organized human conflict exists to negotiate which material possessions, human lives, and human social structures will survive in an adaptive selection process of social structures and the identities they are founded upon. The Social structures most often at the core of violent conflict are those organized into structures of governance.

But what is a structure of governance, and what is before it?   It can be a person, group or system, (as is found in monarchism, fascism, cabals, theocracy, communism or democracy) but it's primary purpose is to alleviate the anti-thesis of government – Anarchy. Thus, a government establishes a blueprint for ordering humans and resources within a particular cultural context, along historical lines and then enforces that blueprint among the populace using its monopoly on domestic violence and coercion. The citizens negotiate their acceptance of the legitimacy of this blueprint for ordering their society, by using violence (physical control), law (fair rendering of obligations and expectations) and history (habit of acceptance of this particular structural form or societal order). Although it seems intuitive that humans would accept just about any social ordering to prevent anarchy, there is a dichotomy of human psychology, which works in opposition to order. Humans look for authority and discipline as a means for obtaining safety and security. At the same time however, they challenge that authority until its legitimacy is demonstrated by an acceptable level of law, war and history. This process is analogous to the way a child rebels against a parent until they are disciplined in a manner that enforces an accepted family social order that they have been habituated to by socialization.

Humans use conflict, both violent and non violent, as a final determinant of legitimacy, negotiated by and between, groups, individuals and societies who possess competing ideas of who we are, why we exist, and our future as a species. We develop our competing ideas through cultural identity formation, articulate these ideas into norms and laws, and weave them into the fabric of the history of our people.   Thus, to understand war and human conflict, the fields of science, engineering, history and anthropology, individual and social psychology, law and politics must be interwoven into a multi-

disciplinary explanation for the development and evolution of that which humans hold most dear; our identity and purpose of existence. Understanding this concept is important so that the 'group', theirs and ours (both the in and out groups vying for legitimacy), do not relegate the fight merely to scientists and engineers who would build and maintain complex instruments and institutions solely for taking human life. There has always been a tendency to see the protection of ideas and culture as an appropriate sphere of responsibility of a technical warrior class. This tendency predates modern civilization back to a time when cultures existed as islands upon the land, and fought for both physical and cultural survival simultaneously. As the cultures grew and begot out-groups with new or differing ideas, some states learned to negotiate the complex legitimacy of competing ideas, allowing for forms of consensus building and cultural redefinition when required to do so. Those states that could not master the negotiation process of state legitimacy without immediate resort to violence eventually succumbed, and were replaced. With time, smaller cultures merged under larger legal groupings called states, and again, those states that adapted to increasingly complex requirements for negotiating state legitimacy survived, and the others did not. What still matters, and will so tomorrow, is that the human conflict we face today is no different than last century, or last millennium. Human conflict is now and will always be a struggle for legitimacy of our individual and societal identity as represented by a state.
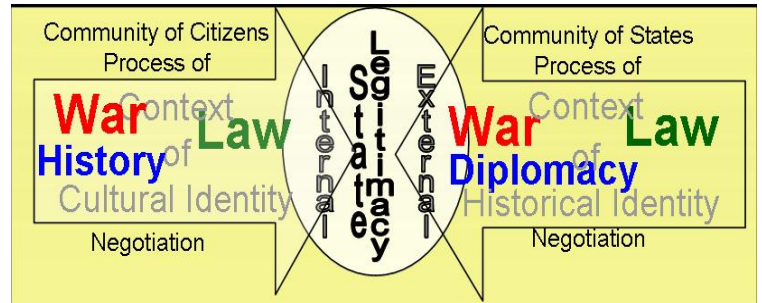
CGSOC Paper: The Rise of Internal Legitimacy in 18th and 19th Century Warfare, 2004 by Patrick J. Christian

At its lowest common denominator, warfare is fundamentally a *group social process* waged for the purpose of establishing or denying legitimacy of action(s), structure and or existence of other competing groups or interests. State legitimacy provides State sovereignty. It cannot be given away, nor can it be given back when taken away. A state can credibly claim sovereignty (which is a basis for existence, supported by a demonstrated ability to sustain that existence) only when it can sufficiently answer the questions posed by state legitimacy.   State sovereignty, like its foundation of legitimacy, can neither be given away, nor given back once lost. Communities of individuals, groups and states establish state sovereignty and legitimacy in a complex process of negotiation. This negotiating process provides not only the initial establishment, but the continuing maintenance of state sovereignty and legitimacy. As the basis of a state's legitimacy changes, so does the nature and/or type of warfare waged by or against it. *The determination of state legitimacy is a social process wherein groups use violence, diplomacy, history and law in contexts of cultural and historical identity to*

establish state legitimacy. This process of negotiation operates both internal and external to the state simultaneously, with both processes interacting and affecting each other. The diagram in figure 1 depicts the determinants of internal and external state legitimacy. The basis of i*nternal state legitimacy* is a combination of law, history, and military strategy (war) in a context of shared cultural identity while the basis of e*xternal state legitimacy* is a combination of law, diplomacy, and military strategy (war) in a context of shared historical identity. The differences in each state's size, population, resources, historical and cultural development and diversity account for variances in application of this model. In the context of State Legitimacy, law provides the state with the authority and duty to create a monopoly on domestic violence by constituting & enforcing social order. 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 & accepted cultural identity and origination while military strategy (war) provides the state the ability to protect its jurisdiction from foreign intrusion and violence.

SOF field operating teams of the future must be able to understand, operate in, and facilitate this negotiation process over the legitimacy of village, community, regional and or state governance. They must be versed in the history and law of the culture they seek to negotiate in, and understand the impact of calculated violence upon those social structures. They must understand the relationship between governing legitimacy internal and external to the social structures they are negotiating with and avoid conflict escalation. If SOF field teams of the future are to be the truest versions of warrior-diplomats we have ever fielded, they must understand the complex processes that underlay an insurgency and the struggle for the legitimacy of a state. By combining multidisciplinary explanations for rebellion and insurgency, the picture that emerges is complex, but ultimately understandable and applicable to ALL conflicts. The application of this type of interdisciplinary approach to asymmetrical warfare allows the SOF warrior-diplomat to identify cultural identity landmines of those societies he is negotiating with, and build strategies to avoid conflicts rather than solve them once they occur. Such an application can facilitate the development of not only psycho-biographies, but psycho-cultural historiographies. These psycho-cultural historiographies of persons and societies can provide insight into the measured application of micro diplomacy and force required to achieve US strategic objectives at the lowest level in an operating field environment.

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