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U.S. Army Soldiers from 1st Platoon, Company A, 1st Battalion, 2nd Infantry Brigade, Task Force Blackhawk, cordon off the town square of a small village near Combat Outpost Yosef Khel, 10 March 2010. (U.S. Army, SGT Ken Scar, 7th MPAD)

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Raymond T. Odierno  
General, United States Army  
Chief of Staff

Official:

JOYCE E. MORROW  
Administrative Assistant to the  
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# Development and COIN in Regional Command-East, 2004-2008

Robert Kemp, Department of State

*The views represented in this paper are the author's and do not necessarily reflect the views of the Department of State or the U.S. government.*

Robert Kemp is a U.S. Department of State foreign service officer, currently a Dean Rusk fellow at Georgetown University. From 2007 to 2008, he served as the political advisor to the 173d Airborne Brigade Combat Team in eastern Afghanistan, and as the deputy director of the Provincial Reconstruction Team section. From 2004 to 2005, he was the political advisor to the task force covering Regional Command-East, based out of Khost, Afghanistan.

PHOTO: Soldiers from 101st Division, Special Troop Battalion, air assault into a village inside Jowlzak Valley, Parwan Province, Afghanistan, 10 November 2008. (U.S. Army, SPC Scott Davis)

**T**HE LARGE INFUSION of development funds into Regional Command-East during the years 2004 to 2008 clearly supported counter-insurgency (COIN) efforts at the tactical level. At a strategic level, the correlation between COIN and projects is less clear, but was probably positive in many instances. The option of spending heavily on development was an asymmetric advantage that the Taliban and other insurgent groups could not match. It also provided a degree of acceptance for an international presence among a traditional, at times suspicious, mostly Pashtun population. Many of these development programs, including the military's Commander's Emergency Response Program (CERP), showed some degree of success. However, various structural problems during this time hindered progress—including the lack of Afghan government capacity, shortfalls in U.S. government (USG) interagency cooperation, the imbalance between civilian and military staff, the differing timelines between various players, and the inherent difficulty of rebuilding a very poor country in the middle of an insurgency that gained momentum during this period.

This paper will look at how reconstruction and development assistance contributed to the COIN campaign in Regional Command-East in Afghanistan during 2004 to 2008. Specifically, did small-, medium-, and large-scale projects carried out by USAID, through CERP, and to some extent the international community and the Afghan government, enable a COIN campaign based on three main pillars: security, governance, and economic development? How did the various organizations involved coordinate? How did the local Afghan population perceive these reconstruction and development efforts? Did these reconstruction and development projects reinforce and enable the security and governance pillars of the COIN strategy, while weakening the insurgency? What were the lessons learned?

Regional Command-East is the American-led military area along the border with Pakistan, from Pakitka Province in the west to Nuristan Province in the east, then north to the Hindu Kush Mountains. In 2004, only one brigade, supported by a logistical aviation hub at Bagram Air Base, covered the 13 provinces of Regional Command-East. By 2008, there were three brigades assigned to the area, and provincial reconstruction teams were present in all provinces (although one team covered both Kapisa and Parwan Provinces).

Afghanistan is one of the poorest countries in the world; the UNDP's 2004 report on Human Development Index (HDI) noted that "Afghanistan's [2002] HDI value of 0.346 falls at the bottom of the list of low human development countries, just above Burundi, Mali, Burkina Faso, Niger, and Sierra Leone."<sup>1</sup> Life expectancy in 2002 was just over 44 years, and national literacy rates just above 28 percent (but only 14.1 percent for females), one of the lowest among developing countries. Adjusted per-capita Gross Domestic Product (GDP) was only \$822. Particularly in the rural areas of RC-East, the general lack of basic services and the meager gains from subsistence farming could be shocking to officers from developed countries. Clearly, this very low baseline was a challenge for development workers and counterinsurgency efforts.

### Macroeconomic Factors

During this period the Afghan GDP grew quickly (in part due to the amount of international aid coming in), but how much this growth filtered down to rural and border areas in RC-East is debatable. Although many Afghans along the border used Pakistani rupees in addition to Afghanis, the stable exchange rate of the Afghan currency was a positive factor, as were low inflation rates. Perhaps more important locally were the multiplier effects of cash from payroll and purchases for military bases, the benefits from the transit of NATO supplies (particularly through the Khyber Pass and into Nangarhar), the smuggling of goods brought duty-free into Afghanistan, then smuggled back into Pakistan, and remittances from overseas workers. While drug production did not reach the levels seen in RC-South, in some years Nangarhar had considerable poppy production, and there were

indications that raw opium produced elsewhere was being refined there and moved across the border into Pakistan. Both of these factors would have injected significant money into the local economy.

### Development Programs Relevant to COIN

During this period, the Afghan Government at all levels—national, provincial, district, and municipal—was undergoing a slow and difficult process of reestablishing itself. Rebuilding (or building) government in the middle of an insurgency, with limited human and financial resources, was difficult, and tribes and communities often provided governance where the reach of the formal government did not extend. At least on paper, Afghanistan has one of the world's most centralized governments, which put control of development planning and funding in the ministries in Kabul. At the same time, the ministries were "stovepiped," with lines of authority extending directly to officials of that ministry in the provinces, often bypassing governors or mayors offices, and making interagency coordination difficult. Several provincial reconstruction teams (PRTs) organized interagency meetings to improve coordination between ministry representatives at the provincial level.<sup>2</sup>

The most active ministries in RC-East during this time were the Ministry of Agriculture, Irrigation and Livestock; Ministry of Rural Rehabilitation and Development; Education; and Public Health. Both the Ministry of Border and Tribal Affairs and the Ministry of Women's Affairs were underfunded and understaffed, and the latter encountered some opposition in culturally conservative Pashtun areas. After its creation in 2007 the Independent Directorate for Local Governance was increasingly active, and organized local government to formulate development plans, while also trying to expand its authority into spending development funds, including CERP. One of the more successful development schemes was the community-based National Solidarity Program, under the Ministry of Rural Rehabilitation and Development, and the Basic Package of Health Services, established in 2003 under the Ministry of Public Health.

At the national and international levels, the Interim-Afghanistan National Development Strategy (I-ANDS and eventually the ANDS) and the



Afghanistan Reconstruction Trust Fund provided overarching frameworks. However, these plans were just beginning to be implemented, and local Afghan officials as well as coalition officers were often not well informed about them. The “lead nation” concept agreed to at the Tokyo donor’s conference in 2002, where individual nations took responsibility for a developmental area—for example, the Italians were to lead on justice, and the Germans on the police—did not translate in many cases to activity by these nations on the ground in RC-East.

## USAID

According to a report of the U.S. General Accounting Office (GAO), “In 2002 and 2003, USAID initially focused on humanitarian and short-term assistance, such as assistance to displaced persons and food assistance.”<sup>23</sup> “In 2004, USAID expanded assistance to include quick impact projects, such as infrastructure projects.” By the end of the period, USAID was following an integrated strategy, intended to “create economic growth, effective and

representative governance, and the human capital base needed to eliminate the conditions that breed extremism.”<sup>24</sup> Programs included road construction and rehabilitation (including farm to market roads), development of electrical networks, credit and micro-credit programs, and assistance in the privatization of state-owned enterprises. There was also an agricultural component, including irrigation and alternative livelihoods (aimed at diminishing poppy cultivation), governance, health, as well as a large education program. Considerable funds flowed into Afghanistan; a 2008 USAID report noted, “With over \$3.4 billion spent on development programs in Afghanistan since 2002, USAID provides the largest bilateral civilian assistance program to Afghanistan.”<sup>25</sup>

In RC-East during this period, most USAID field personnel operated out of PRTs, with some posted to brigade commands. Many were contractors on one-year assignments. At the same time, USAID was awarding large-scale contracts for development projects to contractors such as the International Organization for Migration and Development Alternatives Inc. As a Senate report notes, “From FY 2007 to



(U.S. Army, SPC Russell Gilchrest)

**U.S. Army SSG James Calvert directs a CH-47 Chinook aircraft to land after the ground crew released the aircraft’s sling-load in the town of Bargimatal, Nuristan Province, Afghanistan, 7 August 2008.**

FY 2009, USAID obligated about \$3.8 billion to 283 contractors and other entities,” and that “Two contractors—Luis Berger International and Development Alternatives Inc.—accounted for about \$1 billion . . .”<sup>6</sup> USAID officers in RC-East often faced hurdles in monitoring the contracts, due to security challenges and lack of transportation. At the same time, contracting organizations (including the International Organization for Migration) were slow to carry out some contracts due to security concerns.

### Commander’s Emergency Response Program (CERP)

As noted in the *CERP Smartcard* (GTA 90-01-017 November 2008) produced by the Center for Army Lessons Learned, “CERP funds provide tactical commanders a means to conduct multiple stability tasks that have traditionally been performed by U.S., foreign, or indigenous professional civilian personnel or agencies. These tasks include but are not limited to the reconstruction of infrastructure, support to governance, restoration of public services, and support to economic development.”<sup>7</sup> Commanders could also use CERP funds for condolence payments and repairs due to combat damage.

In RC-East during this period, the PRTs were the primary conduits of CERP funds, although maneuver battalions and, in some instances, brigade commands used them as well. The greatest advantage of CERP funds was the flexibility and speed with which commanders could use them (in contrast to many USAID projects, which were subject to significantly more mandatory oversight and reviews). This allowed the PRTs to provide funding for projects immediately after combat operations, and also quickly seize opportunities when communities or tribes were open to aligning themselves with coalition forces and the Afghan government.

During the earlier years of this period, most CERP projects were relatively small, including building or refurbishing of schools, health clinics, markets, irrigation systems, and the upgrading of existing roads. By 2007, large amounts of funds moved through CERP, with some PRTs handling tens of millions of dollars—a major shift in COIN efforts. The GAO noted in one report, “Since 2004, DOD has reported total obligations of about \$1 billion for CERP in Afghanistan, growing from \$40 million in FY 2004 to

\$486 million in FY2008. As of April 2009, Congress allocated . . . \$683 million to fund CERP projects in Afghanistan.”<sup>8</sup> While some of these CERP funds also went to other RCs, it clearly altered the military’s role in RC-East, from doing more “tactical” projects to being a major development player. For example, major road projects began through mountainous areas in Konar and Nuristan that required long timelines and considerable engineering.

While this increased funding made a positive impact in many places (particularly some road projects) it also strained the capacity of the civil affairs units and PRTs, in terms of engineering, quality assurance/quality control, and planning, despite the best efforts of those on the ground. The GAO report notes: “The [CERP] program has evolved over time in terms of the cost and complexity of projects . . .” and “In a July 2008 memorandum to CENTCOM, the CJTF [combined joint task force] commanding general noted that, in some provinces, units have repositioned or are unable to do quality-assurance and quality-control checks due to competing missions and security risks.”<sup>9</sup>

Particularly after the expansion of its budgets in 2007 and afterwards, the augmented CERP program pushed the military into areas that many view as falling in the domain of USAID, international donors, and nongovernmental organizations (NGOs). To some extent, this was intentional—military officers, from captains to generals, remarked to the author that more traditional development programs were moving too slowly to support the military’s COIN strategy and tactics or were not present in areas the military considered as priorities. As Major Mark W. Lee notes, “While the U.S. Army is uniquely trained, manned, and equipped to operate in unstable regions, it lacks the development capacity and expertise of its civilian partners in conducting these tasks. However, civilian diplomatic and development agencies are often challenged to address such tasks in unstable areas with their traditional delivery systems.”<sup>10</sup>

***By 2007, large amounts of funds moved through CERP, with some PRTs handling tens of millions of dollars—a major shift in COIN efforts.***





International Security Assistance Force soldiers walk through the village of Paruns in the Nuristan Province, 2 September 2008.

## Agricultural Development

Much of the population of RC-East, and practically all of the rural population, was involved in agriculture in one form or another. This fact made it necessary to focus on agriculture, especially given the more rural nature of the insurgency in some areas. Improvement and reconstruction of irrigation systems, as well as farm to market roads, were early efforts. However, U.S. Department of Agriculture officers were present only in some PRTs, and then had very limited (if any) funding at their disposal. Beginning in 2008, the U.S. military began deploying “Agribusiness Development Teams,” National Guard units whose soldiers brought agricultural, animal husbandry, and agribusiness skills. The first Agribusiness Development Teams deployed to Nangarhar in 2008, followed by a Texas unit in Ghazni.

## Education

Education is a key to the democratic future of Afghanistan—it will be difficult to maintain a viable democracy without it. At the same time, a more educated workforce will be necessary to form a civil service cadre to govern the country, to provide a workforce for businesses, and to counter the Taliban’s propaganda aimed against the Afghan government and coalition forces. Hence, this is an important COIN aspect as well.

During the early years of 2004 to 2008, the Ministry of Education was still extending its reach into parts of RC-East, and suffered from scarce resources, including teachers. While the PRTs built schools, the Ministry did not necessarily have the means to staff and support them, and teacher salaries were very low. Education in madrassas, both locally and across the border in Pakistan, was an option



that many parents took. In conversation with the author, and in surveys, Afghan parents put a priority on education for their children (including daughters in many cases).

USAID invested heavily in education across Afghanistan. By 2011, its programs printed more than 97 million textbooks for grades 1 through 12, trained more than 53,000 teachers (including radio-based teacher training), and built or refurbished 680 schools. USAID also supported programs for adult literacy and vocational training.<sup>11</sup> While there is still much to be done, education seems to have been a bright spot among development efforts. The World Bank notes that by 2011, across Afghanistan 6.2 million Afghan students were attending grades 1 through 12, of whom 2.2 million are females. However, the World Bank notes that there remains “an acute shortage of teachers—many teachers do not receive their salaries on time, and have little or no training.”<sup>12</sup> At the same time, schools provided easy targets for insurgent attacks in some areas.

## Other USG Development Programs

The Performance-Based Governor’s Fund, intended to provide governors with administrative funds to run their offices and maintain a staff, through the transfer of roughly \$25,000 per month, began at the end of this period. According to the Independent Directorate for Local Governance (which administered the program), it was “to provide interim financial assistance to Governors so they are better able to meet operational and community outreach needs, enhance their relationships with citizens and improve their overall management capacity.”<sup>13</sup> State Department’s Bureau for International Narcotics and Law Enforcement had its own “Good Performers Initiative,” launched in 2007, to reward provinces that eliminated or sharply reduced (by 10 percent or more) their poppy cultivation. The department granted funds for development projects, in coordination with the governors and provincial development councils. Both programs were much smaller than the CERP and USAID programs, but held considerable potential to improve provincial governance and development programs, by tailoring programs to local conditions to attain specific policy goals.

## Cooperation Challenges

Coordination between the various development and reconstruction players in RC-East during this period was, unsurprisingly, a major challenge. Different goals, organizational cultures, the inherent difficulties of operating in a country as unstable as Afghanistan, rapid turnover of foreign staff, and the need to adhere to guidelines passed down from Washington (or Kabul or Brussels or New York) made this difficult. Interestingly, personalities and personal connections often made the difference in overcoming obstacles.

Coordination between development actors during the earlier years of this period was often ad hoc, with field officers working together to try to deconflict programs at their level. In 2004, the challenge of forming an overall, interagency strategy—coupled with insufficient information exchanges and considerable differences between the USAID, State, and Army bureaucracies—led to coordination challenges in RC-East. Other players in the U.S. government included the embassy-based Afghanistan Reconstruction Group charged with advising embassy and Afghan officials on commercial and economic policy and attracting corporations to Afghanistan.



A truck is being loaded with almonds in Nili, Dai Kundi Province, 22 December 2009. (United Nations assistance mission in Afghanistan).

***There was considerable debate—and acrimony—over the “humanitarian space,” roughly defined as the provision of emergency relief, development, and reconstruction assistance to the civilian population.***

By 2008, U.S. efforts were more efficient and logical. The Integrated Civil-Military Action Group, established in 2008 within the U.S. Embassy, pulled together senior State, USAID, and military officers with roles in development for regular meetings, and fed into a higher-level Executive Working Group. State’s Office of the Coordinator for Reconstruction and Stabilization provided officers to do interagency planning at embassy, brigade, and PRT levels. Brigade commands served as nexuses in the field for coordinating projects across several provinces, and PRTs did the same for individual provinces. One example of interagency, integrated planning was Nangarhar Inc., which brought together U.S. players involved in COIN, counternarcotics, and long-term development.<sup>14</sup>

Toward the end of this period, the Afghan government at the national and, in some cases, provincial level took a more active role in development coordination, and by 2007, it had produced “Provincial Development Plans” for all provinces. At a higher level, the GOA and UN chaired the Joint Coordination Monitoring Board (established in 2006) to implement the Afghanistan Compact (agreed in 2006), including development activities under the I-ANDS.

## **Some Challenges to Development**

During this period, there were considerable challenges to reconstruction and development programs. The possibility of attacks by insurgents after the Taliban and other groups began to extend their operations in the spring of 2005 restricted (or in some cases completely stopped) efforts by various development players. The attacks also added considerable overhead to pay for security and made the actual implementation of projects that much harder. The lack of Afghan capacity in trained development workers and government officials slowed

efforts. Rapid turnover of officers—military, State, USAID (or UN Assistance Mission to Afghanistan [UNAMA]), often deployed on 12-month tours, led to a lack of continuity. Corruption on the part of Afghan government officials (or Afghan citizens’ perceptions of it) hindered project implementation and ensuing public relations benefits.

There was considerable debate—and acrimony—over the “humanitarian space,” roughly defined as the provision of emergency relief, development, and reconstruction assistance to the civilian population. Many NGOs believed, by virtue of experience, neutrality, and mandate, that they should set the terms and strategies for development assistance, but security concerns prevented NGOs from operating in many parts of RC-East during this time. Inevitably, this led to tensions with the military, as it filled a gap in development work that was an important pillar of U.S. strategy (despite the fact that the military often did not want the role). In theory, the UNAMA could help resolve problems and coordinate among players, but in practice its limited numbers on the ground (and lack of funding) reduced its influence; in the field, UNAMA could suggest, but not dictate.

The “metrics” of development and reconstruction—quantifying the number of projects underway or completed—was straightforward for the military, which had systems in place to collect and present this information. Metrics became more complex, however, when they assessed the quality of projects—not only how well was the work done, but how much a project benefited the recipients, and how much it advanced coalition goals, including COIN goals. The difference in metrics in terms of methodology, and goals evaluated between the military, USAID, and other donors added another layer of complexity.

A related challenge was the incompatibility of databases. The U.S. military used one system, USAID another, and the Government of Afghanistan relied on a third. By 2008, the U.S. Embassy



launched an effort to resolve this issue, but merging separate databases was challenging. In some cases, there was no central repository of data previously collected—it resided on hard drives, thumb drives, and servers of units and officers who had long since departed Afghanistan. The mundane problem of different e-mail systems between State, USAID, ISAF, the U.S. military, and the Afghan government made information sharing harder than it needed to be, as did the military's tendency to put much data on the classified SIPRnet system.

Quality assurance also presented challenges, particularly in areas with security problems. While the military could visit projects if convoys were available (given military priorities), it was much more difficult for USAID workers to move around—they often had to rely on military patrols that might or might not go to all the places they needed to visit. Nongovernmental organizations also tended to avoid moving with the military in order to maintain their status as neutral players. Long-term maintenance of projects was also a challenge—with very limited budgets. The Afghan government (particularly at the local level) did not necessarily have the means to maintain large projects such as roads.

## Afghan Perceptions

What did the Afghans in RC-East think about these development efforts? The answer seemed to change over time—in 2004, the mood was one of hope, with the expectation that the international community would bring the resources and capabilities to improve people's lives.<sup>15</sup> By 2008, the overall mood changed, as these expectations were often not met. One factor was that, while Afghans heard of large international donations arriving in Kabul, they often did not see immediate returns—leading them to the conclusion the money was feeding corruption or funding comfortable lifestyles among foreign aid workers in Kabul. This depended on location. Rural areas remained poor, but some towns such as Jalalabad, Khost, and Ghazni saw relative progress, some districts received significant flows of money by local standards, and large road project areas received direct benefits.

Did the assistance projects mesh with what Afghans wanted? In the author's experience, at the local level Afghans themselves sometimes disagreed about what they wanted, with different parts of a

community or different tribes having different priorities. Considerable effort went into prioritizing projects, with coalition officers doing numerous, sometimes repetitive, surveys and shura sessions, which allowed a community to debate and (sometimes) concur on proposed projects. Some requests, such as grid electricity, were difficult to provide in a short time, and basic services—health and education in most areas—required time to build up.

Particularly along the insecure border areas with Pakistan, and increasingly after the insurgency gained momentum in 2005, security was the priority for many Afghans. Beyond that, many Afghans in RC-East, especially in rural areas, lived at a subsistence level. As a result, jobs that augmented income from small-scale farming were the priority. This was a critical COIN issue as well. A strong rationale for creating jobs was to offer young men more than insurgent groups might pay them to carry a gun or set off IEDs. A national survey by the Asia Foundation published in 2008 notes that, after security, the most important issues were economic issues including unemployment (31 percent), high prices (22 percent), poor economy (17 percent), and corruption (14 percent). This study also notes that “The most important local problems relate to lack of basic infrastructure such as electricity (30 percent), water (22 percent), and roads (18 percent)” and that “at an aggregate national level, electricity supply is ranked as the top priority, followed by water supply, roads, health care, and education.”<sup>16</sup>

## Success of COIN Efforts

Although it is very difficult to quantify in any meaningful way, in the author's experience development assistance in RC-East between 2004 and 2008 clearly contributed to improving the lives of many people in eastern Afghanistan, and supported COIN efforts. In a broader sense, it increased tolerance of U.S. forces operating in an area traditionally hostile to outsiders, where the population weighed the direct benefits of U.S. assistance against any perceived need to force the foreigners out. Projects in the earlier part of this period seemed to provide a sense of hope among a population that, after decades of war, was exhausted and probably suffering from a form of communal post-traumatic stress disorder. Among other donors, USAID programs were designed to establish a sustainable economy in

RC-East, and CERP filled some short and medium term gaps. These development programs provided something the insurgents could not match, and were therefore an “asymmetric” advantage. Some jobs programs probably held down poppy production by providing alternative livelihoods, which in turn helped prevent a large-scale narcotics problem that would have made COIN even more complex in RC-East.

Field officers, as well as the current literature, come to a variety of conclusions regarding any positive correlation between development programs and effective COIN. Several U.S. military officers told the author that road projects under CERP had clear, positive COIN effects. The Afghans saw the roads as having direct practical benefits—by providing access to markets and as a source of construction employment, which the insurgents could not match. Roads also showed the provincial Afghan government was functioning and making a positive impact, while making it easier for government officials to reach the population and organize shuras in mountainous terrain. Completed road projects also showed that the international community got results, and was not just making plans

and proposals. Similarly, CERP served the military in “economy of force” situations, where projects provided a presence and an impact in areas where patrols were infrequent due to limited numbers of soldiers.

David Kilcullen, in his excellent study of road building projects during this period in Konar, notes an additional benefit: the road building project “seems to be succeeding because people have used the process of the roads construction, especially the close engagement with district and tribal leaders this entails, as a framework around which to organize a full-spectrum strategy . . . to separate insurgents from the people, win local allies, connect the population to the government, build local governance capacity, modify and improve governance capacity, (and) swing tribes that had supported the insurgency into the government side.”<sup>17</sup> Kilcullen is positive about the COIN effects, noting a “conscious and well-developed strategy that uses the road as a tool, and seizes the opportunity to generate security, economic, governance, and political benefits.”<sup>18</sup> A common saying among military officers was that “security ends where the road ends,” underscoring the importance of these projects for security forces as well.



(U.S. Army, SSGT Isaac A. Graham)

**U.S. Army soldiers from the Kalagush Provincial Reconstruction Team conduct a foot patrol outside Forward Operating Base Kalagush in Nuristan Province, Afghanistan, 12 June 2007.**



Carter Malkasian and Gerald Meyerle make a positive connection between development projects and COIN effects during research carried out in RC-East during 2007 and 2008. They note that “in Khost an aggressive project ‘blitz’ corresponded with fewer attacks and the emergence of a real partnership between tribes and the government. In Konar, road projects in two major river valleys led to a rise in local community political participation and local resistance to insurgent activity. In Ghazni, PRT projects appear to have helped counter rising violence, and the PRTs focus on reducing corruption and improving Afghan public health can be said to have improved governance.”<sup>19</sup>

However, a 2010 Wilton Park conference that brought together military, government officials, and development workers to examine the effectiveness of development on COIN in Afghanistan came to some less positive conclusions.<sup>20</sup> Among other views, the conference concluded that development assistance often provided stabilization benefits at a tactical level, the longer-term strategic benefits were less clear. The conference also noted that “Too much aid money spent quickly with little oversight can be delegitimizing and destabilizing in many ways, including by: fueling corruption; creating destabilizing winner-loser dynamics in ethnically and tribally divided societies; supporting a lucrative war/aid economy that benefits insurgents, corrupt government officials and other malign actors; and creating perverse incentives among key actors to maintain the status quo of insecurity and bad governance.”

Andrew Wilder, in his perceptive 2009 paper, makes a similar argument, saying “despite counterinsurgency doctrine’s heavy reliance on the assumption that aid ‘wins hearts and minds’ not to mention the billions of dollars being spent on it, there is remarkably limited evidence from Afghanistan supporting a link between aid and stability.” Wilder makes the case that “As the conflict has proceeded, Afghans’ perceptions of U.S. and international aid, as well as those who deliver it (be they military forces, the government, aid contractors, or NGOs) have grown overwhelmingly negative.”<sup>21</sup>

Perhaps the best conclusion at this time is that development projects clearly provided tactical benefits for counterinsurgency. Strategic gains may well be mixed, but it will take years for this to be clear. Separately, the infusion of large amounts of assistance

funding almost certainly fueled corruption, and there is a danger of establishing a culture of dependency on foreign assistance as well. It is also worth considering how much these projects will benefit the Afghan government and security forces in the future, as U.S. forces draw down and hand off difficult provinces such as Konar. Will the clear COIN benefits from the construction of roads remain after the eventual handoff to the Afghan government, or will entirely new projects be needed to maintain any counterinsurgency momentum?

## Lessons Learned

- The large infusion of development funds into RC-East supported COIN efforts, provided an asymmetrical advantage that the Taliban and other insurgent groups could not match—projects that improved people’s lives and prospects for their children’s future. It also provided “space” and a degree of acceptance for an international presence among a traditional, suspicious, mostly Pashtun population. Otherwise, the local population would most likely have met this presence—particularly a military presence—with considerably more hostility.

- Given the very low standard of living, particularly in rural areas, small, cheap projects often make a positive impact on people’s lives in the short term. For example, improvements to existing irrigation systems, community projects to pave roads with stones, improvement of market areas, refurbishment or construction of school buildings, or assistance with crop or livestock production often had a very good cost to benefit ratio. While nascent during this period, microcredit schemes had considerable potential.

- In addition to differing cultures, many different “clocks” were in play on development issues during this period. The U.S. military wanted (and at times was able) to move quickly and get results. This reflected a “can-do” culture, tours of less than 15 months (which spurred officers to get projects accomplished in this time period), and the reality that development was a key to COIN—and to saving soldier’s lives. USAID was often more deliberate, using years of experience in what works best in development—while at the same time being more restrained by regulations and oversight relative to CERP. Afghan society, particularly in rural areas, often moved to the slow rhythm of an agricultural, consensus-based society. These three very different

speeds led to considerable friction. The Taliban and other insurgent groups had yet another “clock”—the perception that they could outwait the international community from sanctuaries in Pakistan.

- During the early part of the period from 2004 to 2008, much of the development seemed ad hoc and lacking in overall strategy or goals. By 2008, various larger-scale programs were in place. In addition, the Afghan government did not yet present or implement development strategies systematically. There were disconnects at times between coalition efforts and the national framework, or large-scale international schemes, in part due to lack of communications. The framework of the newly developed ANDS, for example, was not necessarily used as a guideline, and commanders managing large CERP accounts were not always aware of Asian Development Bank or EU projects and the like planned for their areas of operation.

- In RC-East and other parts of Afghanistan during this period, some governors, as well as some in the central government, voiced concerns that provinces with security challenges, particularly active insurgencies, received more aid than relatively stable areas did. Some governors believed that efforts to limit insurgency in their provinces had the unintended result of reduced attention and assistance from the international community.

- By 2007, PRTs received increased CERP funding, in some cases tens of millions of dollars. While each PRT had different capacities, at times this stretched their abilities to identify the best potential projects, carry out project design, get buy-in from the involved communities, and carry out project oversight. This funding surge may have also reduced their ability to do other tasks, as development crowded out efforts such as political or public affairs work. In addition, while the need for development in local communities seemed inexhaustible due to low initial baselines, there may have been limits in the ability to absorb aid in relatively short time spans.

- Afghan society is complex at all levels—national, provincial, and local—and it has direct impacts on development projects. A detailed knowledge of local dynamics was crucial to planning and implementing successful projects. Never simple, this presented coalition officers with endless opportunities for mistakes. For example, not knowing that rivalries between tribes or communities often went

***Perhaps an even more fundamental issue during this period was the imbalance of civilian to military personnel on the ground in RC-East.***

back decades could result in officers inadvertently backing one group over another through project planning and implementation—possibly leading to anti-coalition feelings, and/or failed projects. The risks communities and their leaders sometimes ran in accepting projects was a related complication: insurgents at times targeted those who cooperated with counterinsurgents or the Afghan government.

- A related issue during the period 2004 to 2008 was the rapid rotation of units and officers through Afghanistan. On the ground for only 8 to 15 months, officers were challenged to build up the local knowledge and personal relationships needed for success—then a new group would follow, and begin the process anew. Later in the decade, the United States made an effort to improve the transfer of local and regional knowledge and to rotate the same military units, and civilians, through the same area, both of which showed positive results.

- Perhaps an even more fundamental issue during this period was the imbalance of civilian to military personnel on the ground in RC-East. With each PRT often having only two or three civilians from State, USAID and the Department of Agriculture (and often less in 2004 and 2005), and similar numbers in brigade commands, there were simply not enough civilians to manage development issues, and military officers therefore were pressed into service in these areas. While the military did have civil-military affairs units on the ground, by 2007, they were insufficient to cover the range of activities and the increasing flows of CERP funds. Officers in other specialties at times covered development issues.

- During this period, development projects and programs, particularly CERP, seemed strongly oriented toward infrastructure, with less emphasis on human resources and government institutions. In particular, the development of a larger, more adept civil service cadre was lacking. The lack of progress



was a weakness in the COIN strategy. The rapid rotation of military and civilian officers may have been a factor, in that building a civil service cadre in Afghanistan requires extended effort over many years, it is not something that can be achieved over a short tour of duty.

- The gradual reduction in USAID Foreign Service officers over a number of years had a direct impact on operations along the border. Compared to the number of career officers and programs deployed during the war in Vietnam, USAID badly stretched its resources during this war. At the same time, the lack of multiyear funding was a structural problem with major implications for COIN.

- The sustainability of projects—such as the maintenance of roads—presents serious long-term challenges in Afghanistan. While smaller, low-tech projects that have community buy-in can succeed without much Afghan government support, more complex projects—especially those that require a steady stream of maintenance funds and technological or engineering capabilities—are

challenging. The pressure to get projects completed during relatively short rotations almost certainly hindered sustainability.

- As CERP evolved in Afghanistan, one of its greatest advantages was the devolution of decision making to lower levels. Although oversight was in place for chain of command review of project packets, considerable responsibility went to lieutenants, captains, and majors. These officers often had the best visibility into the needs of communities and knew which projects might have the greatest COIN payoffs.

- Afghanistan has experienced various natural disasters, including earthquakes, floods, and outbreaks of disease. USAID and the military were often able to provide disaster relief, thanks to logistical capabilities, experience, manpower, and ready funding. These efforts often built goodwill among the population. Similarly, band-aid efforts such as “MEDCAPs” and “VETCAPs” that provided immediate medical or veterinary assistance yielded local goodwill.



(U.S. Air Force, SSgt. Joshua T. Jasper)

**A U.S. Army soldier from the Arizona Army National Guard provides site security from the turret of a HMMWV during a canal assessment mission with the Nangarhar Provincial Reconstruction Team, Nangarhar Province, Afghanistan, 10 November 2007.**

- From a long-term perspective, the improvement in the educational system—in terms of quality, quantity, and access—will form the underpinnings of any sustainable democracy. This may be easier than it appears—Afghan parents seemed to put a priority on learning.

- While fundamental to the economic development of RC-East, large-scale projects such as electricity generation and transmission were clearly beyond the scope of PRTs and to some extent USAID efforts. Fortunately, later projects, particularly those bringing electricity from Central Asia, may help resolve this fundamental challenge.

- Afghanistan was a *rentier* state during much of the 20th century, but this may be less of an option given shrinking government budgets in the U.S. and Europe. This will almost certainly result in decreasing assistance budgets for Afghanistan in the future, although China may bolster its involvement in order to increase its access to Afghanistan's considerable mineral wealth.

- One long-term result of the money invested and the projects (and foreign military and civilian presence) is the partial transformation of Pashtun society. Roads that open up previously isolated valleys, the improved education system, and the provision of electricity have changed this part of the world. Commercially driven changes such as the rapid expansion of cell phone coverage have done the same. This rapid change may actually fuel some parts of the insurgency, as a violent reaction to modernization.

- There has been a lively debate, both within governments and in the academic press, over how much international development funds have fueled corruption in the Afghan government, and by extension Afghan society. While this is difficult to quantify, it is hard not to conclude that the large amounts of money, coupled with at times loose oversight, weak legal structures, and a mentality among some Afghans that it is best to grab what is available as insurance against future instability, have caused corruption to expand. Similarly, there are concerns over how much dependency the massive aid flows are causing. Again, it is hard to escape the conclusion that, given Afghan government fiscal realities and cultural tendencies, some degree of dependency has been formed.

- Microeconomics—jobs, affordable necessities such as food, and households' standards of living—are critical to the long-term success of COIN efforts.

If people see their living standards increase (or at least not get worse), they offer more support for the government and accept a foreign presence.

- As a basic tenet of development, mechanisms to hand the maintenance of projects over to the Afghans—government, NGOs, and communities—is of fundamental importance. In the rush to get projects moving in the early part of this period, this sort of planning was not always a priority. In a related issue, community “ownership” of projects was not always optimal. Infrastructure, such as schools or medical clinics, did not fully benefit communities if Afghan staff and administrative support was not yet in place. The centralization of the Afghan state also presented challenges to local ownership of projects, as did the difficulty of doing regional projects that involved multiple provincial governments unaccustomed to working together. The international community found it difficult to manage expectations: many Afghans expected more than the international community could deliver, while at times too many promises were made.

- After decades of war, it was Afghanistan's misfortune that so much money desperately needed for reconstruction and development instead had to go to defray arms, security, and military expenses. These tens of billions of dollars could have instead gone into education, health, and infrastructure. This is a fact for which the Taliban and its backers should be held accountable.

## Epilogue: U.S. Efforts After 2008

Many of the impediments to efficient development in RC-East from 2004 to 2008 have since received high-level attention within the U.S. government, with various positive results. As a 2011 Senate staff report concludes, “The U.S. effort (in Afghanistan) began in earnest in 2009, when the administration and Congress recognized the need for properly resourcing the civilian effort.”<sup>22</sup> The establishment within the State Department of the office of the Special Representative for Afghanistan and Pakistan under Ambassador Richard Holbrooke provided a single office where officers from various bureaus and agencies could exchange information and coordinate efforts. Holbrooke also headed a “civilian surge” that brought hundreds of additional officers into Afghanistan, both in the Embassy and in field positions, pushed for improved coordination of development efforts



along the Afghanistan-Pakistan border, and saw the need for more assistance in agriculture, given the large number of Afghans who make a living through crops and livestock. The U.S. review of the Afghanistan strategy during the last months of 2009 also provided more direction to the overall effort.

The Afghan government has gradually increased its development capacity, as ministries expanded their staffing, put internal controls in place so that more funds could be provided directly to ministries for projects, and gained experience in project management and interagency coordination.

The U.S. embassy in Kabul created new positions to improve development efforts, including an ambassador-level development coordinator (the Coordinating Director for Development and Economic Affairs). An RC-East civilian coordinator position was established in Bagram, and filled by a senior civil service officer, while civilian staffing at PRTs and brigade commands were significantly increased. The size of staffs grew at the district level, supported by programs such as the District Delivery Program, with USAID funds reoriented to support projects and local governance at this level, particularly in “key terrain districts.” In 2010, USAID launched the “Accountable Assistance for Afghanistan” program to increase controls over its funding. During the same year, the U.S. military published a “Counterinsurgency Contracting Guidance” and established Task Force 2010 to address issues with contracting, so that “coalition forces have been doing a much better job of channeling assistance and construction dollars

into the right hands.”<sup>23</sup> NATO allies, particularly the Poles in Ghazni and the French in Kapisa, provided significant numbers of troops, while Turkey and the Czech Republic became involved in civilian efforts through their PRTs in Wardak and Logar Provinces, respectively.

Given the long border with Pakistan, and the difficulty of controlling the flow of people and contraband across it, what happens in Pakistan has considerable influence in the Afghan border provinces. The establishment of “border coordinators” at the U.S. Embassies in Kabul and Islamabad helped coordinate development efforts, lacking at times in previous years. The decision to provide several billions of dollars of additional assistance to Pakistan could also benefit Afghanistan’s border areas. Importantly, the counterinsurgency offensives of the Pakistani military in Swat, Mohmand, Bajaur, and South Waziristan—all of which border Afghanistan—could improve security enough that development efforts in Afghanistan are more effective.

The United States deployed a cadre of talented, dedicated military and civilian officers to RC-East between 2004 and 2008, who had a considerable positive impact, despite risk and hardships. Given the very low human development index baseline of 2001, the difficulty of reconstructing a nation in the middle of an active insurgency, and the challenges of getting programs and projects “right,” the international community will need to be involved in Afghanistan for years, and probably decades. **MR**

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# Operational Contract Support

## Five Things Every Field Grade Officer Should Know

Lieutenant Colonel William C. Latham, Jr., U.S. Army, Retired

**T**HE UNITED STATES ARMY cannot fight without contractors. On any given day, it has too many tasks and not enough troops. Those tasks come from various sources, including the White House, Congress, the joint staff, geographical combatant commanders, and an avalanche of plans, strategic commitments, and contingency requirements. While this mission load is not new, the Army and its sister services have increasingly relied on contractors to fill the gaps.

This reliance has become especially dramatic in combat zones, where contractors now provide American forces with everything from security, custodial, and food services to gravel, timber, and office supplies. In Afghanistan's Logar Province, for example, one brigade combat team and its attached units rely on 154 contracting officer representatives (CORs) to manage over 300 service and supply contracts in support of American and Afghan forces. In addition, project purchasing officers within the brigade administer several dozen projects under the Commander's Emergency Response Program (CERP).<sup>1</sup>

Peter Singer of the Brookings Institute has described the Pentagon's increasing reliance on contractors as an "addiction."<sup>2</sup> Indeed, contractors now outnumber soldiers in harm's way. As of December 2011, more than 100,000 Department of Defense contractors support U.S. military operations throughout Afghanistan, compared with 94,000 American troops.<sup>3</sup> That the United States or its allies could continue their military efforts without the support of these contractors is hard to imagine, but the scope and expense of these contracts have attracted widespread scrutiny and fierce criticism in Congress and the media.<sup>4</sup>

This criticism has little impact on the tactical Army. In Afghanistan, field grade officers with little or no acquisition-related training routinely navigate myriad regulations and restrictions governing their use of available contract support. The Defense Acquisition University provides a number of online courses in acquisition, and the Army Logistics University offers a two-week

William C. Latham, Jr., teaches sustainment, force management, and operational contracting support at the U.S. Army Command and General Staff College, Fort Leavenworth, KS.

PHOTO: U.S. Army CPT Jyan Bevalian, left, a Nuristan Provincial Reconstruction Team civil affairs officer, and Jalal Nuristani, right, a contractor with the U.S. Department of State, give a copy of *Voice of Freedom* newspaper to Fazol Rahim, a village baker, in Nurgaram, Nuristan Province, Afghanistan, 29 November 2010. (U.S. Air Force, CMSgt Richard Simonsen)

resident course on Operational Contract Support for nonacquisition personnel. Nevertheless, most commanders and staff officers receive little or no preparation for planning or managing this capability, aside from previous experience and word of mouth.

While the process of preparing, justifying, and managing contract support may be frustrating and time consuming, the following guidelines can make that process significantly less painful.

**The planning and management of operational contract support is a command responsibility.** In Afghanistan, commanders drive contract requirements. Done well, these “requirements packages” can take a great deal of time, effort, and attention to detail to prepare, submit, and execute. Once awarded, these contracts support our counterinsurgency effort by generating stability, employment, economic growth, and good will within local communities. Done poorly, these actions get rejected by higher headquarters, forcing staff officers to spend even more time and energy. Or they get approved and awarded without adequate review, wasting money on ill-defined projects or worse, indirectly funding criminal activities or enemy forces.<sup>5</sup>

**Stay in your lane.** Title 10 of the U.S. Code gives military commanders broad responsibility and authority for the training, discipline, and welfare of their assigned military subordinates. However, this command authority does not extend to contract employees. Those personnel provide goods and services under a contract with the U.S. government, and only a warranted contracting officer may initiate, modify, or terminate that contract.<sup>6</sup> Commanders may not modify the conditions of an existing contract, and those who do risk incurring an “unauthorized commitment,” which can lead to financial penalties and even criminal charges. This is not to say that commanders have to endure unsatisfactory results from the vendors

supporting their mission. They have several alternatives, which brings us to our next guideline.

**Nominate the right people as CORs.** Yes, being a COR is an additional duty, and there are only so many good people in an organization. Still, a unit’s effectiveness may well depend on the effectiveness of its contract support. The right people are those officers and noncommissioned officers (NCOs) with the ability and subject matter expertise to fulfill their obligations in managing the contract. Company commanders, first sergeants, and primary staff may be too busy, and brand new officers and NCOs may lack the necessary maturity or judgment. Nominees need the mandatory training (depending on theater guidance), valid appointment orders from the appropriate contracting officer, and a copy of the actual contract (which they should read). A background in civil engineering, construction, or generator maintenance is a bonus. These same guidelines apply to the project purchasing officers (PPOs) managing your unit’s CERP projects.<sup>7</sup>

**Get the requirements package right.** Poorly defined requirements lead to poorly written contracts. These give vendors too much discretion to deliver substandard goods and services that waste money and can lead to mission failure. Specific language, enforceable standards, accurate illustrations, and valid cost estimates avoid these problems. Your local contracting officers can help by sharing examples of what has worked in the past, highlighting the required ingredients for your requirement package, and synchronizing operational and contracting timelines. They won’t do the work for you, nor should they. Nobody knows your contract requirements better than you do. If you can’t explain your requirements, good luck justifying them to your boss.<sup>8</sup>

**Plan ahead.** If your unit is deploying next year, it will need CORs and PPOs. Identify and train them.<sup>9</sup> If you are replacing another unit,

***Commanders may not modify the conditions of an existing contract, and those who do risk incurring an “unauthorized commitment,” which can lead to financial penalties and even criminal charges.***



you will probably inherit their contracts. Identify these existing and pending contracts during your predeployment site survey, especially any contracts that will expire or need extensions prior to your arrival. If the next phase of your operation requires base life support, helicopter landing areas, local reconstruction projects, or some other type of contract support, start developing those requirement packages now. Acquisition review boards generally have more requirements than funds, and the priority of your requirement depends on its validity, urgency, and cost. The sooner you start identifying these, the better your chances of timely approval.<sup>10</sup>

## Help is Available

In an effort to better educate leaders on the basics of operational contract support, the Army has developed a series of manuals, training aids, and web-based tools. Most of these are

available at the following website, hosted by the Assistant Secretary of the Army for Acquisition, Logistics, and Technology: <https://www.us.army.mil/suite/page/659589>. ATTP 4-10, *Operational Contract Support*, provides doctrinal guidance, and the recently updated Army Regulation 715-9, *Operational Contract Support Planning and Management*, contains the latest regulatory guidance on this topic.<sup>11</sup>

The Army's heavy reliance on contractors represents a significant change in the American way of war. The next deployment will probably depend on field grade officers to anticipate, define, coordinate, and manage contract requirements. Moreover, these requirements will probably generate more than their fair share of headaches. However, with patience and common sense, the Army will use contract support to accomplish the next mission and win the next war. **MR**

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# ANA Logistics System Getting to Afghan Right

Lieutenant Colonel Steven Valeski, U.S. Army Reserve

*“But when you leave, we are going back to the way we used to do it.”*

- Anonymous Afghan officer

**I**N MID-2010, I was assigned as the senior advisor for the Afghan National Army (ANA) General Staff G4 (GSG4/Chief of Logistics). During the handover period with the advisor I was replacing, the GSG4 and the previous advisor and I were discussing a new process for managing a logistics function. After going round and round with us, the GSG4 finally said, “Okay, we will do what the coalition wants, but when you leave, we are going back to the way we used to do it.” In later discussions with some of his staff, they echoed similar sentiments about how they used to do things in the Afghan Army.

As I continued my advisory duties, I kept wondering if the system we were developing was really the best thing for the ANA. My previous training devoted a fair amount of time to understanding the culture as well as the mechanisms of the ANA logistics systems. But as I saw the way it really was, and not just the way it was written in their doctrine, it became clear that we were having a difficult time getting to a system that was right for the Afghan National Army. I wanted to answer the question, “How do we build an ANA logistics system?” not just the question, “What system do we build?” To generalize beyond logistics, the real question became “What process should we use to advise the ANA in creating a large, functional army?”

## Understanding the Environment

Every operation order starts with a situation paragraph to explain as accurately as possible the environment the mission will be operating in. In Afghanistan, the realities are stark and somewhat discouraging. The history of Afghanistan is well known; when U.S. and Allied forces entered in 2001, after 25 years of war, Afghanistan was a land almost without hope. Even

Lieutenant Colonel Steven Valeski is an Army Reserve officer from Las Vegas, NV, who deployed to Afghanistan in August 2010 with the 650th Regional Support Group. He was assigned to the Afghan National Army Development directorate of the NATO Training Mission-Afghanistan/ Combined Security Transition Command-Afghanistan to advise the Afghan National Army GSG4. He holds a B.S. from the University of California.

PHOTO: PO2 Ramon Nieves, left, from Naval Air Station Patuxent River, MD, loads a weapons crate with help from Afghan National Policemen and a fellow adviser at an ANP Regional Logistics Center located in Mazar-e-Sharif, Afghanistan.

seven years later, when the surge of forces began and the NATO Training Mission Afghanistan became operational, the challenges were and are immense.

It became apparent that the army we were building was composed almost entirely of illiterate young men. Few had ever been exposed to computers, and while cell phones were quite common, other forms of modern communications (fax, email) were very limited. The officer corps of the ANA consisted of some well-trained (under the Soviet system), higher-ranking officers and a small number of junior officers who had been trained by the U.S. and the coalition. The vast majority of middle-level officers were newly appointed (many from patronage), undereducated, with little or no formal military background. Many were former mujahedeen or Northern Alliance fighters. While competent fighters, they weren't necessarily good soldiers in the modern sense, or good logisticians.

Afghanistan has always been a poor nation. The last 25 years have ensured that Afghanistan remained at the bottom of all the key indicators of prosperity and health. As such, Afghans have

had to keep a mentality of scarcity and hoarding as a survival tactic. Even with the generous contributions of the coalition, they know that the good times could end at any time. This affects how they see their logistics system.

In conjunction with the hoarding mentality, the culture of corruption and distrust runs deep through Afghan society. A common theme heard from advisors is that everyone in the ANA, except the principle they are advising, is corrupt and untrustworthy. Their actions, in our eyes, are corrupt. But in the eyes of the Afghans, all the support that we are giving them is a gift. And gifts are shared with your "tribe." So who does it really harm if you keep a little something on the side for yourself?

While I am not sure we can really characterize Afghans as lazy, they are more than happy to let us do things for them. Advisors have come to calling that "pushing the easy button," and it is one of the key things we look out for and try to avoid. Sometimes the operational imperatives require us to act for the Afghans; however, in the context of building a national army, the more we do, the more counterproductive we are.



U.S. Air Force, Senior Airman Brian Ybarbo

**LTG William B. Caldwell, IV, commanding general of NATO Training Mission-Afghanistan, shakes hands with members of the Afghan National Army during a visit with the Logistics Embedded Training Team, Kabul, Afghanistan, 30 November 2010.**



In the November-December 2010 issue of *Military Review*, Major David H. Park wrote in his article “Identifying the Center of Gravity of Afghan Mentoring” that the ANA is a top-down, leader-centric, consensus-seeking organization. Using that as a lens to help view the Afghans, the actions of the ANA begin to make more sense. I could see why staffers did not want to make decisions or show initiative, and why multiple signatures were needed to accomplish even the simplest task. They waited to be told what to do. In open conversation they would share what needed to be done, but no one would ever point a finger at someone and say he needed to do it. You could get an officer to agree that he should do something, but he would counter with, “If my boss wants me to do it, he will come tell me.”

When the ANA was being developed, the leadership at the time, both coalition and Afghan, envisioned it as being only a 70,000-man force. By the middle of 2011, the force was over 160,000 and growing towards 192,000. Political and security imperatives demanded that the initial focus of the ANA should be to field combat forces (infantry battalions). Now, as deadlines for transition away from coalition to Afghan National Security Forces loom, we have to go back and build the foundation under this house. That foundation consists of schools, logistics, doctrine, organization, and infrastructure to support a growing force.

### **“Right” Versus “Afghan Good Enough” Versus “Afghan Right”**

So that brings us to what is the right way to build an army. We can break down the concept into three major methods. There is the right way. This would be the way a well-trained, disciplined, educated, professional army (like a Western army) would do things. There is what we called “Afghan good enough,” a short-term solution that gets the job done. As Park pointed out, this could be summed up by paraphrasing T.E. Lawrence:

*“Better the Afghans do it tolerably than that we do it perfectly. It is their war, and we are to help them, not to win it for them.”*

In May 2011, Nato Training Mission Afghanistan instructed us to stop using “Afghan good enough” and switch to “Afghan right.” At first I thought this was another case of political correctness, but

***“Afghan right” meant enduring solutions developed and adopted by the Afghans, with coalition guidance. These had to be solutions that would last long after we left.***

as I thought more about it, I realized there was a significant difference. This wasn’t supposed to be just a change in verbiage, but a change in meaning. “Afghan right” meant enduring solutions developed and adopted by the Afghans, with coalition guidance. These had to be solutions that would last long after we left.

So the question becomes, how do we get to “Afghan right”? The answer is contained in the concept of cultural currents. Every society has its own cultural norms and practices. As a Western culture, coalition forces have a different military culture, one that has been preeminent across the globe for several hundred years. As much as we would like to, we are not going to change the entire Afghan culture to mirror ours in the few years we will be extensively involved in Afghanistan. We have to find a way to make their culture work for us. We may be able to make some small changes that, over many years and several generations, will add up to a big change in the end. But we have to get past the current threats, and create a stable, effective military, while the political will remains.

Getting to “Afghan right” is a difficult process. It requires much day-to-day interaction with Afghans, working through language and context barriers to openly and honestly discuss the issues. It means involving them early in the process of change and giving them the chance to share their ideas and insights. It is, after all, their culture and their country, and they understand it best. And it requires accepting their longer timelines, which tend to be well outside of our own.

In my short tenure as an advisor, I did see a shift developing towards this method. However, I saw some glaring examples of the coalition operating in a cultural vacuum. Someone would identify a problem and propose a solution. Staffs would analyze and adjust the ideas, developing an answer



**PO2 Ramon Nieves, right, from Naval Air Station Patuxent River, MD, watches an Afghan National policeman fill out weapons paperwork at an ANP Regional Logistics Center located in Mazar-e-Sharif, Afghanistan. Nieves is part of a NATO Training Mission-Afghanistan embedded training team developing a police battalion manning the logistics center and supporting policing operations in provinces throughout northern Afghanistan.**

that was most likely based on how we would do it in our Western armies. The solution would be taken to the coalition leadership for approval and implementation. Only then would the ANA be brought into the process, and told this was the right answer to their problem. They would have the opportunity to provide input, but often, it was more about convincing them the solution was correct, rather than guiding them to an appropriate solution for their cultural realities.

### **Logistics Example**

To return to the world of logistics, let me finish by giving an example of a system we imposed on the ANA and briefly analyzing how it went with or against the cultural currents. Historically, logistics has been done through a “push” system. In more modern times, technology and organization has allowed a “pull” system to develop. As logistics

development began in earnest in Afghanistan, the fundamental logistics doctrine the ANA was going to use had to be determined and codified.

Push logistics is a top-down, centrally controlled system based on relatively fixed rations being distributed through a time-based, predictable resupply system. Essentially, the logistics system is telling units, here is what you get, and make it last till the next resupply date. The shortcoming of the push system is that inevitably either too much or too few supplies are sent to any given unit.

Pull logistics is the opposite. It is based on bottom-up requests and the variable needs of the units. It requires a logistics system that communicates well and responds quickly. Pull logistics is more complicated and requires more coordination and integration but, when done correctly, is more efficient and effective, delivering the right supplies to the right place at the right time.

Four to five years ago, contractors were hired to begin writing the ANA logistics doctrine. Most of the contractors were retired or former military logisticians, so they turned to the doctrine they knew best, the NATO-style pull system. They created a system that depended on units requesting supplies, and the request moving up the chain of support to the first level that could fill it. What was not written into the doctrine was how to allocate supplies. The system is not based on monetary constraints, so units don't get budgets; they get allocations. Essentially, units are limited to a certain quantity of any given commodity.

As the doctrine was being implemented in the real world, this purely pull system began to morph into a hybrid system. If an allocation hadn't been set for a unit, the national level depot refused the item until one was established. Furthermore, some items could not be ordered at all but had to be pushed from the top down. These were primarily "shoot-move-communicate" major end-items being issued during initial unit fielding. These items were controlled by the coalition, but required a fielding plan from the ANA GSG4, before the central depots would issue the items.

What we created was a system that depended on literate, conscientious workers to process requests up a chain of command, requiring many layers of approval, that takes several weeks to reach the supply depots, and then more time to stage and ship items that, in many cases, were of a predetermined quantity anyway. We then further complicated the system and confused the ANA by saying certain items could only be pushed. And for items that were to be pulled, a centralized authority would establish the allocation.

### Cultural Analysis of System

So did this hybrid system go with or against the cultural currents of Afghanistan? Let's briefly look at several areas to see the results.

**Literacy.** Because Afghanistan is a nation of less than 10 percent literacy, filling out all these request forms was limited to a very small number of logistics personnel. Because every item had to be requested on these forms, the number of forms being sent up the chain for approval saturated a system that was still immature. Forms were often either rejected because they were filled out incorrectly or lost in the paperwork shuffle as they wound through a half-dozen or more offices.

**Centralized control.** Request generation is decentralized, but approval often had to go all the way to the top. Logisticians were not empowered (trusted) to establish or adjust allocations at anything but the highest level. The GSG4, the Chief of the General Staff, and even the Minister of Defense himself would have to sign authorization documents. Also, units started going around the system straight to the Chief of the General Staff to get approval for requests, because they felt that would ensure or speed up the delivery of goods.

**Consensus Seeking.** No one trusts units to order only what they need, so they require (by decree or by practice) multiple signatures (up to a dozen sometimes) to get approval for supplies. The doctrine does not require that many signatures, but a tradition of shared responsibility and the belief that more signatures equate to more authority created a perception that they were needed. Even people who were not in the chain of command or support, such as advisors, were asked to sign the forms.

**Scarcity.** Depot commanders grade themselves on how full their warehouses are. They don't want to let things go unless they have to. It is very easy for them to ignore or refuse a request for supplies



Afghan National Army (ANA) soldiers salute the national ensign of Afghanistan during a graduation ceremony at Pole Charkhi, Kabul, Afghanistan, 20 April 2011. The soldiers are assigned to the 215th Corps Logistics Battalion, Embedded Partnering Team. (U.S. Marine Corps, LCpl Robert R. Carrasco)



because they claim it is not authorized or the request was improperly filled out.

**Communications.** The ANA does not generally accept signatures on documents that are not originals, so fax or email requests, even when available, are not often used. This requires units to hand carry request forms between the various approving authorities and on to the depots in hopes of having them filled.

**Afghan input and approval.** While I can't say for sure how much involvement the ANA leadership had in developing the decrees and policies, I suspect that the contractors charged with writing the doctrine did so in an ANA vacuum. They looked at the U.S. system (especially the older system before we computerized many of our processes and forms) and built an almost mirror image. The first GSG4 I worked with, who had been in the position for over six years, didn't agree with much of it, preferring to revert to the way they used to do it during the Soviet and pre-Soviet era. One of his key staffers once commented to me that if units sent in their reports accurately, they would never have to request supplies, because the national level would just push down what was needed. The new GSG4 was involved in the writing of other logistics doctrine and so came to see the benefits of a distributed system. He is now struggling to implement it throughout the ANA.

**Professionalism and empowerment.** In 2010-2011, the ANA completed the stand-up of their various branch schools and are starting to produce a new generation of professional logisticians. Until they are well entrenched throughout the ANA, the shortage of professional logisticians who conscientiously do their work will continue to mean that the odds of a request actually being filled is probably less than 20 percent, based on data received from advisors who have tracked them.

## Afghan Right?

Is the pull system as written in the ANA doctrine the right system? In the eyes of the Western advisors who have designed it, the answer is yes. Pull logistics, often with just-in-time delivery, has proven to be efficient in Western armies by reducing wasted supplies, reducing shipping requirements, and ensuring items are available when needed. In the long term, perhaps it will become effective in Afghanistan too. It may be the best system but not in the context of the current Afghan culture and technology.

Is it "Afghan good enough"? At the moment, it's not. The system cannot adequately respond to the logistics needs of the ANA, and requires continued, extensive support from coalition forces.

Is it "Afghan right"? Not yet, but they are making changes to the concept to make it work for them. Their tendency is to revert to centrally controlled distribution. As the coalition continues to transition functions to the ANA, I believe they will return to increasingly top-down rationed allocation of goods and materiel. The reality of a poor nation with limited budgets requires very careful allocation of resources. Units will have to learn to make what they are issued last until their next resupply comes along. If they know that each month or each quarter their ration will arrive, they can adjust. However, they cannot adjust to submitting a request, only to have it disappear into the bureaucracy of the logistics labyrinth, and have no idea whether it will ever be acted upon or when they might receive their supplies. Some things cannot be pushed because it is not possible to anticipate the requirements. But for those things that can, pushing the supplies will improve delivery time and rates, control expenditures, and provide predictability. Moreover, it will free up personnel and management resources to process, order, track, and deliver the items that must be pulled.

## The Future

While I would not be so bold as to advocate a total rewrite of the Afghan logistics doctrine to a push system, I do believe it will continue to move in that direction because of natural Afghan tendencies. The practicalities of where we are today and the timelines we are working under do not give us the ability to make sufficient changes in the military culture that will allow a true pull system to work.

While the above discussion focuses on logistics, I think we, the coalition, must analyze our actions in all areas in which we work within the current Afghan culture. As we continue to develop ANA systems, we have to keep them simple enough that a military facing so many challenges can make them work, not only while advisors and contractors are right there helping them but also when we leave and the Afghans have to do it all by themselves. The solutions to which we guide them must be sustainable for Afghans and by Afghans. **MR**



# Strategic Thinking in an Era of Persistent Conflict

**Colonel Chadwick Clark, Ed.D., U.S. Army, and  
Lieutenant Colonel Richard L. Kiper, Ph.D., U.S. Army, Retired**

Colonel Chadwick Clark is the director of the Irregular Warfare Fusion Cell at Fort Leavenworth, KS. He holds a B.A. in physics from Wake Forest University, an M.B.A. from Benedictine College, an MMAS from the School for Advanced Military Studies, and an Ed.D. from Kansas State University. He served in the 7th, 2nd, and 24th Infantry Divisions, the 1st Special Forces Group, and Joint Special Operations Command.

Richard L. Kiper is an analyst for the Army Counterinsurgency Center at Fort Leavenworth, KS. He holds a B.S. from the U.S. Military Academy and a Ph.D. in history from the University of Kansas. He served with the 509th Infantry Regiment (Airborne), the 199th Light Infantry Brigade, and the 5th Special Forces Group in Vietnam. He has taught history at USMA and the U.S. Army Command and General Staff College.

PHOTO: U.S. Marine Corps SGT Frank Denault, right, a squad leader with 2nd Platoon, Lima Company, 3rd Battalion, 5th Marine Regiment, Regimental Combat Team 8, exchanges greetings with an Afghan man during a cordon and search operation in Sangin District, Helmand Province, Afghanistan, 18 February 2011. (U.S. Marine Corps, LCpl Dexter S. Saulisbury)

**I**N SPEECHES IN September and October 2007, Army Chief of Staff General George Casey coined the phrase “era of persistent conflict,” by which he meant “a period of protracted confrontation among states, nonstates, and individual actors, who are increasingly willing to use violence to achieve their political and ideological ends.”<sup>1</sup> Among the instigators of persistent conflict are believers in extremist ideologies that contradict our core values and our concept of civilization and 1,100 terrorist organizations seeking to take advantage of failed and failing states.<sup>2</sup>

Although General Casey coined his phrase four years ago, the concerns he raised still resonate. They have spawned a cottage industry whose business it is to debate the future role and structure of the U.S. military, to include the circumstances under which the United States should employ its military and civilian instruments of power in an era of persistent conflict and the capacity of U.S. government agencies to be relevant in war zones.

During the Cold War, threats themselves drove U.S. military plans and structure. However, these days, as U.S. strategists survey the changed landscape since the fall of the Soviet Union, the events following 9/11, and the developing situation across the Atlantic, an admonition from Peter Drucker seems most apropos: “The greatest danger in times of turbulence is not the turbulence; it is to act with yesterday’s logic.”<sup>3</sup> Although Drucker was not referring to insurgency in Afghanistan, irregular threats off the coast of Africa, or hybrid threats in the jungles of South America, he aptly described a limiting factor on the U.S. ability to operate effectively in these environments, namely, the limitations imposed by intellectual constraints. There is little debate that we live in turbulent times, but we wonder if the old rules still apply or if the emergence of a new paradigm has changed the rules for dealing with turbulence in political, economic, and military affairs, and counterinsurgency.

This article looks at the trajectory of counterinsurgency thinking in the first decade of the new millennium, questions whether we are applying yesterday's logic or developing a new paradigm, and offers a few thoughts about the future. We base our observations on our service at the Army Irregular Warfare Fusion Cell and the Counterinsurgency Center, where we engaged with theorists, educators, and military, civilian, and nongovernmental practitioners from many countries, departments, agencies, and organizations.

One blogger has proposed replacing General Casey's phrase "era of persistent conflict" with the phrase "era of persistent engagement" (first used by General James Mattis in a 2009 speech). The blogger wonders if the word "conflict" is "too kinetic" and asks if "engagement" better reflects advise and assist missions, which he believes are more consistent with the "complex mix of military/counterinsurgency/humanitarian/capacity building operations," which the United States will likely perform in the future.<sup>4</sup>

This "complex mix" is the subject of increasing debate within the military (and elsewhere). The debate has crystallized around two themes. One is whether, as Colonel Gian Gentile has proposed, "the American Army. . . [is] so consumed with counterinsurgency tactics that COIN tactics and operations have now eclipsed strategy."<sup>5</sup> (Strategy means "a prudent idea or set of ideas for employing the instruments of national power in a synchronized and integrated fashion to achieve theater, national, and/or multinational objectives," or as Gentile defines it, a "choice, options, and the wisest use of resources in war to achieve policy objectives.")<sup>6</sup> Gentile argues that the U.S. Army's population-centric tactics in Afghanistan and Iraq became a strategy that precluded "America's Army from thinking in other more limited ways for dealing with instability and insurgencies."<sup>7</sup>

The question is whether anyone in the military or government is thinking about a better way. To paraphrase one speaker at a recent irregular warfare

***One blogger has proposed replacing General Casey's phrase "era of persistent conflict" with the phrase "era of persistent engagement."***

symposium, it is false to assume that tactics solve the problem of strategy.<sup>8</sup> Is the United States truly willing to "pay any price, bear any burden"?<sup>9</sup> Or will policy always constrain strategy? For example, the military once believed that a strategy that required stabilizing Iraq would require "something on the order of several hundred thousand soldiers."<sup>10</sup> However, U.S. government policy demanded far fewer soldiers. Whether U.S. policy to redeploy 33,000 from Afghanistan by summer of 2012 comports with conditions on the ground or the advice of military commanders was a topic of great discussion when announced.<sup>11</sup>

A component of that "tactics versus strategy" theme, one that retired Colonel Douglas Macgregor also propounded, is that COIN and nation building should not be core missions of the military. To Macgregor, the military has strayed far afield from its purpose of protecting the nation and countering conventional threats. Macgregor openly questions whether the Army could "perform if we suddenly had to fight against someone with real capability. I don't think we would fare very well."<sup>12</sup>

Mattis has also expressed concern about the future focus of the military. In the 2008 *Joint Operating Environment*, he writes, "Competition and conflict among conventional powers will continue to be the primary strategic and operational concern over the next 25 years." Although Mattis acknowledges that there will be "an undeniable diffusion of power to unconventional, non-state, or trans-state actors," he focuses on these actors as terrorist organizations rather than insurgent movements.<sup>13</sup>

On the other side are Peter Mansoor and John Nagl. The former worries that "our senior leaders [will] allow our newly developed counterinsurgency capabilities to lapse."<sup>14</sup> The latter contends that the Army must "get better at building societies" and develop "the intellectual tools necessary to foster host nation political and economic development," rather than further a warrior mentality.<sup>15</sup>

Inherent in that swirling debate is a question: on which foreseeable threats should we base our national military strategy? What does future conflict or engagement look like? The August 2010 *Army Operating Concept* states unequivocally that "violent extremism remains the most likely threat to U.S. interests," yet acknowledges that the most dangerous threat is from "a nation state possessing conventional and WMD [weapons of mass destruc-



tion] capabilities with intent to use them against U.S. interests. . . .” Enemies that the United States might face include “terrorist groups [and] insurgents . . . that will likely focus on irregular warfare operations [and] terrorism.”<sup>16</sup> The question underlying the positions of Mansoor and Nagl, as well as the *Army Operating Concept*, is whether the U.S. military should be in the nation-building business.

As an answer, the 2010 *Quadrennial Defense Review* (QDR) proclaims that the military must “succeed in counterinsurgency, stability, and counterterrorism operations,” and “maintain a broad portfolio of military capabilities with maximum versatility across the widest possible spectrum of conflict.” Nevertheless, the Department of Defense “will continue to place special emphasis on stability operations, counterinsurgency, and the building of partner capacity skill sets.”<sup>17</sup>

Current chairman of the Joint Chiefs of Staff General Martin Dempsey weighed in on the discussion during a speech on 24 February 2011. Before the Association of the United States Army, Dempsey framed the debate with a question: “Are you going to

be capable of counterinsurgency or major combat? You know, this isn’t ‘Jeopardy’ where you get to pick one from column A and one from column B.”<sup>18</sup> The military will have no choice—a condition clearly stated in the 2010 *National Security Strategy*: “We will continue to rebalance our military capabilities to excel at counterterrorism, counterinsurgency, stability operations, and meeting increasingly sophisticated security threats, while ensuring our force is ready to address the full range of military operations.”<sup>19</sup>

Writing in *Joint Force Quarterly*, former Secretary of Defense Gates minimized the risk entailed by attempting to tackle all of the tasks specified in the National Security Strategy: “It is true that the United States would be hard pressed to fight a major conventional ground war elsewhere on short notice, but where on earth would we do that?”<sup>20</sup>

These statements mean that the U.S. military must maintain the ability to defeat insurgencies, restore or create stable governments, kill terrorists, and build armies, all the while also remaining capable of destroying conventional military forces. Moreover, the reality is that we must build, rebuild, or maintain



(U.S. Army, SGT Angelica Golindano)

**GEN Martin Dempsey, center left, as commanding general of the Army Training and Doctrine Command, meets with observer controllers at the National Training Center at Fort Irwin, CA, 23 September 2010.**

these capabilities in the face of troop reductions and certain budget cuts. If the military is to succeed at the task of defeating an insurgency while also training for all of the other tasks, the U.S. government as a whole must get beyond a focus on COIN tactics. The focus must shift to the strategic aspects of COIN.

The requirement for the military is to fight, counter, or build wherever the politicians tell us to fight, counter, or build. However, the military will have to do that within the policy constraints imposed by those same political leaders. Policy will guide military strategy and constrain the means available to achieve the policy ends.

## Strategic Thinking and COIN

The 2009 *Capstone Concept for Joint Operations* clearly outlined expectations for the use of the military as an instrument of national policy: “The preeminent requirement of all joint operations . . . is that they help to create or maintain the conditions sought by [national] policy. Joint forces must provide political leaders a much wider range of competencies than just dominance in combat.” To achieve the policy goals, the military must be prepared, the concept adds, to conduct relief and reconstruction operations as well as the tasks defined in the QDR.<sup>21</sup>

Does the military today focus on nation building rather than fighting (as Gentile claims)? Or should the Army “devalue irregular warfare adaptations needed on the battlefield today in favor of other capabilities that might be useful in a hypothetical conflict later?”<sup>22</sup> Chairman of the Joint Chiefs of Staff Mike Mullen settles those questions by writing that the military must maintain a “capacity for irregular warfare without compromising our conventional and nuclear superiority.” This leads us to ask how commanders are to prepare for every eventuality without an apparent priority.<sup>23</sup>

The *Army Operating Concept* dismisses questions of priority by blithely stating “to succeed in the future operational environment, Army forces must be able to conduct full-spectrum operations. . . .” Such operations include the recent concepts of combined arms maneuver and wide area security. To perform the latter, the Army must “protect forces, populations, infrastructures, and activities, predominantly in protracted counterinsurgency, relief, and reconstruction efforts, and sustained engagement focused on the development of partner capabilities.” Within

**...the Army must be able to fight on a conventional battlefield while also countering insurgents and simultaneously reconstructing the host nation and training its military and police.**

that framework, a key mission will be to “succeed in counterinsurgency, stability operations, and counterterrorism operations.”<sup>24</sup> In other words, the Army must be able to fight on a conventional battlefield while also countering insurgents and simultaneously reconstructing the host nation and training its military and police.

If the U.S. government did not understand this before 9/11, surely it understands now that counterinsurgency is complex, and requires a comprehensive approach to defeat an insurgency. This approach includes a military that can defeat insurgents and establish security, but in an era of persistent conflict, civilian agencies must play the greater role. These agencies must shoulder the burden of combating corruption, establishing government legitimacy, strengthening the economy, creating a police and judiciary that are responsive to the people and to the law, identifying and addressing grievances, and establishing an education system to provide the people the tools they need to better their lives.

The strategic considerations embodied in the *Army Operating Concept* are clear: “The establishment of political order and economic stability are not only part of war, but are the logical outcomes as conflict often results in a change of government for the defeated. While other government agencies contribute in a variety of ways to national security, the Army is frequently the only agency capable of accomplishing reconstruction in the midst and aftermath of combat. To this end, the Army identifies soldiers and leaders within the active Army and the the Army’s reserve components who possess unique skills, training, and experiences that could assist commanders until conditions permit other agencies to contribute.”<sup>25</sup>

The *Quadrennial Defense Review* also addresses how to establish order and stability. Although the

QDR declares that the “U.S. military can and should have the expertise and capacity to conduct [development and governance],” National Security Presidential Directive 44 charged the Department of State with the responsibility to lead efforts in those areas.<sup>26</sup> State’s lack of capacity to handle those responsibilities forced the military into a role that it was not trained, equipped, or organized to handle. The QDR adamantly states, “The U.S. military is not the most appropriate institution to lead capacity-building efforts to enhance civilian institutions overseas.”<sup>27</sup> On the other hand, Department of Defense Instruction 3000.05 in 2009 directed the department to establish a “core” capability not only to “restore or provide essential services,” and “to repair critical infrastructure,” but also to “strengthen governance and the rule of law,” and to “[foster] economic stability and development.”<sup>28</sup>

So, if the military is not the appropriate institution, and the Department of State cannot (or will not) lead the effort, what agency will? At the strategic level, who is in charge? Apparently, by default, the U.S. military is.

The implications of the above are breathtaking. As Steven Metz pointed out in *Learning from Iraq: Counterinsurgency in American Strategy*, “to optimize its capability for counterinsurgency,” the United States would need organizations that are intelligence-centric; fully interagency; capable of seamless integration with partners; culturally and psychologically adept; and capable of sustained, high-level involvement in a protracted operation. Those organizations will be responsible for removing “causes of instability and aggression,” “removing regimes,” and “stabilizing and transforming nations.”

How should the military train its leaders to be able to perform such functions?<sup>29</sup> To deal with such turbulence (to use Drucker’s term), the military cannot apply “yesterday’s logic” of deterring wars when possible and winning them when required. It must also be fully prepared to build or rebuild nations using experts who may appear from the Reserve Component as though by magic.<sup>30</sup> (We do not address how the Reserve Component will acquire those experts or how long we require such “high demand, low density” individuals for a specific conflict.)

## Implications

The U.S. Army inserted its first ground troops into Afghanistan on 19 October 2001. The original mission was “to disrupt the use of Afghanistan as a terrorist base of operations, to attack the military capability of the Taliban regime, [and to conduct] sustained, comprehensive and relentless operations to drive them out and bring them to justice.”<sup>31</sup> Note there is nothing about establishing or reestablishing a government or building a nation. “Yesterday’s logic” demanded the Army destroy the Taliban. Today’s logic demands that it stabilize the country and transform the government as well.

What appeared as a simply worded mission has become a bizarre panoply of ill-defined and undefined missions with no easy distinction between them: stability operations, phase IV operations, overseas contingency operations, complex operations, full spectrum operations, fourth-generation warfare, asymmetrical warfare, guerrilla warfare, irregular warfare, hybrid warfare, unconventional warfare, counterinsurgency warfare, civil war, operations other than war, terrorism, and perhaps the strangest of all—*man-caused disasters*.<sup>32</sup>

Mark Twain once wrote, “A powerful agent is the right word.” On 9 March 2011, a reporter asked a State Department representative whether the fighting in Libya was a civil war. The response was: “I would just say that what we have is a leader who used not just arms but heavy weaponry against his people and is now in a situation where he’s lost all legitimacy.”<sup>33</sup>

It seems we have created a lexicon that has added only confusion to what it is the Army is supposed to do. If we are having this much difficulty defining the problem, think how much more difficult it would be to eliminate the problem. Commenting on the U.S. propensity to create sometimes unfathomable meanings, a NATO general officer recently pleaded, “Please stop!”<sup>34</sup>

Within a few years in Afghanistan and Iraq, the missions to disrupt, attack, and drive out had morphed into counterinsurgency, or even nation building. Given the directives and the tactical, operational, and strategic missions espoused in the latest joint and Army publications, how should the Army address the multiple-set counterinsurgency mission with which it has been saddled?



Perhaps Yogi Berra's observation that "90 percent of this game is about one-half mental" is the answer. The Army has devoted a great deal of brainpower to the "one-half mental" part of the problem, pumping out service doctrine; participating in the development of joint doctrine; reconfiguring conventional combat organizations for "advise, assist, and mentor" missions; developing training standards for counterinsurgency operations; and, inventing a whole slew of new words to try to determine exactly what it is trying to do.

We have written thousands of articles, published hundreds of books, attended innumerable briefings and seminars, created countless working groups, contracted with think tanks, and formed lessons learned organizations at all levels, but have we achieved the "one-half mental" level that will allow us to solve the COIN tactical versus strategic dilemma? Do we even accept that there is a dilemma? How does the military develop a strategy if there is no agreed-upon threat, conventional, or otherwise? Professor Martin van Creveld believes that all our articles, books, and other publications should have been loaded on board the *Titanic* for all the good they did.<sup>35</sup>

There are several approaches to finding the answers to the last few questions above. One is the unconstrained resource approach that says the Army can do everything we task it to do if it only has x number of more soldiers. The reality, however, is that there will be fewer soldiers.

Another approach is to argue with Congress and the National Command Authority that any operations that go beyond establishing and maintaining security amount to the dreaded "Victorian nation building" referenced by Secretary Gates in his 25 February 2011 speech at West Point.<sup>36</sup>

A third approach is to examine the long-term implications of a counterinsurgency campaign. Soldiers and politicians must understand that, as FM 3-24, *Counterinsurgency*, states, "Counterinsurgents should prepare for a long-term commitment."<sup>37</sup> Strategy may require decisiveness, but policy will demand restraints. Restraints in COIN result in many turns of calendar pages. Historians who study insurgencies understand this concept. I hope the events of the past ten years have caused current military and civilian leaders to grasp this fact, which history teaches to those who choose to read it.

Approaches two and three above involve accepting risk. They also involve building U.S. government civilian capacity—an expensive, difficult, and probably unrealistic requirement, but one essential in an era of persistent conflict or engagement. Although the Department of State has created the Civilian Response Corps, we have not yet seen whether that action translates into a commitment to governance rather than diplomacy. State has created the Office of the Coordinator for Reconstruction and Stabilization to bring together military and civilian efforts during the stabilization phase of a conflict, but we have not yet seen whether it will get the funds required to accomplish that mission.

The Department of Defense has codified its views on the military's future role: "IW (irregular warfare) is as strategically important as traditional warfare," and the military must be able to do everything.<sup>38</sup> Easy to say, but is it strategically and intellectually possible?

The authors of *Keeping the Edge: Revitalizing America's Military Officer Corps* conclude that the military education system inadequately addresses strategy and "how to ensure the



U.S. Navy PO1 Craig Gold (left), a corpsman with the Border Mentoring Team attached to 1st Marine Regiment, Regimental Combat Team 7, instructs Afghan soldiers on proper weapons handling at the Afghan Border Patrol compound in Shamshad, Afghanistan, 15 May 2010. (DOD, LCpl Brandyn E. Council, U.S. Marine Corps)



**U.S. Army SGTs David Sterin (left) and Michael Magnuson (right), both members of the Kandahar Provincial Reconstruction Team security force, lead members of the reconstruction team through the Shur Andam Industrial Park in Kandahar City, Afghanistan, 11 June 2011. (DOD, CMSGT Richard Simonsen, U.S. Air Force)**

achievement of national objectives.” To achieve that level of understanding, “officers must also develop a broader knowledge of politics, economics, and the use of information in modern warfare to cope with a more complicated and rapidly evolving international environment.”<sup>39</sup> If that requirement applied to irregular warfare or counterinsurgency, military officers would have to be proficient in service and joint operations as well as the economic, social, and political components of national military strategy, and know how to rebuild governments, train armies, and develop police and judicial systems.

In the past era of conventional warfare, military strategy—“employing the instruments of [military] power in a synchronized and integrated fashion to achieve theater, national, and/or multinational objectives”—focused on actors such as the Soviet Union. We knew who the actors were and how they fought, and we knew their strategic objectives. If we defeated the actors, we won the war.

In unconventional warfare, we cannot focus on the actors. We have to understand the entire operational environment. That includes trying to determine the problem. Is it terrorism or crime? Is it an attempt to overthrow a repressive government; an attempt

to overthrow a government populated by officials of a different tribe or religion, dissatisfaction with social conditions; or simply a power grab? Is it a combination of all the above? A critical component of countering an insurgency is to understand its root causes. Root causes of an insurgency have everything to do with the national strategy to defeat the insurgents.

The environments into which we call the military to fight, police, support, train, and build are a complex, interactive, and dynamic system of systems, constantly moving and shifting, often because of our very presence. Outside actors, sanctuaries, centuries-old rivalries, and allies whose national self-interests can drive military commanders to distraction populate this environment.

Our challenge is not just to defeat an enemy bent on killing us, but also to integrate our political, social, infrastructural, informational, and economic efforts to try to mitigate the root causes of the problem. Moreover, we have to do that by, with, and through the host nation government—assuming there is one. That is very different from the World War II Pacific theater debate over whether the main offensive should be through the Central or the Southwest Pacific.

As Joint Publication 5-0 explains, security cooperation plans should “enhance international legitimacy and gain multinational cooperation in support of defined national strategic and strategic military objectives.” Of six phases in planning for a joint campaign, “phase 0” is intended to deter potential adversaries and “solidify relationships with friends and allies” by shaping perceptions and influencing behaviors.<sup>40</sup> Ideally, military forces should act in consonance with a security cooperation plan to help host nation security forces increase their capacity to provide security for the population and legitimate authorities.

As a by-product, those forces could also help the country team identify root causes and other indicators of potential unrest. If an insurgency reaches a level beyond the host nation’s ability to contain it, U.S. military forces can play a security force assistance role, along with joint and combined forces and civilian agencies, to help host nation forces defeat internal or external threats.<sup>41</sup> To truly understand the “different pieces” that help achieve national objectives in an era of persistent conflict,

the military also must appreciate the capabilities, limitations, roles, and missions of civilian agencies now collectively known as “the interagency”—a grouping that an author of a recent *Small Wars Journal* article labeled as a “dysfunctional system.”<sup>42</sup>

How is the Army to prepare for a strategic environment characterized by persistent conflict or engagement in which no task is too bold to assign to a brigade combat team? Commanders are good at training their units to close with and destroy the enemy, but how do they train tactical units to accomplish nation building? If other agencies are not contributing to the strategy, how does the Army acquire enough reservists or active duty personnel with the requisite skills?

A RAND study titled “How Insurgencies End” examined 89 insurgencies and concluded, “the median length of an insurgency is ten years, typically tailing out gradually to end state at 16 years.”<sup>43</sup> A strategic decision to engage in a counterinsurgency, therefore, has tremendous long-term implications. Can the military sustain a force engaged for that length of time while also preparing for all other contingencies possible in full spectrum operations? What is the impact on maintaining equipment, caring for families, providing professional military and civilian education to the force, and retaining soldiers? How much will that engagement cost?

Based on the U.S. military experience in Iraq, “yesterday’s logic” often seems more realistic than today’s field manuals. Neither FM 3-07, *Stability Operations*, nor DOD Instruction 3000.05, “Stability Operations,” assign a government mission to the U.S. military. However, FM 3-07 does require the military to establish a Transitional Military Authority in certain circumstances under international law. The military is directed to support other U.S. government departments or agencies and to draw expertise from them.<sup>44</sup> That is quite unlike the 1947 FM 27-5, *Civil Affairs Military Government*, which prescribed that military forces “institute control of

civilian affairs by military government or otherwise in the occupied or liberated areas.”<sup>45</sup> Unlike what we ask military units to do today, in World War II and Korea, “combat units [were] tasked to defeat enemy combatants, not provide governance to the occupied populations.”<sup>46</sup>

“Yesterday’s logic” said that killing the enemy in a conventional war would lead to destruction of the enemy’s will, which would result in surrender. Today’s logic is that insurgents may be more concerned with destroying the will of the counterinsurgent than they are with maintaining the will of the insurgent fighters. To quote Steven Metz: “Protracted conflicts with long intervals of little progress, even significant setbacks, are antithetical to American impatience and do not set well with military and political leaders.”<sup>47</sup> However, today’s logic dictates that persistent conflict may be the norm.

The 2010 *National Security Strategy* emphasizes diplomacy, partnerships, shaping the international order, and working with like-minded nations. In other words, using the soft power of the State Department trumps the hard power of the Defense Department. While a “whole-of-government” approach may seem quite reasonable in a 52-page White House strategic document, such an approach is not achievable unless supported by specific policies undergirded by Congressional appropriations. The State Department and the U.S. Agency for International Development (USAID) *Quadrennial Diplomacy and Development Review* recommends that a core State Department mission be the application of soft power to promote governance in failing states and across the spectrum of conflict. Secretary of State Hillary Clinton warned that the report might become just another that lies “dormant on the bookshelves of offices across Washington” unless civilian policy makers, with enthusiastic Defense support, embrace its recommendations.<sup>48</sup>

***How is the Army to prepare for a strategic environment characterized by persistent conflict or engagement in which no task is too bold to assign to a brigade combat team?***



The new paradigm is that developmental aid is as important as bullets and artillery shells. As observed during a 2010 conference on that subject at Wilton Park in the United Kingdom, development aid is central to current COIN doctrine and strategy; however, its effectiveness is questionable. Aid can be effective only if linked to a long-term persistent engagement. Military doctrine states that success requires an approach that “integrates the collaborative efforts of the departments and agencies of the U.S. government.” Unfortunately, “neither USAID nor the U.S. State Department shares the military’s attentiveness to formal doctrine,” or to its emphasis on “mid-career training and education.”<sup>49</sup>

These conclusions demonstrate the “disjuncture between COIN doctrine and political reality.” Political reality resides both within the United States and within the host nation and directly affects the ability of the U.S. military to perform its mission. Politically, *The Army Capstone Concept* directs that the new paradigm of stability operations “be a critical component to the future force’s operational adaptability” during an era of persistent conflict.<sup>50</sup> However, the doctrinal, educational, and training reality is that there is a significant gap in the military’s ability to execute that mission. The military faces the conundrum of having to prepare for traditional offensive and defensive missions—which it is well prepared to execute—and having a new paradigm imposed on it simply because no other government agency can do its job.

We began by noting the comments of a blogger who proposed modifying General Casey’s view of the future from conflict to engagement. The blogger observed that the term is more consistent with the “complex mix of military/counterinsurgency/humanitarian/capacity building operations.” Based on all recent pronouncements, the future is now. It took the military years to acquire the skills necessary to counter insurgencies. How long will it take the military to acquire the skills necessary to stabilize nations?

In his initial letter to the Army, Chief of Staff Dempsey expressed his uncertainty about the future and challenged the Army to “provide the Nation with the greatest number of options” to meet that uncertain future. Later, he acknowledged that the Army has competing narratives—those articulated by Gentile, Macgregor, Mansoor, and Nagl. Counterinsurgency is the future; major combat operations are the future; full spectrum operations are the future.<sup>51</sup>

In 31 August 2011 training guidance, the chairman of the Joint Chiefs of Staff makes clear that the military must “institutionalize” counterinsurgency and stability operations “as core competencies.”<sup>52</sup> Having observed the Army’s internal struggle as it moved from the “left hook” in the 1991 Gulf War to key leader engagements in Afghanistan and Iraq, we cannot allow ourselves to ignore the lessons we have learned the hard way. Creating a vision, cultivating that vision, and institutionalizing the necessary competencies must begin now. **MR**

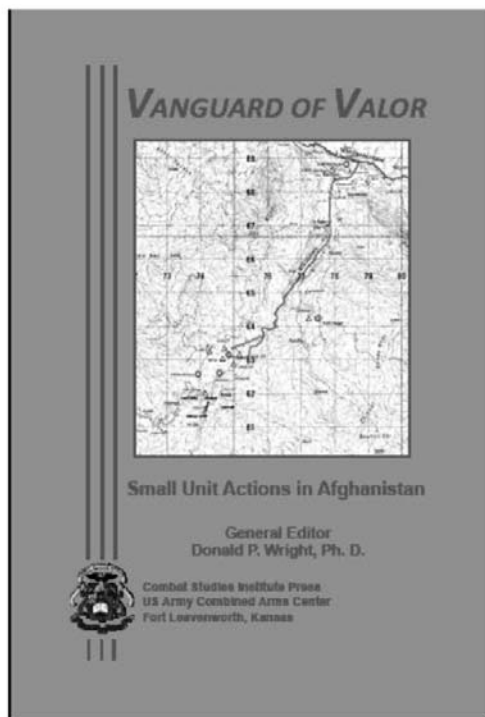
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# The Reserve Component

## Trained and Ready? Lessons of History

Major General Mark MacCarley, U.S. Army Reserve

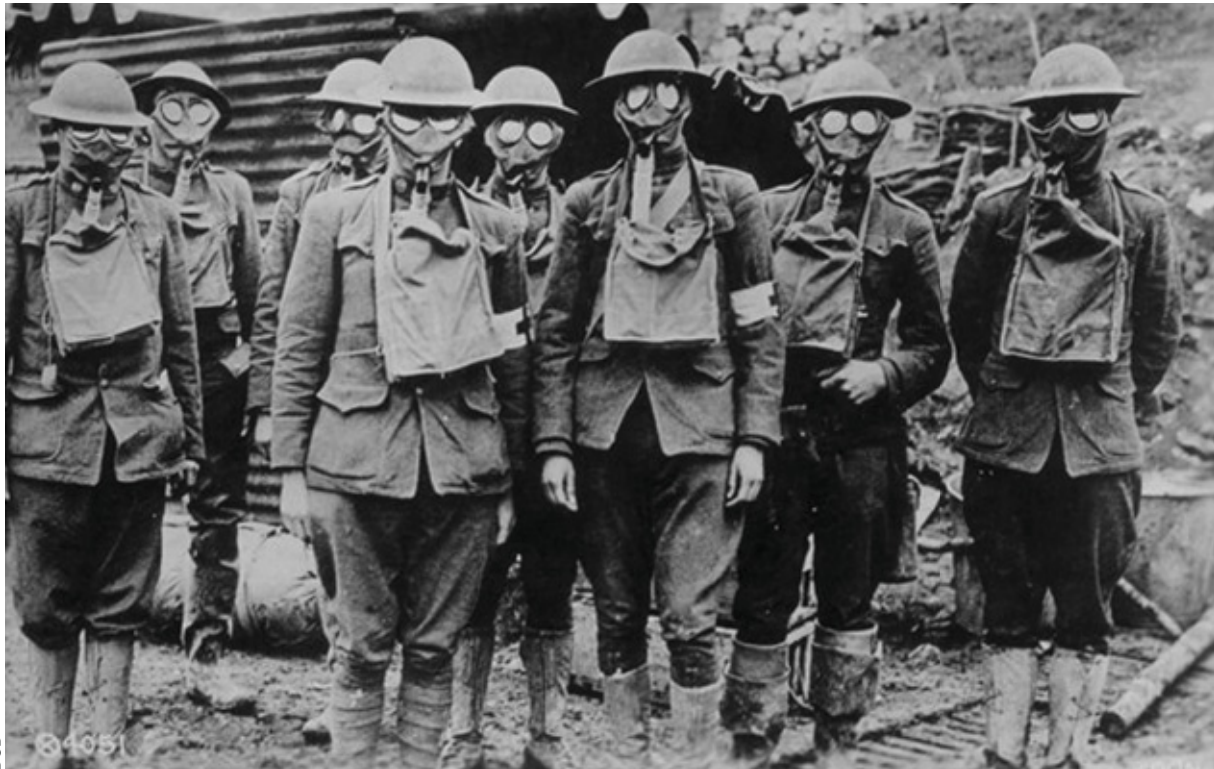
**I** RECENTLY ATTENDED a change of command for an Army Reserve sustainment headquarters, with one tour as a flagged command in Southwest Asia. The outgoing commander expressed overwhelming satisfaction with his unit's war record and proudly stated he was leaving behind a great unit "trained and ready" for any mission at any time. His successor confirmed this understandable expression of confidence and promised to increase readiness and train to proficiency in accordance with the Army's Force Generation Model and progressive resourcing process (ARFORGEN). This senior logistics command entered the ARFORGEN cycle upon redeployment three years ago. There has been a 70 percent turnover of personnel of all ranks and a 95 percent turnover of key leaders. At the end of the round of speeches, the massed formation shouted out, "Trained and Ready!"

The strategic question for the Army in the second decade of this century, as it faces the challenge of continuing and emerging threats across the full spectrum of engagements under increasingly constrained resources, is whether that "shout-out," "Trained and Ready," is true, partially true, or just plain bravado. To support the demands of a decade-long war, the U.S. Armed Forces, and the Army in particular, have turned to the Reserve Component (RC)—the National Guard and Army Reserve—for direct personnel augmentation to Active Component (AC) units and for the needed capabilities RC units offer from combat to combat service support and from brigade combat teams to dog handlers. With over one million RC soldiers and their units deployed during this period of "persistent conflict," many within and outside the defense establishment have optimistically concluded that the National Guard and Army Reserve are truly a "trained and ready operational reserve force," as opposed to a "strategic reserve force" employed only in periods of dire national emergency and after lengthy post-mobilization training. The expectation is that by reason of vigorously executed pre-mobilization training, these "operational" reserve units no longer require long periods of post-mobilization training, either to prepare for programmed deployments to a theater of war (as a deployment expeditionary force) or for commitment to contingency missions at home and abroad (as a contingency expeditionary force).

Major General Mark MacCarley, USAR, is the Deputy Commander (Support), 1st Army, and concurrently serves as the Commander, 1st Army Reserve Support Command. Previous assignments include deputy commander for both the Active Component's 1st and 8th Sustainment Commands and chief of staff for the Army Reserve's 377th Theater Sustainment Command. He holds a B.A. in international relations from California State University Northridge, an M.S.S. from the U.S. Army War College, and a J.D. from Loyola University School of Law, Los Angeles.

PHOTO: U.S. Army SGT David Rider, right, leads his squad through the Warrior Tasks and Battle Drills event, during the 2010 Department of the Army Best Warrior Competition, on Fort Lee, VA, 21 October 2010. Rider, from Bravo Company, 256th Combat Support Hospital, Ohio U.S. Army Reserve, was selected U.S. Army Reserve NCO of the Year. (U.S. Army, Timothy L. Hale)





DOD

42nd Infantry Division soldiers in the presence of gas, Essay, France, 20 September 1918.

The operational reserve concept is Department of Defense (DOD) policy in DOD Directive 1200.17, “Managing the Reserve Components as an Operational Force.”<sup>1</sup> As expressed in the widely circulated “Independent Panel Review of Reserve Component Employment in an Era of Persistent Conflict,” dated 2 November 2010, the objective is an RC force that is manned, trained, and equipped for recurrent mobilization and for employment as cohesive units. This is in accordance with the ARFORGEN model, the all-volunteer force, and the citizen-soldier ethos.<sup>2</sup>

This is not the first time nor will it be the last in which the United States seeks to maximize the value of its investment in its Reserve Components. What observations can we distill from the last 100-year history of the mobilization and deployment of Guard and Reserve soldiers for our nation’s wars and emergencies as we move ahead to an Operation Enduring Freedom post-conflict environment that remains even more dangerous with the emergence of near-peer military competitors? Must we relearn the lessons of conflicts past? How can we leverage

the experience and best practices of a century of Reserve Component training and engagement?

## World War I

On the eve of World War I, Congress passed the National Defense Act of 1916, which provided for federal recognition of the National Guard, consisting of 48 state Guard units—some of which had illustrious histories as state militias reaching back to before the American Revolution. With the entry of the United States into its first truly global conflict, many Guard units and soldiers were amalgamated into new division echelons, such as the 42nd Infantry Division—the heralded Rainbow Division—consisting of Guard soldiers from 26 states.

Most National Guard combat units spent at least six months and up to a year at mobilization training camps throughout the United States before deploying to Europe. Some of the post-mobilization time was due to the logistical challenge of equipping and then moving so many American soldiers across the Atlantic and, thereafter, integrating them into the battle plans of the British and French

allied formations. Due to a perception that most Guard senior officers lacked professional military competence and had obtained their appointments through political influence, AC officers replaced most Guard commanders and senior staff at brigade and division level while at the mobilization camps. The veteran British and French commanders first considered these citizen soldiers “green, untrained, and untested frontiersmen.” This opinion quickly materialized into admiration of the fighting abilities of these guardsmen. More National Guard soldiers were awarded the Medal of Honor than were soldiers in any other military component in the American Expeditionary Force. The records of the German High Command, released after the war, listed eight American divisions as excellent or superior. Six of these divisions were National Guard divisions.

Concurrently, the newly formed Army Reserve sent physicians and other technical specialists to France after barely two weeks of post-mobilization training, due to the pressing need for medical expertise and the assumption that these reservists would not be serving at the front line.

## World War II

The same extended mobilization training—sometimes up to one year—for the Guard and Reserve was reemployed in World War II, as citizen soldiers, regardless of their previous military experience, relearned individual, squad, platoon, and company-level skills at lengthy mobilization train-ups before deployment to Europe or the Pacific. World War II offered the benefit of time to train these formations, although the first major U.S. ground fighting forces to see combat in both the Pacific Theater (164th Regiment and the 32nd Division) and the Atlantic Theater (34th Division from Iowa, Minnesota, and South Dakota) were National Guard divisions. Just as in World War I, with some notable exceptions, Regular Army officers replaced most of the Guard’s division-level leadership.<sup>3</sup>

## Post-World War II—Korean War

The National Defense Act of 1947 acknowledged the Reserve Components as an integral part of the armed services and directed that the services engage immediately in the post-war revitalization of their reserve programs as America entered into a new era

of hostilities—the Cold War. Secretary of Defense James Forrestal directed Assistant Secretary of the Army Gordon Gray to convene a committee to study the structure and capabilities of the Army Reserve and National Guard and determine what roles, if any, these components would play in the emerging Cold War. The Gray Board “criticized the reserve forces for being long on experience (composed largely of World War II veterans), but short on readiness.” Secretary Gray recommended Congress integrate the National Guard into the Army Reserve. This proposal was not well received and, consequentially, the Army shelved the entire study.<sup>4</sup>

Exactly three years later, Guard and Reserve soldiers returned to combat in Korea, suffering heavy losses in the early months of the war, attributable (among other things) to equipment shortages and training deficiencies. It is only fair to point out that active Army units deployed to Korea in the summer of 1950 demonstrated comparable initial combat ineffectiveness. The first Army National Guard units mobilized in August 1950. Eventually, 138,600 men from 1,698 Army National Guard units, including eight infantry divisions and three regimental combat teams, mobilized for active duty, based upon a partial mobilization order issued by the president. Of the



Conferring at Chipyeong-ni, Korea, are L-R: LTG Matthew Ridgway, commander, U.S. Eighth Army; MG Charles Palmer, commander, 1st Cavalry Division; COL John Daskalopoulos, commander, 7th Cavalry Regiment, 1st Cavalry Division. (DOD)

eight mobilized infantry divisions, four remained in the United States, two went to Europe, and two others—the 40th and 45th—were sent to Korea. The two divisions arrived in Japan for further training in April 1951. Their future deployment to Korea soon became a topic of national discussion and provoked a storm of protest from politicians and the National Guard Association after the supreme commander in Korea, General Matthew Ridgway, declared that these Guard units were ill-prepared for combat due to the lack of adequate post-training time and paucity of equipment. He preferred to use their personnel as individual replacements. The Army chief of staff acknowledged the ground commander’s observation but persuaded Ridgway to use the divisions anyway. The “swap in place” of mission and equipment between the Guard’s 45th Division with the 1st Cavalry Division and between the Guard’s 40th Division with the 24th Infantry Division proceeded without a hitch in November 1951. Both divisions went on to prove themselves in combat.<sup>5</sup>

## The Cold War Period

The Cold War drove the development of a national military strategy that postulated that any major armed conflict between the two “super powers,” the United States and the Soviet Union, would commence with a massive nuclear exchange, destroying major population centers and industrial infrastructure, followed by a ground war in Europe characterized by its speed and lethality, fought with forward-deployed active duty American and NATO forces. Guard and Army Reserve units would deploy to Europe as reinforcing and replacement forces only after a suitable and lengthy period of post-mobilization training, thus the emergence of the term, “strategic reserve,” as applied to the Reserve Components. Other than domestic civil disturbances during the decade of the 1960s, there was neither an actual nor an even contemplated need for immediately deployable National Guard and Army Reserve formations.<sup>6</sup>

## Vietnam War

While the Vietnam War was not an apocalyptic struggle between the world’s “super powers,” almost nine million Americans fought in Southeast Asia from 1965 through 1972. However, the RC did not play a significant role in this war. In 1964,



**First contingent of 34th Infantry Division personnel arriving in Belfast, Northern Ireland, on 26 January 1942, marching from the docks to the train station. (DOD)**

after President Lyndon B. Johnson sought the Tonkin Gulf Resolution from Congress to make the Vietnam conflict an American war, he chose to fight the war using only active forces led by career soldiers, fleshed out by hundreds of thousands of draftees, conscripted from the annually refreshed pool of eligible young men. With a very few exceptions, he refused to mobilize the Reserves. Due to this policy decision, the reserve forces became “safe havens” for men seeking to satisfy their military obligation without deploying to Southeast Asia. This policy did nothing to burnish the professional military reputation of these components.

Soon after the end of hostilities in Vietnam, General Creighton Abrams, Army chief of staff and former commander of U.S. forces in Vietnam, acknowledged the error of that political decision not to engage the Reserve Components. He declared, “Our [original] arrangement was that we would have one Army with certain things in the Active Force, others in the National Guard, and yet others in the Army Reserve. And if the unfortunate circumstance should occur [we would]



use the Active, the National Guard, and that's the only way [we would] do it. So all the maintenance, all of the supply, a lot of the medical—all of those things we've got to have, they're in the Reserve. But somehow, it didn't quite work out that way. Instead, we used the Army in Vietnam minus the National Guard and the Army Reserve. . . . The Army will never again go to war without the Reserve Component."<sup>7</sup>

At the same time, the United States, exhausted by the conflict, looked forward to a financial "peace dividend" resulting from a significant downsizing of the Army and the abolition of the draft. These two actions collectively insured that Reserve and Guard soldiers would participate in the nation's future conflicts, in some manner, as soon as they were ready. The Reserve Components became, at least conceptually, an "operational" asset of the "Total Army." Secretary of Defense Melvin R. Laird committed himself to implementing this "Total Army" or "Total Force" policy as a pillar of national military strategy. He commented, "When the Total Force concept was announced in August 1970, our plan was to integrate Guard and Reserve forces as full partners in defense. In so doing, we were able to end the draft and establish the all-volunteer force. Better training and fully equipping our nation's militia would be essential to ensure that we had a cost-effective force."<sup>8</sup>

## Cold War Implications

Thus began almost two decades of continued experiments and periodic restructuring of the Guard and Reserve to meet these "operational" expectations. The most important of these expectations was that certain critical Reserve units would be able to deploy within 30 days of mobilization. To achieve this level of "operational readiness," a program of "affiliation" between the Army's active and Reserve combat arms units began in 1974. By 1980, most Army Guard divisions and brigades were spending their annual training with active Army partner units. The "roundout/roundup" program, which began in 1976, assigned Army Guard combat units to augment active Army units in case of mobilization. In order to train and, if necessary, mobilize and execute their assigned military mission when deployed, the Army Guard began to receive more modern weapons and equipment.<sup>9</sup>

The Army continued to transfer combat power into the National Guard and reassigned and reflagged support units into both the National Guard and the Army Reserve. Addressing Congress in 1986, Army Chief of Staff General John A. Wickham testified that because of these force structure decisions, "The Reserves would have to be used for any multi-division commitment [to a national contingency operation]."<sup>10</sup>

It is important to emphasize that, even in the 1980s, the Army Guard and Army Reserve sought to be "operational ready." Their leadership and congressional supporters demanded greater integration of the Guard and the Army Reserve into the National Military Strategy and incorporation of RC units into all the Joint Security Capabilities Plans drafted in anticipation of possible "contingency" military conflicts. In line with the build-up of the active duty force under President Ronald Reagan, both the Guard and the Reserve saw significant increases in personnel. From a manning figure of 346,974 personnel in 1979, the Army Guard strength reached 456,969 soldiers by 1989, due in no small part to recruiting bonuses and the availability of the Montgomery G.I. Bill to reservists. The expectation, built into the National Military Strategy, was that Army Reserve and National Guard units, upon mobilization for a national or overseas contingency, would seamlessly align with partnered AC units under a program known as CAPSTONE.

Notwithstanding these vaunted efforts, most reservists continued to train with "cascaded" hand-me-down equipment from the AC with their own mission essential equipment on hand rarely exceeding 70 percent of the unit's authorization. Shortages of resources resulted from the effort to modernize the active Army, first, to fight and win the Cold War. The ability of the RC to efficiently mobilize in support of contingency operations remained questionable.<sup>11</sup> The nation's senior military Reserve officers complained to Secretary of Defense Caspar W. Weinberger that despite recent improvements their forces were far from ready for wartime duty. In a March 1987 article in the *New York Times*, these officers reported that there were critical shortages amounting to nearly \$17 billion in weapons and combat equipment and inadequate funding of reservist individual and collective skills training.<sup>12</sup>

## Desert Shield/Desert Storm

The call-up of reservists for Operations Desert Shield and Desert Storm from August 1990 to 1991 held the 17-year old training strategy of the Reserve Components up to intense congressional scrutiny. President George H.W. Bush exercised his statutory authority to identify for mobilization almost one million reservists, of whom 228,500 Guard members and reservists mobilized and approximately 97,484 served on active duty in the Persian Gulf in combat, combat support, and combat service support units. Army leaders pointed to the commendable service of two Reserve field artillery brigades, the 142nd from Arkansas and the 196th from Tennessee, as validating the “Total Army Policy” of the previous decade.

However, for the most part, RC units arrived at the active Army mobilization (MOB) stations at less than represented levels of “operational readiness,” despite all the resources the Army had expended for premobilization training.<sup>13</sup> Units reported to their respective MOB stations with less than their required personnel strength. Many soldiers who did

report were either too old, out of shape, or had not completed their individual military occupational specialty (MOS) training. Substantial numbers suffered from medical and dental problems that could not be timely rectified at the MOB stations, making these soldiers nondeployable. For most units, time spent at the MOB stations consisted of records reviews, medical check-ups, equipment outfitting, and one or two opportunities to fire individual and crew-served weapons. Sixty-seven percent of all Army Guard and Reserve units deployed within 45 days of mobilizing; 28 percent deployed within 20 days.

Generally, deployed RC combat support and combat service support units performed acceptably in theater after acclimation and substantial additional training in Saudi Arabia. However, RC combat units, including the “roundout/roundup” brigades, did not fare so well. These brigades had received the largess of training and logistics support over the last decade under the “Total Army Policy.” A case in point was the 48th Infantry Brigade of the Georgia National Guard, which reported to



An M-1A1 Abrams main battle tank lays a smoke screen during Operation Desert Storm.

Fort Irwin upon mobilization. After six months of post-mobilization training, the active Army refused to deploy the brigade to Desert Storm, declaring the unit incapable of combat operations. Declared Secretary of Defense Dick Cheney, “I feel strongly we would have run the risk of getting a lot of people killed unnecessarily if we sent these units (to the Gulf) before they were ready.”<sup>14</sup> Guard senior officers and congressional supporters countered, “The Army never intended to deploy a guard combat team because to do so would validate the cost savings associated with moving more combat structure to the National Guard.”

### After Desert Storm—the 1990s

Beginning in 1992, in response to the perceived operational deficiencies of RC units mobilized and deployed in support of Operation Desert Storm, Army leaders implemented a new training strategy, called “Bold Shift,” to increase and thereafter sustain the operational readiness of a select number of high-priority RC units that it expected to use first in any future crisis. Bold Shift operated in tandem with the new Army policy of “tiered” readiness, which provided that, within the constrained resource environment of the 1990s, only certain units designated for early deployment would receive the bulk of the Bold Shift training resources.

To ensure these Guard and Army Reserve formations were ready to deploy on short notice without significant post-mobilization training, Bold Shift dictated that such units train on a critical set of collective tasks in training events, called “lanes,” to meet the Army standard through repetition—the “crawl-walk-run” path to training success. All collective training was followed by after action reviews. The strategy called for closer ties between active Army units and “like-type” RC units within the same geographical area. The supporting AC brigade commander would be responsible for approving the training plans of the supported RC unit and reviewing its readiness reports.<sup>15</sup> Congress obliged this strategy by authorizing and funding the assignment of AC trainers to these RC formations in 1993 and increasing the number of trainers in the 1994, 1995, and 1996 National Defense Authorization Act.<sup>16</sup> Bold Shift encouraged the development of new training concepts and

tools, to include the use of computer “war game” simulations, to bring Army Guard and Reserve units to comparable levels of readiness with their AC counterparts.

Guard, Reserve, and active Army commanders regarded Bold Shift as effective in improving the overall readiness of the tiered RC units selected for participation. They believed the program should be expanded to other, lower-tiered Reserve units, many of which had been “gutted” with their full-time personnel and much of their equipment redirected to higher priority units.<sup>17</sup>

Several studies attempted to objectively assess the value of the Bold Shift program to the overall readiness of Reserve units selected for participation. A 1994 Rand Arroyo study, “Training Readiness in the Army Reserve Components,” concluded, “While successful in concept and features, the [Bold Shift] program has not been able to bring most pilot units to their premobilization training and readiness goals. . . . These results are in keeping with our general impression that company-level proficiency is attainable for support units [before mobilization], but not combat units, although in practice most of the combat support and combat service support companies still have a distance to go.” According to the study, only 34 percent of units that received the enhanced training resources reported that they would not require substantial post-mobilization time to achieve operational readiness.<sup>18</sup> A 1995 Government Accountability Office report to Congress identified common readiness inhibitors across most Reserve formations:

- The inability to recruit and retain qualified personnel over time.
- Average annual attrition rates of 23 percent, “obliterating the significant investments of time and money in individual and collective training intended to benefit the particular unit.”
- The failure of unit personnel to master collective skills.<sup>19</sup>

On the positive side, the Bold Shift training strategy provided a mechanism for prioritizing and allocating limited resources, including equipment, full-time personnel, and training days to RC units, according to the immediacy of their need by combatant commanders. Active Component units and their leaders were obligated to work with RC counterparts to develop realistic training



plans and goals. Reserve Component commands sent their soldiers to MOS qualification schools and professional development courses as soon as possible. The dynamic after action review process became the norm for analyzing and improving AC and RC training.

## Bosnia-Kosovo

Contingency plans written for anticipated major conflicts, supported by Time Phased Force Deployment Lists identifying specific RC units for early deployment, were not relevant to the Bosnia-Kosovo peacekeeping engagements. Reserve Component units (often just slices of these units) were selected for mobilization and deployment based upon required capabilities rather than based on their tiered classification or their stated level of overall readiness. Post-mobilization training averaged 45 days. Total active service time could not exceed 270 days initially.

At the same time both the Guard and Army Reserve were undergoing major restructuring, with the Army Reserve allocated the preponderance of early deploying combat support and combat service support units. With a few exceptions, most combat capability migrated to the National Guard. Concerned with the ability of RC units, especially the guard combat brigades, to mobilize and deploy in support of contingency operations

such as Bosnia and Kosovo, the Army jettisoned its Bold Shift training strategy. As a consequence of the 1993 bottom-up review, Army leadership designated these units, formerly known as “roundout/roundup” brigades, as “enhanced separate brigades,” each with a self-sustaining force structure with the responsibility to “augment and reinforce” active units engaged in future combat or contingency operations. As part of early reinforcing force (ERF) packages, these enhanced brigades “will be able to deploy worldwide to reinforce active Army combat units, with less than 90 days of post-mobilization training, as part of a crisis response force.”<sup>20</sup> This new initiative was to provide early deploying capability and significantly reduce the training time for these brigades at the mobilization station.

## Training Support XXI

These mid-decade efforts ultimately culminated in a new strategy, “Training Support XXI,” initiated in 1996. The Army again reorganized its training forces in an effort to synchronize training of Guard and Army Reserve units, pre-mobilization, by eliminating redundant training capabilities among the three components. Congress further increased the number of AC advisors (Title XI trainers named after a provision in the National Defense Authorization Act of 1993) in support of this readiness initiative to 7,000.<sup>21</sup> Training Support XXI solidified the operational relationship of the Army Reserve training support divisions to the AC dedicated senior training headquarters, First and Fifth Armies. It directed that training resources be employed toward obtaining platoon-level proficiency on collective tasks for RC combat units and for reaching company-level proficiency on select mission-essential tasks for combat support and combat service support units.

## Post 9/11—Operations

The aftermath of 9/11 resulted in the call-up of hundreds of thousands of National Guard and Army Reserve soldiers over the course of a decade. The assumptions supporting earlier RC mobilization and deployment models and strategies were put to the extreme test. Initial comments about the Guard and Reserve mobilizations and subsequent performances in Operations Enduring Freedom and Iraqi Freedom ranged from “phenomenal” to “unmet operational expectations.”<sup>22</sup> Military



Fourteen Minnesota National Guard soldiers, deployed to Kosovo with Task Force Bayonet, earn their Expert Infantryman Badges at Camp Bondsteel, 5 May 2008. (DOD)



DOD

**SFC Walter Douglas, a First Army trainer from 3-314th Field Artillery, First Army Division East, instructs soldiers from the 387th Human Resources Company how to properly take cover at the corner of a structure during post-mobilization training at Joint Base McGuire-Dix-Lakehurst, NJ.**

historian Roger Thompson considered the difference in predeployment training between the “regulars” and the “reserves” in this conflict as the largest obstacle to early engagement of these forces.

It is a real problem for reservists to maintain the same standards of performance as the regulars because they have so little time to train . . . [premobilization]. History has shown that with the proper equipment and enough time, reserve forces can fight on the same level as the regulars . . . Unfortunately, the whole concept of total force is to save money, by creating the illusion that reserves can be deployed at the same time or even before the regular forces go. Most military analysts would agree that the “ready to go in a flash” Total Force Army is a dangerous illusion.<sup>23</sup>

Dennis McCarthy, the recently retired assistant secretary of defense for reserve affairs, provided a more balanced opinion of the performance of the Reserve and Guard soldiers in the early years of this period of “persistent conflict.” He noted that among all the reserve forces across the services, the Army’s Reserve Component faced the largest and most difficult transition from a strategic to an operational force. For decades, the Army had relied on a deployment model that assumed that its reserve units would have sufficient time after mobilization to train and get the equipment they needed to deploy. According to Secretary McCarthy, that model has shifted, putting more demands on the Army Reserve and National Guard units to report to the mobilization site trained and ready to deploy.<sup>24</sup>

The shift from a “strategic reserve” to an “operational reserve” required the active duty force to work hand-in-hand with the Reserve on funding, equipping, training, and readiness requirements. McCarthy admitted that the relationship between the active Army and the Reserve Components got off to a shaky start at the beginning of the war, but over time, the outcome of this coordinated effort to man, train, and equip Guard and Reserve soldiers for deployment overseas has been phenomenal.

At the forefront of this effort to prepare, equip, and train RC soldiers were the Army’s mobilization and training forces resident in First Army and, until 2006, in Fifth Army. At the beginning of the conflict, Guard and Army Reserve soldiers called to active duty endured lengthy training periods at the mobilization training centers before deployment. Many reservists saw the equipment they would fight with for the first time at the site. Most training venues assumed that these reservists had forgotten most of their individual warrior and survival skills and lacked proficiency in the various collective tasks they were responsible to execute in theater. As a consequence, mobilization training centers’ programs of instruction resembled basic training curricula. No credit went to RC soldiers for training accomplished before mobilization. They felt like second-class warriors throughout their mobilization train-up.

Manned by veteran active and reserve soldier trainers, First Army, as the active Army command responsible for RC mobilization, training, and deployment, has overseen a significant reduction in the post-mobilization training time for most units.

This quantum improvement was attributable to several factors:

- Both the Guard and the Army Reserve stood up training centers where soon-to-deploy soldiers refreshed their warrior individual skills during extended periods of annual training. That pre-mobilization training is certified and not repeated at mobilization.

- Alerted RC units participate in collective training exercises before and during mobilization.

- Ceremonial events and other nonrelevant training distracters have been eliminated from the mobilization training calendar.

- Robust contingency budgets have permitted Reserve units identified for mobilization to send many of their soldiers to military occupational training schools and to additional collective training activities before mobilization. This money also allows Reserve units to put significant numbers of their soldiers on full-time active duty in the year leading up to mobilization.

- Alerted Reserve units now see new equipment early enough so that their soldiers have time to train with this equipment before they mobilize and deploy.

- After so many years of war, the Army has imposed a rotational/cyclic discipline into the engagement of Reserve units in the theaters of war. Reserve units are identified for mobilization and deployment sometimes up to two years in advance. The units can then formulate a training plan in conjunction with First Army that focuses on individual soldier readiness and the training of a specific set of collective tasks to perform in theater.

- Units benefit from significant prior coordination—both electronically and personally—with the units they will replace in Iraq and Afghanistan.<sup>25</sup>

After multiple rotations through the mobilization training centers and in and out of the combat theaters, RC units now boldly assert that they are “Trained and Ready.”

## Observations from History

Maintaining this vaunted “operational readiness” of RC units for future conflicts and contingencies requires cataloging what processes have worked over time, what processes have contributed nothing to “operational readiness,” and what the costs have been and will be to maintain the Reserve

Components’ ability to respond to the nation’s call without long training tenures at mobilization camps and stations. What do we gain from reading mobilization history? Six basic inputs bring soldiers and their units up to a level of operational readiness in which RC elements can do what they are supposed to do when needed to accomplish doctrinal or assigned missions. Those building blocks of readiness are—

- Authorized personnel on hand.

- Individual skill proficiency.

- Equipment on hand and working.

- The collective ability of the unit’s personnel to perform the missions assigned to the unit by doctrine or the necessities of combat.

- Adequate training facilities.

- Quality unit leadership.

Post-mobilization training can remedy almost all shortfalls in pre-mobilization training of Guard and Reserve units and personnel. Assuming there are sufficient resources (and this is not assured) within the active Army to handle the initial phase of a contingency operation for one to several months before reserve formations become available, almost all training and readiness issues can be resolved at the mobilization training centers. This is exactly how the nation’s Reserve Component trained to deploy after the commencement of formal hostilities with Germany in 1917 and after the attack on Pearl Harbor. The Guard and Army Reserve can simply regress to the role of a “strategic reserve,” ready to backfill and replace active Army units and personnel after several months of post-mobilization “basic training.”

Assuming that the Reserve or Guard unit mission requires the application of civilian-acquired skills, then the more competent in technical skills acquired from such civilian employment the individual soldier is, the less time that reservist must spend at the mobilization site. To wit, if the Army will employ a doctor, meteorologist, resource management specialist, intelligence analyst, civil affairs soldier, lawyer, truck driver, or cook to accomplish tasks similar to those performed in his civilian employment, these reserve soldiers only need refresher training on basic combat survival skills and an orientation to theater-specific cultural and language requirements before deploying. Even today, we are deploying doctors, dog handlers, and



military intelligence soldiers to the fight with only a week or so of post-mobilization training. This replicates the mobilization model for Army Reserve doctors in World War I.

The counterpoint to this observation is that the greater the requirement for personnel and the units in which they serve to execute complex combined arms tasks at increasingly higher levels of intensity, then the greater the requirement for more collective training time to rehearse and confirm their ability to do what they are supposed to do in a combat environment. Combined arms units at battalion and above require substantial time to train at well-resourced mobilization training venues or at the three combat training centers. Empirical evidence accumulated during the implementation of the Bold Shift training strategy and from the last 10 years of mobilization experience with combat battalions, brigades, and division staffs suggests that no full-spectrum combat units have ever achieved the required collective training readiness before mobilization.

The observations of a Government Accountability Office report, dated 5 May 1992, remain true today:

It simply may be unrealistic to assign early deployment missions to Reserve combat brigades when the required proficiency of such large maneuver forces cannot be achieved in just 39 days of training a year. The most basic systemic problem is the limited peacetime training that reservists receive compared to their active duty counterparts—39 days spread out over 11 weekends and 2 weeks of annual training. However, even fewer than this number of days is actually available for training because of the administrative demands placed on the units according to an Army study.<sup>26</sup>

Operational readiness does not depend on the number of paid training days afforded to Guard and Army Reserve soldiers and their units over a training year. The amount of time necessary to bring different units—combat, combat support, combat service support—to satisfactory levels of operational readiness should be the consequence of objective assessments made by impartial evaluators at combat-like training events. Their findings should be the basis for calculating post-mobilization training. On the other hand, providing RC units additional funding

to train increases the likelihood that more soldiers within the unit will benefit from the training and remember the lessons taught due to sheer repetition and muscle memory.

We must assess all culminating training exercises for guard and reserve units, especially those at annual training events, and maintain scorecards to establish a baseline for improvement. External assessment compels RC leaders to focus on the tasks necessary to meet the required standard of performance. With the expectation of a tough external review, the unit commander, officers, and senior enlisted leaders must synchronize and judiciously employ the scarce resources of time, personnel, training venues, and equipment to prepare for the annual training event rather than face humiliating failure. If there is no assessment, there is no real pressure to succeed. Rather, the unevaluated training event becomes an experience rather than a challenge.

As demonstrated by the investment of AC training personnel and resources into Guard and Reserve units under Bold Shift and Training Support XXI, there is significant benefit to Reserve units in partnering with “like-kind” AC units to achieve training proficiency. The resurrection of validation and assessment programs with active duty support, such as the Army Training and Evaluation Program and the Command Logistics Review Team evaluation of equipment availability and operability, can contribute to increased operational readiness.

## Summary

As Lieutenant General Jack Stultz, commander of the United States Army Reserve, has said, “We can’t go back to being a strategic reserve.” Can RC units and their soldiers achieve and maintain the required level of operational readiness needed to respond rapidly, without long periods of post-mobilization training, to unforeseen “force on force” contingencies, homeland security and humanitarian assistance missions, and theater security cooperation exercises? This is the same question asked of the Reserve Components in 1917, 1941, 1950, 1965, 1990, and throughout this period of persistent conflict. They answered the question in different ways at each critical period in our country’s military history over the last 100 years. They must do so today as well, as the Army faces an uncertain future. **MR**

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# A FAILURE TO ENGAGE

## Current Negotiation Strategies and Approaches

Major Aram Donigian, U.S. Army, and Professor Jeff Weiss

Major Aram Donigian is a co-founder and former co-director of the West Point Negotiation Project founded in 2009. He holds a B.S. from the U.S. Military Academy and an M.B.A. from the Tuck School of Business at Dartmouth College. In addition to serving three tours in Afghanistan and teaching negotiation at West Point for three years, Donigian has trained numerous deployed and deploying military units in negotiation.

Professor Jeff Weiss has spent over 25 years working with the world's leading companies and governments on complex negotiations. He is a founding partner of the global consulting firm, Vantage Partners, LLC. He is a cofounder and codirector of the West Point Negotiation Project, and a faculty member at both the United States Military Academy and the Tuck School of Business, as well as a frequent guest lecturer at the Army War College and the Special Operations Command conference. Weiss is a graduate of Dartmouth College and Harvard Law School.

PHOTO: A platoon leader engages with local religious leaders and village elders during Eid-ul-Fitr in Noor Gul District, Kunar Province, Afghanistan, September 2010.

**D**URING A LUNCH with Afghan government officials not long ago, one of the Afghans, an attorney with 35 years of experience, passionately described the never-ending challenges he faced in reducing tax evasion at Afghan borders and customs depots. For more than five minutes, he described the thousands of papers and receipts that his team had to review to determine whether exemption paperwork was legitimate or counterfeit.

When the Afghan attorney finished speaking, a young Army major who had just been assigned to work with him simply responded, “Thank you for having lunch with us. It is a pleasure to break bread with you. I look forward to working together.”

This response was both odd and predictable. It was odd in the sense that the major did not respond at all to either the emotion or the substance of the attorney’s remarks. Anyone putting himself in the attorney’s shoes might well have thought, “I’m sorry, young man, but did you hear anything that I just said?” Yet, the major’s response was predictable. It was word for word, a textbook example of what military training centers and schools teach U.S. officers to say in such situations.

Later in the conversation, the Afghan attorney boldly ventured to set forth a possible solution to the problem: eliminate all tax exemptions, enforce payment by everyone, but also reduce U.S. support. While, of course, this was neither the time, place, nor level of authority for such a discussion, the Afghan’s action was an encouraging sign—an Afghan leader volunteering to offer a solution for a problem, without seeking a commitment of funds or other U.S. action. Unfortunately, the Army major was quick to tell the attorney, “No, we would never do that.” This essentially ended any further discussion on the subject. The response discouraged the attorney and made it less likely that he would share his ideas with us in the future or that he and his countrymen would believe any U.S. official the next time one asked them for their ideas and solutions.



The incident was yet another lost opportunity to ask “why” (to understand the needs and motivations driving the proposal). Alternative responses might have been, “That is an interesting idea worth discussing in another venue,” “We likely could not commit to your proposal, but I think the reason you are asking for that is because of ‘these concerns,’” “I’m not positive we could do that. What other ideas do you have?” or almost anything else that would have recognized the attorney’s concerns, kept the attorney engaged, and enabled a continuation of the dialogue.

This incident shows a U.S. failure to effectively engage and problem-solve with other people. While some positive, constructive interactions exist, they are diminished by more frequent debilitating actions (e.g., transactional engagements, use of threats, or giving little thought to measures of success).

## A Faulty Mindset

While we should not throw out current negotiating procedures and techniques that are effective or positive, we must improve engagement effectiveness by addressing an inherently faulty mindset that arises from ignorance, unawareness, and untested assumptions about negotiation.

Although there have been many improvements over the past 10 years, military leaders have failed to shift their mindset to engage Afghans and, for that matter, other international, joint, and interagency partners. The following is just a sampling of statements by senior officers that demonstrate a concerned way of thinking:

- “Looks like we have some horse trading to do. We’ll give a little on night raids, and they’ll give a little on Kandahar City.” This statement demonstrates an inability to apply sophisticated problem solving approaches to complex, multiple issue discussions.

- “That’s life in the bazaar—you’ve gotta walk away. Just for a little while.” This extremely tactical approach is evidence of a game of offers, counter-offers, and threats: a game that leads to either a spiral of threats or a series of concessions and compromises, and a result that leaves both parties unsatisfied.

- “The problem is that we’re not negotiating from a position of strength. That’s how you really influence people—hold back what they want until

*they do what you want.*” This demonstrates a belief that there are only two ways to negotiate—be tough or be weak—a faulty assumption about where power comes from in negotiation.

- “We need to call those chips in.” This statement indicates a “favors and ledgers” approach without necessarily understanding the limitations and problems with playing this game: it does not develop the long-term relationship, does not guarantee good communication, often results in unequal perspectives of the ledger, and ignores underlying concerns and fair standards.

- “It was a successful engagement. Our messages were delivered.” This demonstrates a belief that the primary purpose of an engagement is one-way communication. The application of talking points—originally a public affairs/media term—to engagements perpetuates this assumption.

- “The key message to send is not that we have a problem, but that the Afghans have a problem, and we’re helping them out.” One of the first assumptions that we ought to question is whether a problem is “theirs, ours, or both of ours.” If tested, typically one finds that the problem is “both of ours” and requires a joint approach to an effective process and substantive outcome.

These examples demonstrate why the military is so poorly prepared for and ineffective in negotiations. In reality, few agencies—including business, government, and not-for-profit organizations—are much better unless they have deliberately committed time and energy to developing negotiation as a core competency. Military engagement thinking lacks a disciplined framework for systematically working through people problems, resulting in ineffective results in the critical “last three feet” of interaction. A deliberate change in mindset is necessary, and the only way to achieve that change is through changing assumptions.

Unfortunately, most officers are unaware of their assumptions and ineffectiveness; many others seem convinced that they know what they are doing. Given the critical importance of being able to engage with people, an analogy about a more familiar system seems appropriate. Any officer would tell you that firing weapons to engage *effectively* with the enemy involves much more than just handing someone a weapon and telling him to throw rounds down range. Marksmanship

Current Assumptions	New Assumptions
The keys to a successful negotiation are compromise and concession.	The key to a successful negotiation is creativity.
My best tools are statements of "Yes or No," "I'll give X if you give Y," and "Or Else."	My best tools are the questions, "What's driving that?" "How would we defend that and based on what standard?" and "What are some ways you think we might solve this?"
My main job is to get our message across.	My main job is to fully understand their perceptions and interests and engage them in joint problem-solving.
I am most persuasive when I know and show that I am right.	I am most persuasive when I think and show that I am open to persuasion, and when I truly believe I have at least a 1% chance of being "wrong" or can learn something from them.
Power comes from using force or financial and material leverage.	Power comes from driving understanding, creativity, and a fair process.
The only way to get something is to give them what they want.	If we can understand "why" they want something, we can discover more and likely better possible solutions.
If we give now, we can get later.	Creating fair, equal agreements that manage both parties' abilities for follow-through is more effective in the long run.
Failure is their problem.	Failure is a joint problem.
There are only two choices in negotiation: be a hard (anchor positions and make threats) or a soft (give in to build the relationship) negotiator.	The most effective negotiator knows his / her walk-away and has it in his / her back pocket, builds the relationship (develops trust on actions, not concessions), and negotiates substance on the merits (making use of interests, options, and legitimacy).
If they behave badly, I should too.	I should behave in a way that will move us toward where I want to go.
This negotiation is an isolated, transactional event.	The purpose and desired outcome for this event builds upon and sequences with past and future engagements.

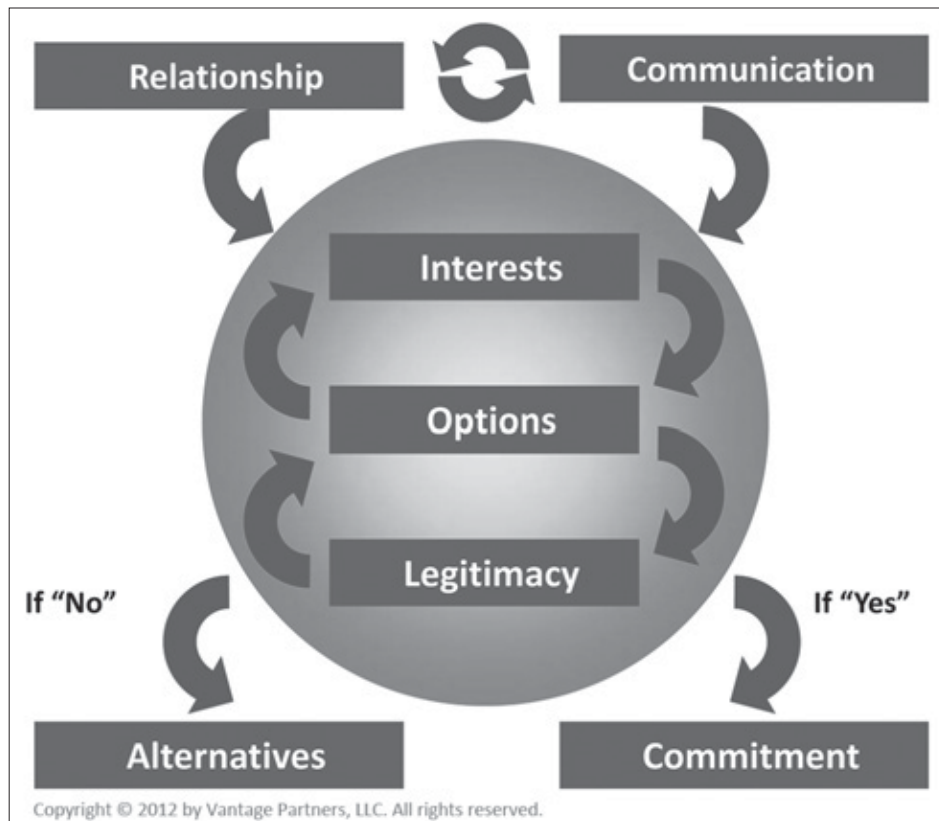
**Negotiation Assumptions**

and live-fire training are deliberate and sequenced events, beginning with basic drills and advancing to live-fire exercises. Why the need for focused training and skills? The answer is effectiveness! If leaders chose to not be deliberate in the training of key weapon systems, would anyone be surprised if effectiveness in employing those systems declined? Of course not. Why, then, are leaders surprised that ineffective approaches are used in engagements, knowing that very few officers have had exposure to the concepts, tools, and processes that could make them more effective?

The military is missing opportunities in its engagements because it does not understand the process or the choices available, resulting in poor decisions focused on immediate outcomes. In some cases, officers eventually get the desired agreement but not the behavioral result, long-term change or follow-through. Evidence of this is that leaders continue to have the same difficult conversations multiple times. Over the past seven years, we built

a list of the reasons why we believe military officers struggle with negotiations:

**Officers lack formal education in how to engage.** Current engagement methods are primarily based on experience and inadequate training, leading to unintended results. Officers rarely have the opportunity to see the long-term consequences of their actions, so experience tends to reinforce a short-term mentality for negotiations. "If I can use force to get something done now, why do I care about the conditions that I create for the person following me?" Abbreviated educational opportunities teach a process of understanding the other party's needs in order to give him things to build trust to exploit later or make threats to get something now. These tactics have proven ineffective in long-term situations involving reoccurring, complex interactions. Officers need a common, robust vocabulary and framework for negotiation taught at all levels of officer education.



### In-the-Circle Negotiation

**Assumptions are not tested and, in many cases, officers are not even aware they are making them.** These assumptions are about the problem, the process, the other people, ourselves, possible solutions, and the appropriate measure of success. A very common and debilitating assumption is that the other person is not helping you because he does not want to help you. A good way to challenge this assumption would be to think about the many possible obstacles that person might be facing that would prevent his cooperation. If you can assist him in dealing with those obstacles, or just recognize that they exist, you will have a greater opportunity to achieve success.

**Officers see negotiation as a “yes or no” transaction versus a discussion of possibilities.** They believe their choice is to be either strong or weak. They forget that the key is to be effective. This is because most officers start from the premise that they must give either everything or nothing. Instead, an entirely different process, known as “principled negotiation,” “joint-problem solving,” or “in-the-

circle negotiation,” emphasizes understanding your and the other party’s interests, being creative in finding joint solutions, applying standards of fairness to the selection of solutions, working to establish clear communication by managing perceptions of all parties, building genuine working relationships, managing alternatives (yours and theirs), and making realistic, actionable commitments. This approach (“In-the-Circle Negotiation”) is a more constructive starting point for negotiations.

**Officers tend to treat engagements as singular events rather than as part of a sequential and cumulative process.** The term “key leader engagement” sounds like a transaction. This may explain why leaders so rarely define the purposes of meetings (beyond “messaging”) or sequence their engagements. They do not see how a negotiation with Person X sets up a following meeting with Person X, or see how meeting with Person Y might set the conditions for engaging with Person Z, and build success incrementally as part of an intentional engagement strategy.



**The most common problem is a strong desire to commit or not commit early to a solution.** The Army trains officers to be decisive; they want to be fast and efficient, so they are quick to dismiss ideas as infeasible. They are actually happy to take a nonoptimal solution rather than working jointly to create value. Officers are often impatient with the process, yet the process may actually be the most critical thing in Afghanistan, owing to the power of perception, a lack of existing systems, and the vast corruption problem.

**Officers fail to engage effectively because of a lack of consideration for the other party’s perspective.** Many officers are either unaware of biases they possess or simply do not want to understand their counterparts’ viewpoints. This is in contrast to the COIN idea of “getting over your own mountain and falling in love with the other guy’s mountain.” Soldiers often make disparaging remarks depicting Afghans as “backward” or referring to them as “those other people.” In addition, some officers are actually afraid that building understanding means agreeing, which is not true.

**There is a belief that money is the critical source of power.** Officers ought to rely on a firm understanding of interests, the ability to brainstorm elegant options that meet persuasive criteria of fairness, effective communication, well-crafted commitments, and a positive working relationship. They should understand that money is not the sole driver of behavior. You can recognize other levers of persuasion that exist and ought to be considered through the use of a “Currently Perceived Choice,” or CPC, tool. It is designed to help negotiators understand why the other party may say “no” to a proposal based upon how the other party currently hears the choice presented to him (typically not how we believe we are asking the question) and their perceived consequences to a “yes” or “no” commitment.

By deliberately working to understand the situation from the other party’s perspective (what we call “walking a mile in their shoes”), you can understand their motivations, needs, fears, and concerns. Rather than trying to change their interests, you can create better options that satisfy their motivations, help them understand

<b>Currently Perceived Choice</b>	
<b>Decision Maker: Afghan Leader XYZ</b>	
<b>Concede to international, external demands, sacrifice autonomy, and</b>	
<b>Decision: Shall I today give up my only source of security, prosperity and status?</b>	
<b>If “yes”</b> <i>I might experience the following consequences</i>	<b>If “no”</b> <i>I will likely experience the following consequences</i>
<ul style="list-style-type: none"> <li>- I lose control over subordinates.</li> <li>- I lose support from key tribes.</li> <li>- Someone else will seize the opportunity and I will have another rival with whom to compete.</li> <li>- I lose the ability to sustain power following international departure.</li> <li>- I lose influence during upcoming elections.</li> <li>- A cascade of uncontrollable changes may result.</li> <li>- Media will report information inaccurately.</li> <li>- <u>However, we also may experience:</u></li> <li>+ Satisfaction of taking action that I believe in.</li> <li>+ Send a clear message of effective government.</li> </ul>	<ul style="list-style-type: none"> <li>+ Maintain status quo.</li> <li>+ Force international partners to continue coming to me.</li> <li>+ I still have my current position and territorial base of power.</li> <li>+ I keep pace with other rival leaders.</li> <li>+ I can keep the enemy at bay in my area.</li> <li>+ There will not be any penalties for not cooperating.</li> <li>+ I can still say “yes” but do nothing.</li> <li>- <u>However, we also may experience:</u></li> <li>- Enemies will continue unhindered funding.</li> <li>- Stability may erode anyway.</li> </ul>
<p>The Currently Perceived Choice Tool was introduced by Roger Fisher in <i>International Conflict for Beginners</i>. HarperCollins Publishers (1969). The tool was further developed by Roger Fisher, William Ury, and Bruce Patton in <i>Getting to Yes: Negotiating Without Giving In</i>. Penguin Group (1981, reissued in 1991 and updated in 2011) and by Roger Fisher, Elizabeth Kopelman and Andrea Kuper Schneider in <i>Beyond Machiavelli: Tools for Coping with Conflict</i>. Harvard University Press (1994)</p>	

the short- and long-term aspects of their decisions, or deliberately weaken their ability to satisfy these needs without your involvement (what we call their alternatives).

**There is a tendency to mix substantive issues with relationship issues.** Officers are not prepared to disentangle the two and to deal with each along separate lines of merit. Attempts to buy a relationship through concessions make Afghans see us as “shadowy.” They are likely to reject our proposals or our efforts to negotiate with them in good faith.

**The military fails to properly define success in a way that makes sense.** Success should be defined in a sophisticated, graduate-level way that matches the complexities faced in counterinsurgency and stability operations. By failing to refine how we measure success, we experience lost opportunities, frustration, damaged relationships, unwanted precedents for doing business, and poor agreements that are doomed to fail. Success could be improving communication, enhancing the relationship, refining each other’s interests, brainstorming solutions without commitment, or researching acceptable and applicable standards. Unfortunately, officers typically have a short-term view of success and do not understand how to strategically sequence or build subsequent engagements to achieve long-term effects. Officers are constantly seeking the “60-minute” or “12-month” win.

**Many officers are not creative.** Military officers are good at obeying orders but far less capable at being creative and finding solutions to problems without guidance from higher echelons. Rather than systematically researching and then making recommendations based on an understanding of the person, situation, and problem, staff officers tend to ask the leader what he wants to talk about. This insufficient analysis hinders both the preparation for and conduct of the negotiation, placing the entire success of the outcome on the ability of the principal negotiator rather than on the entire team. When officers do get “creative” they tend to make “creative offers,” which are significantly different from “creative options.” Offers are still looking for immediate commitment and, typically, are not fully tied to interests. Options, rather, derive from interests and standards for recognizing fair, reasonable solutions.

## Recommendations for Success

Negotiating success requires a fundamental shift in behaviors. What we previously described, our last seven years of research on military negotiations, and that of our colleagues with over 30 years of research and applied work at the Harvard Negotiation Project and beyond, suggests that we need negotiators who are able to:

- Be aware of and question assumptions in negotiation.
- Define a good outcome and systematically measure negotiated success against it.
- Choose between positional and principled negotiating.
- Effectively apply positional bargaining.
- Effectively apply principled negotiation.
- Deal with a hard bargainer (spot, diagnose, and change the game).
- Walking in the other party’s shoes.
- Manage perceptions.
- Build working relationships in negotiation (separate from, and in addition to, effecting strong substantive outcomes).
- Effectively prenegotiate over process.
- Manage group negotiation process.
- Form, manage, and break apart coalitions.
- Align multiple parties.
- Adapt negotiation approaches to cultural differences.
- Systematically and thoroughly prepare for negotiations.
- Review, extract, and share key lessons from negotiations.

Another way of summarizing this is that we need negotiators who can make a fundamental shift in their mindset.

To develop these kinds of negotiators, we recommend the following actions:

**Training.** Run leaders and staffs through highly applied three-day training sessions to develop the core skills of the circle-of-value model shared above. In these sessions (which we have successfully run before with military officers) we share proven strategies and tools for how to measure success; provide instructions; prepare, conduct, and change the game; and review and learn from negotiations. We provide lots of time for practice and reflection through opportunities to apply the strategies and tools to current operational negotiation challenges.

### A CRITICAL SHIFT IN NEGOTIATIONS APPROACH

Taking a purposeful approach to negotiations, rather than a combative one, requires a shift in mind-set.

From	To
What do you want?	Why do you want it?
Will you accept/give up?	What are some different possible ways we might resolve this?
How about we just split it?	By what criteria/legitimate process can we evaluate (and defend) the best answer?
Saying, "I understand"	Showing I understand
Thinking my strength comes from knowing I am right, anchoring well, and effectively using threats	Thinking my strength comes from being open to learning and persuasion, being skilled at figuring out their motivations, and being extremely creative

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Run Afghan leaders and ministerial staffs through similar training. The more skilled our counterparts are in principled negotiation, the more successful both parties will be in achieving their goals. The more our counterparts have the same picture and language and use the same preparation methods and tools for negotiating, the easier it will be to build understanding, break through roadblocks, and engage in joint problem solving. Worth considering are joint, out-of-country military and Afghan training sessions in which expert facilitators help leaders train together and practice working on current negotiations.

**Discipline.** Build a discipline around preparing for negotiation. Negotiators should only engage in negotiations after thorough preparation. They should understand their interests, have hypotheses about the other party's interests, have a range of possible options for negotiations, be armed with standards of legitimacy for determining what

options make the most sense, understand their alternatives, and have taken steps to improve them. They should have considered the other party's alternatives and possible ways to worsen them, planned the purpose of the upcoming negotiating session, and considered how to build trust and understanding based on merit (not substantive concessions). We should meet any negotiation escalated to a higher level with a request for this information before advice or help is given. Even when negotiations happen at the spur of the moment, negotiators should run through the above items. We should expect to do this, model this process consistently, and reward those who succeed at it.

Also build a discipline around reviewing negotiations. Task a committee or team to coach individuals. Enable military leaders to see negotiation not as a binary, "yes or no" transaction but a process for jointly discovering possibilities



and creating value. We should revise our current debrief from strictly an intelligence document to an actual learning document, capturing what worked and why and what to do differently next time and why. Developing actual prescriptive advice helps improve actions and results in follow-on engagements.

**Organizational support.** We must not see a negotiation as a transaction or “engagement” but a process, a sequence of interactions that build on one another. To do this, we must discuss and plan for negotiations through a series of phases: internal alignment, preparation, pre-negotiation over the process, negotiation, mid-course correction, closure, and review. An essential step is defining activities, outputs, and roles for each phase and ensuring coordinated execution of each, as we would with any other operation. In addition, we must develop a system and roles that allow for systematic planning for how to position and message the overall negotiation on any key issue:

- Sequence each meeting with our counterparts with defined purposes and outputs.
- Carefully map and define all key parties to engage, who will engage them, how, on what issues, and at what time.
- Coordinate this through a central team that can monitor progress, leverage lessons learned from meeting to meeting, plan mid-course corrections, and manage the interconnectedness of all of the parts and parties.

**Brainstorming sessions.** Consider facilitated joint brainstorming sessions between selected military stakeholders and Afghans. (Our colleagues at Vantage Partners and Conflict Management Group have used this method for years in highly complex governmental and corporate negotiations.) Focus these sessions on thoroughly understanding the underlying interests of all key parties regarding a set of issues that need a negotiated solution, and then (with no commitment or critique) jointly brainstorm possible solutions that might meet core interests of all parties. To get true out-of-the-box thinking, consider inviting people who are highly knowledgeable and creative, but have no authority

to commit. Focus subsequent sessions on jointly defining evaluation criteria so you can narrow down the options, identify likely critics and their critiques, and improve the possible solutions to address the key critiques. Provide the output to the formal “negotiators” or “negotiating teams.”

## Changing Negotiation Behavior

A leader’s skills must be at their sharpest when the situation is the most challenging. Given complex challenges, diminished resources, an aggressive timeline, and the many alternatives that Afghan leaders have to working with us, officers must be able to think, learn, and be systematic in their negotiation approach if they hope to achieve their objectives. Officers must adopt the tools to systematically prepare for and conduct negotiations that entail joint problem solving, value creation, securing alignment, and defining real commitments.

Changing negotiating behavior is not a simple matter of conducting a few training sessions and admitting that negotiation is an important competency. It requires broader organizational support, from the top down, and an effort to change the way we approach all of our negotiations. Senior officers must set the conditions for negotiation success through the instructions they give, demanding thorough preparation, providing coaching, measuring success, and insisting upon extracting and sharing lessons from key negotiations, and they must do each in a way that is consistent with an “in-the-circle” negotiation approach. To drive real behavior change, they will need to model this same behavior in their own negotiations, and in what they request of, reward in, and reinforce with subordinates.

The military’s evolving mission, context, and power to get things done require a change in how our officers negotiate. In Afghanistan, without real investment and focus in making this change, we will continue to underachieve in key leader engagements. Furthermore, we will miss critical opportunities to work with Afghan leaders to establish necessary conditions for a successful transition and an independent, sovereign Afghanistan. **MR**

*For more information on negotiation training, tools, and organizational support, please contact the West Point Negotiation Project at [wppn@usma.edu](mailto:wppn@usma.edu) or visit [www.wppn.org](http://www.wppn.org)*



# Difficult Missions

## What Logic to Apply and What Action to Take

Brigadier General Huba Wass de Czege, U.S. Army, Retired

**S**OME MISSION ASSIGNMENTS are more complex than what at first meets the eye. The great nuclear physicist Albert Einstein once said, “If I were given one hour to save the planet, I would spend 59 minutes defining the problem and one minute resolving it.” In my experience in government and the military, I have seen an inclination to reverse those proportions. Of these two very different activities, less is understood about making the important choices of logic that *govern* choices available for action.

### The Nature of the Problem

As Albert Einstein reminds us here, a “problem” is a conceptual construction in our minds, not the objective reality of a difficult and dangerous situation that exists in nature. How we understand that situation after giving the available evidence some thought is what is important. Many situations, especially those involving ample human interaction, will always elude full understanding because of interactively complex dynamics. As soon as we think we grasp some essential nature, it changes, and when such situations suggest improvement, even experts will have difficulty deciding what the “problem” is, even though non-experts can agree that things are getting worse and not better.

Future mission decision makers, at all levels of command, will confront “dynamic” and “interactive” complexity regularly in the mission situations they will face. This flux is the more problematic complexity of nonlinear social behaviors over time—subtle relationships among cause, effect, and constant unpredictable interactions. Displacing one regime and installing another entails such problems. So does forcing peace on warring factions, as in El Salvador, Grenada, Panama, Haiti, Bosnia, Somalia, some others before 9/11, and all other operations since. Even the response to Hurricane Katrina presented such a problem. Because of the desert setting of most of the combat in the First Gulf War, this was the least complex, and least typical, of the likely missions on the road ahead. None of them was anticipated even a year in advance. Army long-range planners and their political leaders had their eyes elsewhere, which really cannot be helped given the complexity of global humanity. Such surprises are historically normal.

Brigadier General Huba Wass de Czege, U.S. Army, Retired, was one of the principal developers of the Army's AirLand Battle concept and the founder and first director of the School of Advanced Military Studies, Fort Leavenworth, KS. He holds a B.S. from the United States Military Academy and an M.A. from Harvard University.

PHOTO: U.S. Army CPL Joaquin Viera, left, and SGT James Robertson engage targets while dismounting a vehicle on a range at Camp Fallujah, Iraq, 21 October 2010. (DOD, PFC Gary Silverman, U.S. Army)

## Problem Solving

Success in difficult military missions in which the mission problems are not self-evident, even to experts, involves rigorously applying the logic of all four sequential steps of the traditional problem solving process:

- Structuring or framing the problem, that is, making sense conceptually of the situation we are asked to improve.

- Developing a conceptual solution strategy based on the frame. This may be as simple as taking advantage of the tendencies that are already making it “better” and blocking and mitigating those making it “worse.”

- Formulating and executing the tactical solution of concrete ends, ways, and means. Deciding on and implementing concrete ways and means in acting to produce outcomes the strategy predicts will lead toward solving the problem. Such problems are situations that have become intolerable and must be improved to become tolerable enough for the mission to end.

- Learning appropriate information from execution attempts to adapt both the tactics of concrete ends, ways, and means, and the strategy of *conceptual* ends, ways, and means.

Time invested in the first two conceptual steps will avert wasting time and effort on useless or even counterproductive concrete missions that solve the wrong problem. Paying attention to the last step leads to steady improvement of the mission situation. Unfortunately, this reasonable advice is more often not heeded in practice. Applying all four steps equally rigorously will be particularly important because little will be known beforehand about adversaries and how they might fight.

Interactions with the press and local publics have become more dynamic and crucial to military success. Winning and keeping coalition partners also introduce new structural dynamics. Many systemic tensions, actors, and variables in modern mission environments are *initially suppressed*, thus unknowable in advance of operations. Intolerable situations arise in unexpected places to force political



(U.S. Air Force, TSgt Francisco V. Govea, II)

Members of the Afghan media interview U.S. Army GEN Stanley McChrystal, commander of the International Security Assistance Force, during his visit to the Friendship Gate border crossing, 18 January 2010, Spin Boldak, Afghanistan.



leaders to “do something,” acting to satisfy political imperatives at home. As we have seen, they do so without fully understanding what can be done, and how, or even by whom.

Once a military intervention is launched to address a problem framed by the highest echelons, the situation evolves rapidly, particularly as these suppressed systemic factors are released. Military echelons above the company level are just as apt to order companies into action before they themselves have had much time to devote to structuring or framing their own mission. They do so without formulating a conceptual solution strategy at their own level, following the lead of policy decision makers. The famous mission then-Colonel Sean MacFarland received while commanding a Brigade Combat Team in Iraq in 2004, “Fix Ramadi, but don’t do a Fallujah!” serves to illustrate such mission statements.

This vagueness means that a campaigning military organization must learn and adapt as fast as it can, at multiple levels at once, and it must learn and adapt in ways that are unique to every echelon while drawing on knowledge and support from peers, superiors, and subordinates alike.

### Decide an Assumed Logic

Given such mission situations, military leaders will not recognize and categorize the mission-situation into familiar patterns quickly. Because interactive complexity is dynamic, one has to identify *tendencies* in the interactivity. Coping with such tendencies requires sorting through a mass of seemingly unrelated data to impose logical structure. This takes classic inductive reasoning, generalizing from particulars. Worth noting is that scientists tell us inductive reasoning cannot be hurried, and it cannot be done well when sleep deprived. See Paul Claxton in *Hare Brain, Tortoise Mind* for insight into the process. Also, see *Thinking Fast And Slow* by Daniel Kahneman for further insights into why we often draw the wrong conclusions from apparent facts. *Blink* and *The Tipping Point* by Malcolm Gladwell are current popular books on the same subjects. The first one tells you about the power of expert snap judgments, and when they can’t be trusted. The second book explains the nonlinear dynamics of human interactivity, and the tricky business of predicting, or reacting to, social trends and movements.

***Coping with such tendencies requires sorting through a mass of seemingly unrelated data to find logical structure.***

Bringing together people with different perspectives and fields of relevant knowledge is always helpful, and engaging in rigorous “cross talk” laterally and vertically with peers, subordinates, and superiors about different interpretations of the available facts can tease out relationships and logical frameworks to explain them. Advances in modern military communications, like Force XXI Battle Command Brigade and Below, a Linux-based communications platform, and the Command Post of the Future command and control software system can help in the difficult challenge of *sense-making* when properly used.

Returning to the traditional four steps of the problem solving process, distinguishing the nature of the first two from the third is instructive. Structuring or framing the mission problem and developing a conceptual solution strategy require *deciding* on a conceptual formulation or rationale for the concrete actions that follow in the next two steps. Such decisions are made based on incomplete knowledge and assumptions of *logic*—what will happen, if I do this (e.g., seize and hold high ground) or that (e.g., establish a system of outposts)?

Care must be taken to acknowledge, test, and record such assumptions—even when they are drawn from established doctrine! Given the way the human brain works, the commander and other participants will begin to design the guiding idea for action even while they are framing the problem. Making the best possible conceptual sense of the known facts of the mission-situation and formulating (or designing) an advantageous conceptual path forward given that *understanding* is the more difficult kind of decision-making company level leaders will face. Finding the most promising path forward in constantly shifting “terrain,” metaphorical or otherwise, is the challenge. A good article exploring this challenge is “Thinking and Acting Like an Early Explorer” in *Small Wars*

*Journal*, April 2011. These steps require thinking and acting like an explorer before the days of *Google Earth*, *The Weather Channel*, and global positioning systems. The wisdom in this article is not limited to “small wars.”

Outside the military, choices of logic are called “strategic” decision-making, or “strategic design.” Because the commander and his associates have to remain skeptics about the way they have initially framed the problem and to keep testing their hypothesis to failure, this logic is fraught with difficulty. Actively checking for facts that might disconfirm assumptions and posturing oneself to avoid complacency induced by successes is vital. *The Black Swan: The Impact of The Highly Improbable* by Nassim Nicholas Taleb is a good reminder of the possibility of outliers from assumed inductive patterns. The human tendency is to pay more attention to confirmation and to discount early signs of disconfirmation.

## Adapting the Conceptual Frame

From this logical intransigence follows the need for iteratively adapting one’s conceptual frame *and* the conceptual, perceived solution, knowing that the interactive dynamism of the mission-situation, including the activities of the command, are creating new factors, raising the relevance of old ones, and making others irrelevant. Careful forethought must be given to the peculiar information requirements of this kind of decision making, and one has to be particularly careful that attaining concrete tactical objectives is not mistaken as the chief indicator of mission success. One must ask whether attainment of these milestones has improved the mission-situation.

Step 3 of the traditional problem solving process is governed by the decision of logic taken in the previous steps. Normally human beings do not act without an underlying logic based on inductively derived beliefs and the intentions those beliefs develop. The objective situation might actually be messy (or “ill-structured”), but steps 1 and 2 have supplied a logical structure.

Therefore, the particular interpretation of the known facts of the situation in step 1 and the best judgment of how to take advantage and avoid difficulties within that interpretation of facts are *givens* in Step 3. This step requires a translation

of mental constructs into concrete effort toward concrete objectives in the objective mission-situation. This process is *deciding what concrete objectives are most useful and relevant, and how to act*—how to optimize and improvise—within both the objective situation as experienced and the logic derived in the previous steps. The activity amounts to deciding what concrete near-term objectives to pursue, which are usually multifarious when operating in complex situations. It also includes deciding in what order to pursue them. Applying the logic decided in steps 1 and 2 to plan backward from near-term objectives to decide what available concrete means to use, and what actual methods and techniques to apply, becomes the product. Outside the military this would be called tactical decision making, no matter at what organizational echelon they are taken.

In a world in which the structure of the mission logic remains static for long periods of time, one in which doctrine can provide conceptual templates, problem solving steps 1 and 2 require only fast modes of thinking. Such stasis implies that previous experience is readily transferrable and that problems are facile enough to be framed from a higher echelon. Step 3 is the crux of decision making. However, for combined arms company commanders and their subordinate leaders in the brigade combat teams of the current Army, the cases requiring only tactical decisions will be rare.

Still, the good news is that step 3 tactical decision making in the current Army is astute enough. The current seven-step military decision-making process and associated troop leading procedures have finely honed the science of step 3, problem solving. Disciplined and powerful linear deductive logic is taught and practiced routinely. Upon receipt of a mission, Army leaders reason backward from objectives, given the logic of the situation; deconstruct the main mission task into specified and implied tasks; and employ the organic, attached, and supporting means at their disposal according to the best methods and techniques they know. Assumptions of fact are made as necessary. Information requirements are decided based on the need to check and improve these assumptions. They are keyed to identify changes in known relevant facts, to choose between predetermined options, to support the various functions of the operation,



An Afghan National Army commando, right, plots route points on a map at Camp Morehead, Afghanistan, before he and other members of the 6th Commando Kandak begin a training operation, 8 March 2011. (U.S. Air Force, SSgt Ryan Whitney)

to mitigate surprise, and to improvise appropriate responses to unexpected dangers and opportunities. The command and control infrastructure now in place is designed primarily to support step 3 problem solving and tactical decision making. The extension of those capabilities to the “edge” would undoubtedly improve company level tactical decision making.

The fourth, and final aforementioned step in the traditional problem-solving process is “learning appropriate information from execution attempts to adapt both the tactics of concrete ends, ways, and means, and the strategy of *conceptual* ends, ways, and means.” This process suggests iterative cyclical processes.

## The Cycle of Action

Most readers will be familiar with the so-called Boyd observe, orient, decide, and act “OODA” loop, the concept of turning inside the enemy’s decision cycle, an iterative cyclical process of *orienting* on relevant matters, *observing* pertinent changes in the situation, making sound *decisions*, and *acting* appropriately in a never-ending cycle.

This cycle turns more rapidly than that of the enemy in order to introduce changes into the objective situation that provide increasing advantages to the quicker side and mounting disadvantages to the slower. This cycle supports *deciding* how to optimize and improvise within the objective situation given the logic and rationale decided upon in steps 1 and 2. Those previous decisions of logic determine what matters are relevant toward achieving the desired concrete ends, what changes are pertinent for successful execution of current operations, what execution decisions are required, and what concrete adaptations are required to achieve near term concrete objectives. This *tactical* decision cycle is a reasonably good way to think about iterations of step 3 that are also implied in step 4.

Succeeding in missions set in dynamic and interactive complexity requires more than the well-known tactical decision-making cycle. The Australian Army’s solution is to modify the OODA loop to a cycle of *acting* to learn, *sensing* what has changed, *deciding* what the changes mean, and *adapting* the next action to begin the A-S-D-A cycle again. I find this conceptually clumsy. It mixes the backward reasoning tactical choices for acting and the very different forward reasoning choices of logic. Better to emphasize that the OODA loop pertains to choices for acting in the objective world within a given logic, I think. Something like the A-S-D-A cycle can test and improve the command’s logic.

This *strategic* decision cycle periodically attends to steps 1 and 2 and to the conceptual elements of step 4 of the traditional problem-solving process. This strategic iterative cycle turns more slowly because the tactical cycle may turn several times without need to adjust the guiding rationale that governs the selection of desired concrete objectives and their sequencing or the choice of methods and techniques for attaining them.

This slower conceptual cycle has different information requirements than the faster one acting in the concrete mission world. The first requirement for its operation is to have an explicit articulation of the solution strategy and the latticework of logical hypotheses and assumptions that constitute the currently reigning



problem frame and conceptual strategy. One has to refer to it frequently with a skeptical frame of mind. Knowing that the interactive dynamism of the mission situation, including the activities of the command, are constantly creating new facts, raising the relevance of old ones, and making others irrelevant is the second requirement. The combined effect of these factors will cause the solution strategy to fail. The third requirement is to establish practices to rigorously test this theory and to recognize solution strategy failure early. This would include mimicking on a smaller scale the well-known process of scientific discovery, a process of creative conceptual destruction and rebirth.

In science, the reigning theory and its elements are constantly put to the test by networks of earnest scientists, even while others are applying it to introduce new technologies and new things into the real world. This constant questioning of the reigning theory's ability to describe, explain, and predict *cause and effect* is constantly questioned. Unexplainable facts and unpredicted phenomena give rise to new explanations and new hypotheses that eventually become new reigning theories.

In operational practice, commands must learn from acting in their mission worlds based on their reigning solution strategy theory. They must ask themselves such basic questions as what concrete outcomes their theory should predict and what the early evidence might be. Then they must sense whether the changes taking place in the mission-situation count as improvements in light of the mission. They must ask and decide whether the concrete objectives the command has attained are contributing toward improvement or not. Checking for facts that could *disconfirm* assumptions will prompt progress better than registering evidence that confirms preconceptions. Deciding what changes and what new factors in the mission-situation mean will lead to adapting the problem frame and solution strategy to the new understanding. Acting again based on a new and improved reigning theory continues the cycle. Careful forethought must be given to the peculiar information requirements of this kind of decision making.

This slower cycle occurs naturally and episodically in every situation, even when it is not consciously recognized to be taking place.

## From Theory to Practice

I experienced this cycle as a company commander on extended operations in Vietnam. I learned early the wisdom of this old rule of thumb: "When in doubt, do *something!*" However, I also knew that it should be applied only when the mission or the unit were endangered. I learned that at all other times when I was in doubt of what to do, pausing to give the matter some thought was a good idea. I know that competent peers also periodically tended to reframe their own mission problems and rethought how to approach their mission differently. It would have been better had I done it explicitly, with some education and with some help. As I gained maturity in command, I learned to compartment the linear tactical thinking and decisive acting portion of my brain from the nonlinear questioning and pondering part while I switched from tactical mode to strategic mode as the situation demanded. There were times when "making things happen" in the real world had to dominate my thinking. There were times when I had to trust in subordinates to do that for me while I had to ponder whether what we were trying to accomplish still made sense. I had to think about how my organization fit into the bigger scheme of things.

As aforementioned, a campaigning military organization must learn and adapt as fast as it can, at multiple levels at once, and it must learn and adapt in ways that are unique to every echelon while drawing on knowledge and support from peers, superiors, and subordinates. When company commanders are tending to the periodic reframing of their logic, they provide valuable insights to the echelons above them, and vice versa, especially when it is done rigorously and interactively. What needs to be done is to recognize the importance of this decision cycle and apply new science and new art to enhancing its functioning down to the lowest levels possible. **MR**



## Law and Ethics in Command Decision Making

A. Edward Major

A. Edward Major, a civilian lawyer for 25 years, has a keen interest in the interplay between the law and national security issues and improving them, and has published pertaining to national security. He has been admitted to practice law in New York, New Jersey, and Florida as well as England and Wales. He has a son on active duty as an Army engineer officer.

PHOTO: U.S. Army LTC Michael Infanti (right), commander, 4th Battalion, 31st Infantry Regiment, briefs COL Michael Kershaw (left), commander, 2nd Brigade, 10th Mountain Division; LTG Ray Odierno, commander, Multi-National Corps-Iraq; and Iraqi Army LTC Iman Ibrahim Mansour, commander, 4th Battalion, 4th Brigade, 6th Iraqi Army Division, on the partnerships between the coalitions forces and the Iraqi forces on 4 March 2007, at Forward Operating Base Yusifiyah, Salah ad Din Province, Iraq, during Operation Iraqi Freedom. (U.S. Army, SGT Curt Cashour)

**M**ILITARY COMMANDERS OFTEN consult their staff judge advocates (SJAs), especially in the escalation of conflict. Seeking legal advice is increasing and has become prevalent, even in the battle space.<sup>1</sup> “It is also clear from the commanders . . . that legal advice is essential to effective combat operations in the current environment—legal advice is now part of the tooth not the tail.”<sup>2</sup> Here, the legal profession and the profession of arms meet, evolving as to how to most effectively work together. This article explores relying on the law in weighing issues in commanders’ decision making. Its objective is to offer direction in using the law, while cautioning against over-reliance on it.

What role does law play in society? WikiAnswers says: “Law decides what is right or wrong in the view of the public.”<sup>3</sup> Yet, the law is sometimes upheld as the guardian of morality and a panacea to all problems. Witness the growing body of international law, domestic federal law, the growth of litigation, the growth of legal departments within governmental agencies and businesses, and societies’ increasing reliance on the law to solve disputes.<sup>4</sup> Understanding that their actions will finally be judged by standards set by law, commanders logically seek legal direction to better assure themselves of legal compliance and avoid liability. In the U.S. military establishment, this means greater reliance on the legal opinions and advice of staff judge advocates and general counsel.

We should applaud the movement toward reliance on the law. It instills the occasion to dialogue and analyze a situation, and then recognizes that a lawyer has a significant professional perspective to offer, “to better ensure that [the commander] understands the non-kinetic parameters of an action prior to committing kinetic solutions.”<sup>5</sup> With legal analysis, better decisions come out of discussions and consideration of alternatives, effects, and outcomes. In a general way, we honor this expansion of the rule of law. Better to be ruled by a common law than the whims of a dictator, as many people said most recently in the Arab Spring. The role of the SJA is a commendable component of our military efforts.

Further investigation is necessary, however, to more fully consider the limitations of this legal infusion. Let us examine:

- Substitution of law for ethics.
- Limitations of the legal view.
- How the professional military ethic (PME) complements legal review.

## Substitution of Law for Ethics

We hear the critical danger of substituting law for ethics in the refrain: “If it is legal, it must be okay!” For the civilian lawyer, the experience in dealing with clients is almost invariably that, if an act is legally permissible, it is all right, and the client will do it without hesitation, irrespective of moral conflict. Edmond Nathaniel Cahn claimed that the law itself is the embodiment of our moral values and that the courts are the proper fora for moral adjudication.<sup>6</sup> But the refrain above exposes the incompleteness of the law. If not from a moral perspective, how else would we review the law?<sup>7</sup> Without moral review from outside the law, we lose much of our ability to evolve and meet new challenges. Without an independent moral review, we lose much of our impetus to change law and correct imbalances. What is legal is not necessarily moral, and the law does not address many moral issues at all.

To illustrate the point, observe the great American pastime of avoiding taxes. The Code of Federal Regulations plainly prohibits professionals from basing opinions on the likelihood of audit (i.e., determining whether a client can “get away with it”). The Code states: “In evaluating the significant Federal tax issues addressed in the opinion, the practitioner must not take into account the possibility that a tax return will not be audited, that an issue will not be raised on audit, or that an issue will be resolved through settlement if raised.”<sup>8</sup> However, one would be hard-pressed to find such restraint in an advisor’s opinion.

Clients demand and routinely obtain probability of audit advice, even if the advisors neglect to write it into their opinions. As one prominent tax advisor put it, after being promised anonymity: “Every client needs two advisors, one to advise him what the law is, and the other to advise him what he wishes the law was—then the client can choose which advice to follow.”

Or consider how the law conflicted with ethics during the internment of Japanese-Americans during World War II. The internment was completed entirely under law, yet we would scarcely consider it to be moral. If our moral compass has evolved into simple legal consultation, the result will often be “a ‘deflection of responsibility’ in the substitution of detailed legal formulations for a . . . moral one.”<sup>9</sup>

Many question whether the special mission for Osama bin-Laden into Abbottabad, Pakistan, was legal under international law. Yet Americans largely agree it was morally right, whether or not it met the standards of international law.<sup>10</sup> The law on the subject is conflicted, depending on whether one focuses on violations of sovereign territoriality or the significance of Osama bin-Laden and his finding sanctuary in Pakistan. From the standpoint of law, both arguments are compelling—but the majority of Americans, to put it simply, do not care; the morally right necessity of eliminating Bin-Laden trumped any esoteric question of legality. In the case of World War II internments, what was legal was not moral; in the case of Bin-Laden, what the United States did was seen to be moral, whether or not it was legal.<sup>11</sup>

As further illustration of the law’s irresolution, transition policy in both Iraq and Afghanistan stresses varying roles of the law:

A significant difference exists between policing requirements [of a military force] in the [short-term] aftermath of intervention and policing requirements over the long-term. Stability policing places a high priority on preventing violent crime with less regard for prosecution under the rule of law. Community-based [long-term] policing places a much higher priority on embedding the police force within the community, professionalizing the force, and adhering strictly to the rule of law.<sup>12</sup>

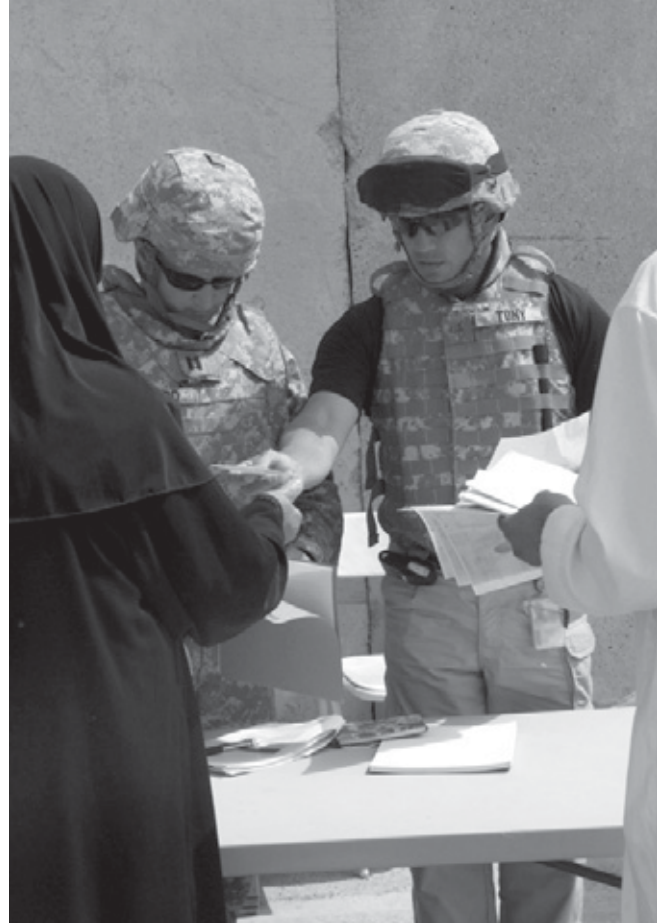
These differences are borne out through evolving policy “trade-offs” of “security vs. human rights” and “peace vs. justice.”<sup>13</sup> Therefore, the commander must understand when the transition takes place and recognize that the context of legal opinion varies (although not the law itself). There are many relevant considerations to the application of the law, partially influenced by the then applicable role of our military.



The world still grapples with another gnawing issue: Can the conventional criminal justice system deal effectively with terrorism? For example, in the United Kingdom in 2008, heated parliamentary and public debate took place on a government proposal to extend the time a suspect may be held in police custody, without formal charges. After its eventual passage in the House of Commons, the measure was promptly and heavily defeated in the House of Lords. The entire issue demonstrated the lack of consensus on how seriously to judge the extremist jihadist terrorism threat and what tools should be available to the security authorities to combat it. In September 2009, Parliament ordered an independent review of the working of their Control Order (involving electronic tagging and movement restrictions on suspects) following adverse judicial judgments. Disagreement arose between the branches of government, as well as among the public. Clearly, the law does not yet have an adequate answer to the threat of terrorism, and it may be some time before, or even if, consensus can be reached.

Other issues such as, for example, when the War Powers Act must be invoked, the legality of incarcerations and interrogations at Guantanamo, the rule of necessity or proportionality in the use of force, or whether the so-called “9/11 laws” are valid and under what circumstances continue to absorb time and require nuanced review to understand what they mean and how to use them as new events unfold.<sup>14</sup>

The above are not stray situations or the work of rogue actors. They are the natural result of substituting legal for moral review, and for this, we cannot claim surprise. It is a disassociation from our internal sense of right and wrong and desensitizes people from their values and actions.<sup>15</sup> One of the foremost scholars of military ethics recently stated at a Fort Leavenworth ethics symposium: “Many senior officers I talk with feel as if ‘ethics’ is ‘law’—a view reinforced by the annual so-called ‘ethics brief’ by the JAGs [SJAs].”<sup>16</sup> The comment demonstrates the subtlety of the confusion and tendency toward reliance on the law. Moving from decision making based on wisdom, experience, and ethics to an undue reliance on the law is all too expedient and common in society at large. Translated to a military setting, over-dependence on



(U.S. Army GT Johnathon Jobson, TF Marine Public Affairs)

**CPT Todd Chard, the chief of Client Services for the 3rd Infantry Division Staff Judge Advocate office, and his interpreter prepare paperwork for an Iraqi couple, during a claims payout mission held at Joint Base Balad, 19 September 2010.**

the law decentralizes authority from the commander to an expert aide, an SJA advisor, who does not possess expertise over the entire body of requisite considerations.

Even with the inability to come to consensus in dealing with the rules of engagement (ROE) and terrorism, the law increasingly guides the resolution of ethical issues here as well. This movement toward the law is a cultural laziness, which, instead of grappling directly with the issues in the fullness of an ethical analysis, hands them off to lawyers and the legal system for resolution. It is the collapse of the question, “What *should* we do?” into “What can we lawfully do?” The consideration of what may lawfully be done does not consider other relevancies of morality, diplomacy, politics, our own public opinion, and relations with the host population.<sup>17</sup> Nor does it consider what is most important to mission accomplishment. It is merely a quicker way to deal with the situation, with the review delegated

to someone else, usually an SJA officer. Some may even incorrectly consider that reliance on the SJA's opinion absolves oneself of the consequences of a poor decision, even although the law specifically says otherwise.<sup>18</sup>

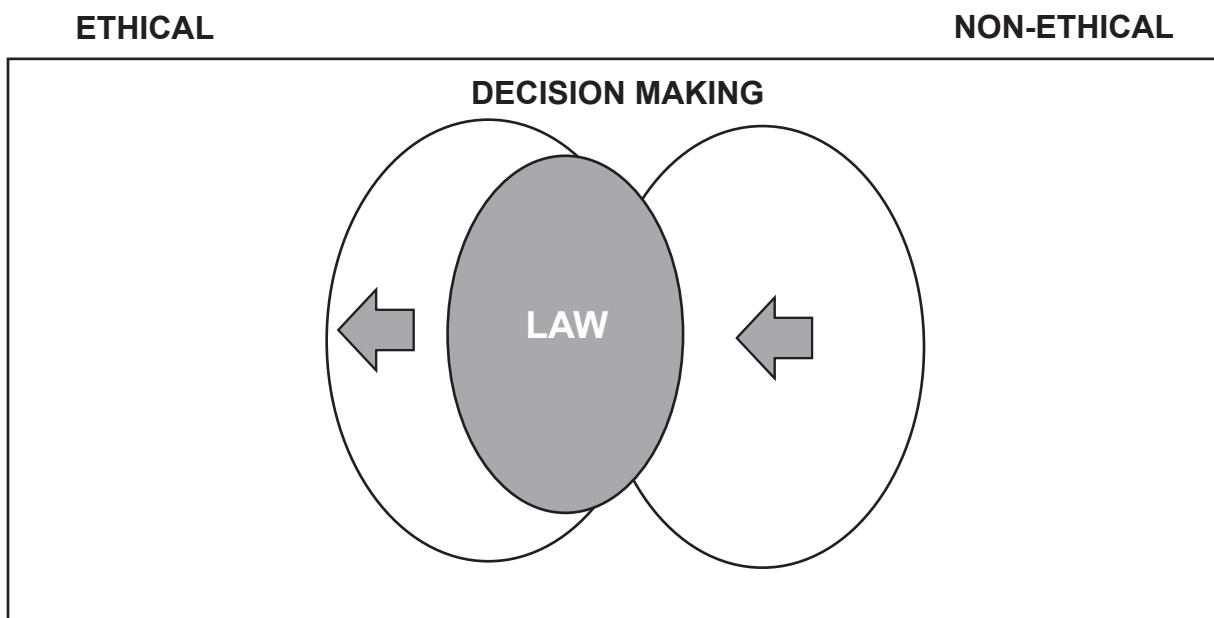
The law is an inadequate substitute for our value and individual judgment and was never intended to act as such. It partially reflects history and often incorporates a reaction to recently occurring events. Most times it is just, but sometimes it is unjust. Often it is incomplete, dealing only with those particular issues that have been written into the law, but not addressing others. Through this system, the law aspires to modify and guide future activity. Ideally applied, the law is a filter for unethical behavior. Figure 1 below is a visual way to show this. The law is important as a filter; it effectively screens out much unethical behavior, but it does not deal with *all* such behavior, nor does it go beyond that which it has considered, which may nonetheless be of ethical importance.

The law offers a concise and discreet insight into ethics through its own system, but its filter only screens out some unethical behavior. It does not convey the full panoply of issues offered by a full ethical review of the facts by commanders planning a mission. The law should not be permitted to sweep

aside other considerations and values we hold dear. "The core practice of any professional is the exercise of discretionary professional judgment."<sup>19</sup> In merely relying on the opinion of an SJA, commanders relinquish their professional status, which is very different than just being advised. As a matter of policy, we do not wish to remove the authority of commanders to apply their own moral compasses. Commanders must guard themselves from this intellectual sleight of hand and growing social willingness to substitute a legal opinion for a thorough moral review, especially in the operational environment where responsibilities are sometimes overwhelming. While commanders almost always assert their freedom to challenge the opinion of the SJA, they should be vigilant to the growing social temptation of an untoward reliance on the law.

### Limitations to Legal Review

"Given the constraints of our various criminal justice systems, we are often at a disadvantage in addressing global threats."<sup>20</sup> Our efforts face "legal, moral, and ethical constraints on its defensive actions that many of [our] adversaries do not."<sup>21</sup> This caution of the director of the Federal Bureau of Investigation, a lawyer and outspoken believer in the rule of law, applies equally to the law of



**Figure 1**  
The law as a partial screen against unethical behavior.

armed conflict. Its caution is to the effects of a more formalized, codified decision-making process: one that may stiffen the response to a facile enemy unbound by such niceties. An overuse of the law formalizes thinking rather than equips our commanders to think creatively, broadly, and critically.<sup>22</sup>

**The sometimes-narrow focus of legal advice.** When attending law school, many in my class joked about how we had gone to the university to expand our minds, but that studying law was like putting on blinders. The comment had a point: legal review is about focusing on facts as presented and relating them to applicable law. Few in law school discussed right and wrong in terms broader than what written law would dictate. *A well-trained lawyer culls the facts to only those which relate to the criteria set out in the law. Other facts are ignored. This focus is the peculiar insight and contribution provided by the legal profession.*

**The law may be out of date.** Although the law is broadly reflective of social values, it suffers a time lag before it can reflect current issues. Litigating some issues requires years before matters are finally settled. Some criticize the law for being out of touch with the realities of 21st-Century combat conditions and placing unjust burdens on our soldiers in the field and what may justly be required of them.<sup>23</sup> [The term “soldier” herein refers to all service personnel, not merely Army soldiers.] While the challenges of the battlefield change with great rapidity, the laws that govern war and our soldiers are “relatively unchanging national security laws. Most of our statutory framework was built after World War II or after the Vietnam War. It is very difficult for our Congress to legislate [change] anything, including the extension of our budget into next week. And, for the same reason, since it takes 67 votes to get a Treaty, it is very difficult for Congress to update our treaties.”<sup>24</sup>

**Legal focus can degenerate into “rule-following.”** Society employs the constraint of law to keep actors above the line of acceptable behavior. This power of obligation, punishment, and enforcement of social norms is the force behind its power. Its effect sometimes reduces to “rule-following.”<sup>25</sup> The approach is ill-suited to guide our soldiers in the fast-moving, amorphous battle space of recent conflicts and undeclared wars. We must also consider that the human mind does not function optimally when tense and facing deadly threats, yet the body needs to act quickly and instinctively. Given that many of our soldiers operate independent of supervision in the current combat deployments, the threat of legal punishment offers little inducement.<sup>26</sup>

**The law is retrospective, not aspirational.** Further, the application of the law is retrospective, not aspirational (as opposed to ethics, which is prospective and motivational, a guide to current and future behavior). To be authoritative, a legal review must consider an actual occurrence and injury. U.S. courts routinely refuse to accept jurisdiction of cases unless the controversy is “ripe,” that is, when a real injury has occurred.<sup>27</sup> Thus, advice offered by the SJA concerning a possible mission does not carry the authority of the law or constitute any more than an opinion, professional although it may be. It is only *after* the injury occurs that there is a ripe set of facts, which may then be reviewed, adjudged, and only thereby become authoritative. It is tempting to receive an opinion and, because it is that of a lawyer, give it more weight than it deserves.

**Legal opinions may over-focus on “what-ifs.”** Being trained to identify issues, one of the insights that a lawyer offers is a review of what can go wrong with a planned mission. Sometimes the commander may become tied up by all the legal “what-ifs” that a lawyer is trained to identify, thereby inhibiting the commander’s ability to make a decision and creating institutional inertia.<sup>28</sup> The commander must

***A well-trained lawyer culls the facts to only those which relate to the criteria set out in the law. Other facts are ignored. This focus is the peculiar insight and contribution provided by the legal profession.***



therefore be watchful not to overuse the advice of SJAs in directing missions and unduly rely upon their supposed authority.

Because an act may be legal, such as to return fire after being threatened and fired upon, does not make it ethical.<sup>29</sup> For example, there are numerous instances where soldiers took the initiative, disregarded their legal right to both individual and collective self-defense, and placed themselves in peril for the sake of not harming civilians.<sup>30</sup> In not exercising the basic human instinct of self-protection and their legal right to return fire, our magnificent American soldiers were showing the importance of their individual ethics and the American cultural mores which undergird those ethics.

**Local practice and international law complicate legal analysis.** The range of the SJA's required review sometimes includes "knowing the host country and its government's objectives, the U.S. national security objectives, and the individual mission's goal."<sup>31</sup> International law may also be part of this complicated analysis. The European Court of Human Rights has articulated and frequently grants a "margin of appreciation" to determine local practice on such matters as states of emergency and military matters, even where alleged human rights violations are in question.<sup>32</sup> With Rules of Engagement, there is the requirement that the "ROE . . . evolve with mission requirements and be tailored to mission realities. ROE should be a flexible instrument designed to best support the mission through various operational phases and should reflect changes in the threat."<sup>33</sup>

**Professional requirement for moral input.** A little known requirement of many state bars and the American Bar Association Model Rules of Professional Conduct is for lawyers to render "candid advice," that is, to provide context to their reviews to clients. While candid advice does not require an ethical review, commentary to the Rule advises: "In rendering [such] advice, a lawyer *may* refer not only to law but to other considerations such as *moral*, economic, social, and political factors that may be relevant to the client's situation."<sup>34</sup> The bar advises lawyers to render more than a strict review of the law to clients and to put issues into their broader context.<sup>35</sup> Recognizing that narrow and technical rendering of advice may be

of little use or even misleading to a client, official commentary on this rule recognizes: "Moral and ethical considerations impinge upon most legal questions and may decisively influence how the law will be applied."<sup>36</sup> Recognition of this cause-and-effect relationship should drive lawyers to speak out about their moral perception and cause them to call upon commanders to raise such moral issues as perceived from their perspective. If this is not happening, commanders should demand this input of their SJAs.

**The importance of commander-SJA interaction.** The demands on the deployed SJA to provide an authoritative and useful legal opinion on a proposed or completed action, especially in a combat environment, are indeed difficult to fulfill in such an environment of fluidity, required scholarship, and subtlety. In fast-moving and fluid situations including subtleties outside the bounds of normal civil law and without the time or resources for thorough research or collaboration, the SJA is more limited than he (or the commander) may care to acknowledge. Yet lawyers, being creatures of their training to rely and focus upon the law, sometimes neglect to fully grapple with and disclose these limitations. Few lawyers in private practice counsel clients to consult their own moral compasses when receiving legal advice, as is also sometimes the case when SJAs counsel field commanders. Such lawyers rely on the belief that the law already encompasses our moral considerations in an objective, more thorough, and evenly applied manner. Clients' moral considerations, on the other hand, are largely personal and subjective. Further, they say, a separate ethical review renders the law itself moot.<sup>37</sup>

These are cohesive arguments, but why not disclose the difficulty of fully advising clients, especially commanders, and remind them to seek other ethical inputs? This view clearly demonstrates the need for commanders *to assemble the full package of advice from various staff members*, together with their own moral compasses, and apply the authority vested in their command. The commanders are competitively selected for their positions by performance and discretion demonstrated over many years of service dealing with these very issues.

Many SJAs enjoy close relationships with their commanders and, as a part of the commander's personal staff, are able to offer candid advice and context in their counsel.<sup>38</sup> They also have a role in the decision-making process: The chairman of the Joint Chiefs of Staff has directed that attorneys will review all operations plans and participate in targeting meetings of military staffs. In addition, the Hague and Geneva Conventions contain dissemination provisions that encourage the involvement of judge advocates [SJAs] in ROE matters. A provision of the 1977 Protocol I to the 1949 Geneva Conventions—which although not ratified by the United States is considered declarative of customary international law on this point—expressly mentions the role of “legal advisors.”<sup>39</sup> Even with these participatory requirements, the SJA serves dependent on the commander's needs and wants. Commanders may simply choose not to accept the counsel of the SJA. The mantra is: “SJAs advise, while commanders decide.”<sup>40</sup> SJAs, as do all other staff members, in practice influence only so

much as their advice is incorporated in the decision by the commander.<sup>41</sup> The Goldwater-Nichols Act confirms this organizational structure.<sup>42</sup> The lawyer-client relationship in private practice is no different. (While each service has its own rules, which are patterned on the ABA's Model Rules, the Army's rules for SJAs are utilized herein.)<sup>43</sup> The Services also commend the SJA to provide an “honest assessment, [un]deterred . . . by the prospect that the advice will be unpalatable to the client.”<sup>44</sup>

Commanders also have a responsibility to their SJAs if they are to expect reliable advice from them. Of all soldiers in the field, only the commander has access to the full range of relevant facts. “Facts, if skewed or incomplete whether by neglect or, worse, willfully, can invalidate even the best legal analysis.”<sup>45</sup> Even the most willing commander may not understand what are the necessary facts, so as to convey them to his SJA and vice versa. Therefore to be effective, the staff SJA must enjoy the trust and confidence of the commander.<sup>46</sup> The commander must therefore ensure that the SJA has access to the information necessary for the SJA to offer complete legal counsel.<sup>47</sup> SJAs will be well served to understand the Laws of Armed Conflict, rules of engagement, and the challenges of the asymmetry of combat in gaining this trust. Poor advice, which may be rendered due to a poor understanding of which facts are legally relevant or by an SJA who is overly protective or conservative, may endanger the lives of our soldiers and/or prevent accomplishment of a valid mission. It may also subject the commander, soldiers, or even the SJA to criminal investigation and liability.<sup>48</sup>

#### **Limited time and resources for SJA research.**

A further limitation to consider is that the complexity of some issues and knowledge of the individual SJA requires research and collaboration with other lawyers for an SJA to offer effective advice.<sup>49</sup> In many circumstances, this may not be possible. For example, although the United Nations Charter does not limit the inherent right of individual or collective self-defense, the International Court of Justice still waffles over whether the right of self-defense applies when engaging nonstate actors.<sup>50</sup> How does an SJA advise on such a critical issue to current conflicts in Iraq and Afghanistan, without access to adequate research materials and/or knowledgeable colleagues? Forward deployed SJAs, who may



(MSGT Buzz Farrell, USMC)

**U.S. Marine Corps MAJ T.G. McCann, assigned to the Staff Judge Advocate's staff, 1st Marine Division, checks the identification of a former Iraqi detainee at the Abu Ghraib Prison in Iraq, 6 June 2009.**



**U.S. Navy LCDR Lorraine Luciano, a member of Multi-National Corps-Iraq Staff Judge Advocate office speaks with the on-site foreman about the construction of a new courthouse in the district of At Tannumah in Basra, Iraq, 21 August 2008.**

possess better situational understanding than the vicarious understanding of other SJAs, have little realistic opportunity for such research and collaboration. Limitations due to operational tempo, location, or logistics are inescapable.<sup>51</sup> SJAs stationed away from the battlefield have the opposite problem of lacking “field knowledge.” Therefore, the field commander must consider whether the SJA may offer appropriate advice, especially where there is exigency to the situation.<sup>52</sup>

The press also has its own, separate effect, which may or may not be reflective of these general cultural norms, and cannot be predicted by the law. Many of the pieces in the press, their expressed opinions, norms, and systems conflict with one another, yet a commander must consider them and make decisions through this perplexity and ultimately shoulder the nondelegable responsibility for it.<sup>53</sup> This means that a commander relies entirely on the opinion of an SJA at his peril. While such reliance may be a mitigating factor, the commander

made the decision and remains personally liable, no matter how justifiable.<sup>54</sup>

**An historical example.** Abraham Lincoln, the “patron saint” of many lawyers, understood that law is limited, when compared to our moral structure. In an 1854 speech on the subject of the newly passed Kansas-Nebraska Act, which allowed the expansion of slavery, he anticipated the importance of the slavery issue when he said: “These principles [expansion of slavery, and ethical concerns over slavery] are an eternal antagonism; and when brought into collision so fiercely as slavery extension brings them, shocks and throes and convulsions must ceaselessly follow. Repeal the Missouri Compromise, repeal all compromises, repeal the Declaration of Independence, repeal all past history; you still cannot repeal human nature. It still will be the abundance of man’s heart that slavery extension is wrong, and out of the abundance of his heart, his mouth will continue to speak.”<sup>55</sup> The Kansas-Nebraska Act was law and reflective of the



will of the majority of the people; yet, to Lincoln's perceptive eye, the law was unethical, and therefore he could not support it. It took the national tragedy of our Civil War to finally rectify the issue.

The movement toward legal regulation reigns even with commanders in the field, who may have matters that are more urgent on their minds, such as dealing with enemy engagements! Yet the law does not work particularly well under time constraints. A full analysis takes time. Consulting an SJA officer may cause a critical delay and restrict initiative in the chaos of combat or contingency operations. Sometimes, the requirements of the situation and the needs of the commander may preclude a complete consultation. This is another limitation that the commander must consider when reviewing legal advice.<sup>56</sup>

The commander in the field must have the authority to make quick decisions and inflict lethal force, even under risk of mistakes. It is the nature of an inherently dangerous profession, fighting dangerous threats, in a dangerous world. As a nation, we go to great lengths and expense (including exposing our soldiers to harm) to minimize casualties and avoid unnecessary destruction to property, our soldiers, allies, and even enemies. Yet, we also wish to fully equip our commanders with full authority to complete their mission and protect our soldiers that we have placed in harm's way.

The often dizzying demands on a lawyer, exacerbated by the limitations placed on an SJA, sometimes render offering complete advice and opinions an impracticality. Commanders must recognize this, and SJAs must be careful to preface their advice with a warning that, although based on the "best information available," the advice falls short of the more thoroughly researched advice that the SJA would prefer to give. Nonetheless, the legal system will review the decisions of commanders, SJAs, and soldiers, even in wartime, with their subjection to liability as never before. This is the growing reality of social demands on our system, and the inherent risk the commander must accept as a reality of taking command.

Relying on the law unduly does not provide a clear answer, nor does it adequately address ethical issues. Rather, good leadership is a team sport, which emerges in effectiveness through understanding of the limitations of SJA advice, as well as mutual

trust, mutual respect, and interdependence with all staff officers and their collective views, together with the input of the commander's own judgment and ethics.

## How the Professional Military Ethic Complements Legal Review

While law does not substitute for morality, ethical reviews offer a supplement that improves the thoroughness of the commander's review. How does the commander evolve to operate in an environment where mistakes and abuses in employing force have such grave consequences and are subject to legal review? Is there a way of taking a hybrid approach by operating under the law, but also improving the discourse with ethical reviews to make more informed combat decisions?

Simultaneously with the general social movement toward more reliance on the law, there is a growing commitment in the armed forces of the United States to the professional military ethic (PME).<sup>57</sup> The PME represents the ethics of the profession of arms. The program has been widely incentivized within the U.S. military and recently described as: "An exemplary Ethic is [a] necessity for any Profession of Arms given the lethality inherent in its practices. Militaries must establish and enforce an Ethic that governs the culture, and the actions of individual professionals to inspire exemplary performance in order to guard the integrity of the profession."<sup>58</sup> As a profession, the military has the dual obligations to uphold a high sense of duty and to guard and oversee its deadly resources and skills, in which the rest of society may not participate. It is a contracted relationship with society where the commander is authorized to exercise professional judgment.

The PME is defined as "a set of shared explicit and implicit moral values and principles intended to guide the conduct of military professionals in the performance of their duties."<sup>59</sup> Otherwise stated, "Our professional military ethic is the system of moral standards and principles that define our commitment to the nation and the way we conduct ourselves in its service."<sup>60</sup> The breadth of its review is broader than a legal review and focuses on inspiring us to encourage behavior, rather than to control behavior through sanctions.<sup>61</sup> "Rather than constraining the conduct of military professionals, [the moral aspiration approach of the PME] seeks

to inspire the conduct of military professionals [and] appeals to the time-honored martial virtues internal to the military profession. These virtues when internalized become the social-psychological mechanisms that infuse the otherwise morally reprehensible phenomenon (killing and dying) with morally redeeming qualities.”<sup>62</sup> These “individual and institutional values [inculcated through ethical training] are more important than legal constraints on moral behavior.”<sup>63</sup> They are more important in large part because of the complexity and tempo of combat and the commander’s role. The wise lawyer will acknowledge that there are no laws that can cover all contingencies in any issue, especially when in the chaos of battle.

The exemplary leader, through the PME, inspires and motivates through example and positive reinforcement and helps soldiers to attain their best and to be prepared to go “above and beyond the call of duty.” These actions are “the moral aspirations of the military, . . . the traditional martial virtue and honor.”<sup>64</sup> Yet, these aspirations must be present to motivate our soldiers to do the extraordinary: to kill and be killed, and do so without losing their moral compass, kept in alignment with our culture.<sup>65</sup> In addition, “forming partnerships and co-opting factions within the system are critical in setting the conditions for experimentation and risk-taking.”<sup>66</sup> Proficient commanders therefore integrate many skills when formulating their internal perception of ethics in decision making.

Ethics reviews are rarely easier than a well-fought boxing match. Shying away from them, like avoiding a well-placed punch, is natural. Yet, as they struggle and stumble through the process of decision making, most people still independently desire to act out of principle and respect. Our diverse society of many different cultural norms calls on us to rely upon our own sense of ethics, and make these decisions considering a wide array of factors.

Ethics, by definition, involve an internal, in-depth searching of one’s value system and soul, as well as an extensive review of cultural norms, political climate, the law, and the implications of one’s actions against those of the unit, those of the military, those of our country, those of our enemy, and those of world opinion. “Reflecting on [the PME] broadens the usual considerations and invites officers at every level to think through the systems they control and

work under and to explore the behavior they drive, allow, and reward.”<sup>67</sup>

The PME educates the commander’s own sense of ethics and the subjective element to it and builds better leadership. Through the PME, the commander may capitalize on leadership skills and personal ethics to access facts about the command, such as morale, supply, weather, and fatigue, which are less well understood by an SJA, even if he is embedded with the unit.

It takes mental and spiritual toil to make ethical decisions, as well as much training. The higher the command, the greater is the responsibility to uphold the ethics of the group.<sup>68</sup> Among other responsibilities, “[the PME] must be reinforced in daily operations, leaders must mentor their subordinates and explain how the PME shapes their decisions and unit policies. Preserving the understanding and the meaning of the professional military ethic (PME) is the responsibility of leaders.”<sup>69</sup> Ethical decisions must issue from the commander’s internal workings, natural habits, and identity. Commanders who live their internal PME, demonstrate an aspirational moral sense and become “powerful instruments of social influence



**U.S. Army LTC Robert Morschauser, commander, 2nd Battalion, 15th Artillery Regiment, 2nd Brigade Combat Team, 10th Mountain Division, goes over battle plans with BG Ali Jasim Mohammed (center left), commander, 4th Brigade, 6th Division Iraqi Army, during a combined mission, Lutiafiyah, Iraq, 16 April 2007. (U.S. Army, SSG Martin K. Newton)**

by clarifying to [soldiers under their command] what their moral obligations are and what behaviors are held in esteem . . . , as well as behaviors that are unacceptable . . . . As military units normally have well-organized socialization processes, we expect these . . . influences to be especially powerful.”<sup>70</sup> Not only does the commander set a tone, but he “set[s] the conditions for group members to reinforce each others’ ethical behaviors.”<sup>71</sup>

The PME encompasses several categories of values and standards including Army Values, the Warrior Ethos, the Noncommissioned Officer’s Creed, the Soldier’s Creed, and the oaths of office. The PME combines these and other values embedded in the military culture into a cohesive whole. Collectively these values and standards provide principles that guide the decisions of military commanders, recognizing the lethal power wielded by our armed forces.<sup>72</sup> These values and standards operate much like the ethics within the legal profession and are mutually complementary. The PME also sets standards for the profession of arms, which complement the law itself. The growing focus within the services on the PME and the general expansion of reliance on the law are occurring simultaneously, as if to complement one another. The exchange of these respective values, cultures, and expertise takes place every time the commander and SJA communicate in the decision-making process. A greater coherence can be found when they build upon each other’s knowledge. This interaction is particularly important in an age when the commander’s and SJA’s actions are more publically and rapidly scrutinized than ever. To operate under our systems of laws, authority structure, and free press, the commander must be encouraged to verify contemplated actions and aspirations against applicable law.

## Conclusion

Notwithstanding the issues with the law presented in this article, there is no practical way to proceed in combat missions in the current environment without a good faith consultation of the law. This article does not condemn commanders who repeatedly consult their SJAs, but encourages them to concurrently and ultimately apply their own moral compass and situational knowledge in making decisions. We wish to fill the current developmental void, where

instruction over the use of SJAs is not offered, and encourage commanders to apply their own morals when many of their challenges are not foreseeable. That commanders possess the freedom to act in a manner consistent with their personal beliefs, as informed by the PME, is critical. This is necessary to effective leadership of those they command and is the only manner of empowering commanders to make rapid and discerning decisions. In a collaborative approach, the commander should weigh legal advice carefully, giving it the deference it is due with respect to other staff insights and the commander’s own PME, as well as the many other issues inherent in combat decisions, chief among them being risk to mission, risk to troops, and risk mitigation. The dialog is both complicated and necessary.

The opinion of an SJA best serves to validate the commander’s own, already thought out, ethical review. If his ethical opinion conforms to the legal opinion, and other staff officers’ opinions, the mission should proceed. But, if there is a difference, the commander must, if possible, delay and review the distinctions before giving a command. Finally, the law is complicated and requires time to parse through for both SJA and commander; the law is an inadequate and incomplete source for guidance when a situation calls for a split-second decision. To protect our and others’ liberties, the law must and will be employed to review major infractions and have an important place in the decision-making process. This article stands as a word of caution against *overreliance* on legal advice.

In practice, command decisions are, of course, not based on one-dimensional inputs. Neither is the advice of SJA officers made in the vacuum of the law, without the bright light of reality. Field commanders routinely allow many inputs to make their decisions: orders from superior officers, intelligence reports, character and condition of troops, field conditions, supply requirements, and a personal sense of ethics. Likewise, SJA officers are also not simply legal automatons, especially when attached in the field with the units they advise, and they possess an understanding of combat exigencies beyond the text of law books. They can be force multipliers in assisting commanders to think creatively by shaping strategic alliances, suggesting fresh ideas, and avoiding mistakes.<sup>73</sup> Lawyers, in recognition of the limitations of the law, can advise their commanders



with a professional rendering of applicable law that includes recognizing that the law may not satisfy moral standards. Such thoroughness complements the commander's application of the PME. This will aid in the success of our military operations and better protect the soldiers who risk their lives in performing them.

As one of my professors advised: "Because there are injustices and problems in our system, does not mean we dispatch the entire process. As lawyers, we have a duty always to do our best, learn from our inevitable mistakes, and improve the process. It is the very nature of the legal process and government in the common law world. Our laws can never hope to possess the infallibility of God's laws."<sup>74</sup> The law's nature is that it should be constantly selfcorrecting by its repetitive review of new facts and previous decisions, and the application of these decisions to issues currently before the court.

Let us therefore realize the contributions and fallibility of law and constantly confront its errors. If we believe in the rule of law, let us build up a corps of sophisticated and worldly SJAs who understand their role in advising commanders, viewing their counseling as part of the decision process, and not an overlay under which all others must labor, encouraging commanders to perform ethical reviews, while putting forward their own candid advice. Commanders should realize that

the SJA's counsel is merely an opinion, albeit a professional one, and one to be closely considered. The final authority remains in the commander, who possesses the broadest view of the situation and applicable facts, has the greatest access to outside advice, to include legal counsel, and retains ultimate responsibility for the decisions made.

The importance of the military commander's ethical acts has never been more critical. The first line in a front-page article of the Sunday Review section of *The New York Times* (21 August 2011), in an article by William Deresiewicz, entitled "An Empty Regard," reads: "No symbol is more sacred in American life right now than the military uniform." It goes on to state: "The military is can-do, the one institution—certainly the one public institution—that still appears to work. The schools, the highways, the post office; Amtrak, FEMA, NASA, and the T.S.A.—not to mention the banks, the newspapers, the health care system, and above all, Congress: nothing seems to function anymore, except the armed forces—the one remaining sign of American greatness."<sup>75</sup> There is a social duty in our times, like it or not, which is unabashedly the great motivator of those in military service. Recognizing the new responsibilities placed on the shoulders of our military, I trust the military may live up to this standard, even while the rest of us are still condemned to muddle through. **MR**

## NOTES

1. U.S. Army, Field Manual (FM) 1-04, *Legal Support to the Operational Army* (Washington, DC: U.S. Government Printing Office [GPO] (2009), paras. 1-5 to 11; H.R. McMaster, "The Role of the Judge Advocate in Contemporary Operations: Ensuring Moral and Ethical Conduct During War," *The Army Lawyer* (May 2011): 35; David Luban, "Lawfare and Legal Ethics in Guantanamo," *60 Stanford L. Rev.*, 1981, at 1999 (2008); Glen Sulmasy and John Yoo, *Challenges to Civilian Control of the Military: A Rational Choice Approach to the War on Terror*, *54 UCLA L. Rev.*, 1815, at 1838-842 (2007).

2. National Defense Authorization Act, Independent Review Panel to Study the Relationship between Military Department General Counsels and Judge Advocates General, Section 574 (15 September 2005).

3. See answers.com, "What role does law play in society?" (2011).

4. Administrative Office of the United States Courts, *2010 Annual Report of the Director: Judicial Business of the United States Courts* (Washington, DC: GPO, 2011), 12-14 (increased case filings).

5. COL Clarence D. Turner, communication with author, 1 December 2011.

6. Edmond Nathaniel Cahn, *The Moral Decision: Right and Wrong in the Light of American Law* (Bloomington: Indiana University Press, 1981, originally published 1955).

7. Jeremy Bentham, *Of Laws in General*, ed. Hart, HLA (1970) and Jerome E. Bickenbach, "Law and Morality," in *Law and Philosophy*, vol. 8, no. 3 (1989): 291.

8. 31 CFR 10.35(c)(3)(iii) (2002).

9. Philip Zelikow, "Legal Policy for a Twilight War," Annual Lecture to the Houston Journal of International Law (2007). Matthew Moten, *The Army Officers' Professional Ethic, Fort Leavenworth Ethics Symposium: Exploring The Professional Military Ethic: Symposium Report*, 28 (November 2010).

10. Alastair Macdonald, "Analysis: Bin Laden again unites, then divides, U.S. and Europe," Reuters (5 May 2011) available at <<http://www.reuters.com/article/2011/05/05/us-binladen-europe-usa-idUSTRE74406C20110505->

11. Al Shine, conversation with author, 3 January 2012.

12. COL Arthur D. Simons, Center for the Study of Interagency Cooperation, *Interagency Handbook for Transitions* (2011), 11-13.

13. *Ibid.*, 24.

14. Primary among them being the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism (USA PATRIOT) Act of 2001, Public Law 107-56 of October 26, 2001; 115 STAT. 272.

15. While the purpose of this article is not to define the causes for the growing reliance on SJAs, there are many hypotheses. An unwillingness of some leaders, military and political, to underwrite subordinates' mistakes and to look to assign blame may be one reason. Some say it is the press's involvement where the opinions of journalists are unpredictable and wield great sway over political opinion. Others claim excessive political involvement in military decisions—e.g., Vietnam and, more recently, GEN Clark's depiction of his command in Kosovo—where every targeting decision required approval of both President Clinton and NATO Secretary-General Javier Solana, as well as American and European lawyers. Wesley K. Clark, *Waging Modern War* (New York: Public Affairs, 2001). Other commanders may seek the security that a legal opinion supporting their action (or inaction) offers. Still others claim that coalition warfare necessitates legal involvement, as every participating nation's politicians wish to protect themselves from political repercussions. Just wading through each participating and host nations' law can be a major undertaking. The number of lawyers in the Army Judge Advocate Corps alone has grown to over 3,400, according to a check of the Army JAG Corps website on 7 December 2011.

16. Martin L. Cook, *Professional Ethics Across the Career Spectrum* (Fort Leavenworth Ethics Symposium: Exploring the Professional Military Ethic: Symposium Report, November 2010), 8.

17. Philip Zelikow, "Legal Policy for a Twilight War" (Annual Lecture to the Houston Journal of International Law, 2007).

18. Judge Advocate General's School, Charlottesville, VA, *Operational Law Handbook*, 35 (2010).

19. Sean T. Hannah, communication with author, 7 December 2011.

20. Robert S. Mueller, III, address before the National Symposium for United States Court of Appeals Judges, Washington, DC, 4 November 2011.

21. Alane Kochems, *No More Secrets: National Security Strategies for a Transparent World*, March 2011, 2.

22. Dan McCauley, "Design: Thinking, Not Process," *Small Wars Journal* (2011): 1-2, et seq.

23. See generally, Charles J. Dunlap, Jr., *Law and Military Interventions: Intervening Humanitarian Values in 21st Conflicts, Humanitarian Challenges in Military Intervention Conference*, Kennedy School of Government, Harvard University, Washington, DC, 29 November 2001.

24. Harold Koh, "International Lawyering for the U.S. Government in an Age of Smart Power," address to Annual Review Conference of The Standing Committee on Law and National Security of the American Bar Association, 1 December 2011.

25. Peter L. Jennings and Sean T. Hannah, "The Moralities of Obligation and Aspiration: Towards a Concept of Exemplary Military Ethics and Leadership," *Military Psychology* (2011): 23-1, 5; and see generally, A.C. MacIntyre, *After Virtue* (IN: University of Notre Dame Press, 2007).

26. *Ibid.*, 23-12.

27. *Golden v. Zwicker*, 394 U.S. 103, 89 S. Ct. 956, 22 L. Ed. 2d 113 (1969), Brian Imiola and Danny Cazier, "On the Road to Articulating Our Professional Ethic," *Military Review* (September 2010): 14-16. The rationale is that it is inappropriate for a court to expend time on a theoretical discussion before there is a real issue. Further, early adjudication deprives the courts of the opportunity to review a concrete set of facts in the current dispute before them.

28. LTG Bruce Fister, communication with author, 19 November 2011.

29. This is the inherent right of self-defense. Chairman of the Joint Chiefs of Staff Instruction 3121.01B (2005); United Nations Charter, Art 51.

30. Robert Caslen, communication with author, 13 November 2011. Judge Advocate General's School, Charlottesville, VA, *Operational Law Handbook*, Art 71 (2010). See also Donovan Campbell, *Joker One* (New York: Random House, 2009), 128. "Our decentralized small unit operations require life and death decisions to be made by our most junior soldiers, with front page of the *New York Times*' consequences. 'Strategic corporals' are what we call them. But what drives these decisions are the values they are brought up in: values that are part of our Army culture and part of our military ethic. And that are integrated into our training, and demonstrated by our leadership. But this ends up being the basis for the ethical behavior—or not."

31. Ann Castiglione-Cataldo, "The Judge Advocate's Dual Mission in a Low Intensity Conflict Environment; Case Study: Joint Task Force-Bravo, Where 'Can I Shoot the Prisoners?' Is Never the Question" (thesis presented to the Judge Advocate General's School, United States Army, 1991) and Cf. Celestino Perez, Jr., *The Army Ethic and the Indigenous Other: A Response to Colonel Matthew Moten's Proposal, Fort Leavenworth Ethics Symposium: Exploring the Professional Military Ethic: Symposium Report* (November 2010), 255-68. The SJAs advise must consider politics, yet be free of political bias. Joint Publication (JP) 3-07, 8.02.3, Drafting Considerations; and Eric Talbot Jensen and Geoffrey Corn, "The Political Balance of Power Over the Military: Rethinking the Relationship Between the Armed Forces, the President, and Congress," *44 Hous. L. Rev.*, 553, 571-76 (2007). An understanding of *jus cogens*, the principles of international law so fundamental that no nation may ignore them, would be an esoteric but also required part of the SJA's analysis.

32. See for example, Case of Klass, 28 Eur. Ct. H.R. (ser. A) (1978) (national security); Ireland v. U.K., 25 Eur. Ct. H.R. (ser. A) (1978) (state of emergency).

33. JP 3-07, 8.02.2, Purposes of ROE.

34. ABA Model Rules of Professional Conduct, Rules 1.1 and 2.1 (2004) (emphasis added).

35. Alternatively, "review of the law" is considered by some attorneys to include minimum ethical considerations. Under this interpretation, a "strict review of the law" satisfies the requirement to provide "candid advice." See also Cahn.

36. ABA Model Rules of Professional Conduct, Rule 2.1 (2004) (emphasis added). Recognizing the requirement to offer "candid advice," the depth of such advice varies greatly according to the type of lawyer. Some lawyers are effectively independent from and usually not party to internal issues and may have difficulty in connecting to the client's issues so as to effectively offer candid advice. SJAs are often a part of the decision-making process, offered broad access to information, and tasked with rendering ethical decisions. They often possess good access to information through their direct experience and confidential sources. This alignment of interests may provide the commander with a level of trust rarely available to a lawyer in private practice. James S. Hilboldt, Jr., Esq., Senior Counsel, International, Raytheon Company, communication with author, 16 August 2011.

37. COL David E. Graham, retired, Executive Director, The Judge Advocate General's Legal Center and School, U.S. Army, communication with author, 1 December 2011. See also Cahn.

38. See U.S. Army, Army Regulation 20-1, 27-1, 165-1, and 360-1 (Washington, DC: GPO), Joint Chiefs of Staff, *Doctrine for the Armed Forces of the United States*, V-15 (2007).

39. JP 3-07, 8.2.1, *Commander's Responsibilities*.

40. Graham.

41. National Defense University, Norfolk, VA, Joint Forces Staff College, *The Joint Staff Officer's Guide* (2000), 1-45. In this environment, the SJA is required to remain professionally independent from the commander—sometimes a difficult task.

42. *Goldwater-Nichols Department of Defense Reorganization Act of 1986*, 10 USC Sect 161 et seq. (2006), see National Defense University, Norfolk, VA, Joint Forces Staff College, *The Joint Staff Officer's Guide*, 1-31 (2000).

43. See also, regulations on government lawyers, 28 U.S.C. 530B and implementing regulation, 28 CFR 77.

44. U.S. Army Regulation 27-26, *Rule of Professional Conduct for Lawyers* (Washington, DC: GPO), r 2.1 Comment. See also r 8.5(f) (requirement that SJAs conform their conduct to their respective branch of service, as well as their state bar affiliation).

45. Kenneth F. Miller, Esq., communication with author, 20 November 2011.

46. James F. Garrett, *Necessity and Proportionality in the Operation Enduring Freedom VII Campaign* (U.S. Army War College, Carlisle Barracks, PA, 2008).

47. *Ibid.*

48. Under international law, precedents set in the Nuremberg tribunals expose SJAs to criminal liability. See Uniform Code of Military Justice [UCMJ] Art 92 (2002); Center for Professional Responsibility, American Bar Association, *ABA Model Rules of Professional Conduct*, Rules 1.1 and 2.1; and Cf. Milan Markovic, *Can Lawyers Be War Criminals?* 20 Geo. J. Legal Ethics, 347, 359 (2007) and Cf. *Three Trials of War Criminals before the Nuremberg Military Tribunals Under Control Council, Law No. 10, at 1083* (1951). Clients rarely request ethical advice of the private attorney. It is not generally their expectation to look to a lawyer for such counsel. Similarly, other than the written rule to provide "candid advice," the bar does not encourage offering ethical advice and the subject is rarely discussed. The several Judge Advocate General Schools of the U.S. Armed Forces actively stress the importance of providing ethical advice to field commanders. FM 27-100, *Legal Support to the Operational Army* (Washington, DC: GPO, 1 March 2000), 1-5. For example, an SJA would be liable where found to have helped a client perpetrate a crime or for dereliction of duty. UCMJ Article 92 (2002). This can occur where the SJA (1) has certain duties, (2) knows or reasonably should know of said duties, and (3) willfully or through neglect or culpable inefficiency is derelict in performance of those duties. Cf. Scott A. DiRocco, "Holding the Line: Understanding the Role of Independent Legal Counsel in Command Decision-Making," *Army Law*, 3, 19 (December 2010). Further, an SJA would be liable for failure to report a law of war violation and/or failure to initiate a proper investigation. *Ibid.*, 3, 18-20. See also The Department of Justice, Office of Professional Responsibility Final Report, "Investigation into the Office of Legal Counsel's Memoranda Concerning Issues Relating to the Central Intelligence Agency's Use of 'Enhanced Interrogation Techniques' on Suspected Terrorists," 29 July 2009. Whether Department of Justice attorneys in that case rendered effective advice or crossed the line into something else was reviewed. The two investigated attorneys were cleared of wrongdoing, but the fact that their advice was the subject of so much scrutiny and made public is interesting if not remarkable. Sometimes the ethical discussion subtly finds its way into legal counsel, even with lawyers in private practice, in a cost-benefit analysis. In a divorce matter, for example, a lawyer, even when loathe to become too preachy, may advise a client: "If you go the extra mile, surrender some legal right, then you may have bought less turmoil and a longer lasting peace. This action may, in turn, constitute a step toward keeping your children out of a protracted battle." Mills Rouse, Esq., a lawyer in private practice, Communication with author, 3 August 2011.

49. Jeff A. Bovarnick, Foreword to *2010 Manual for Military Commissions, The Army Lawyer* (2010), 1.

50. See International Court of Justice (ICJ), Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory (Request for advisory opinion), para. 139, 9 July 2004. International Court of Justice, Case Concerning Oil Platforms (Islamic Republic of Iran v. United States of America), para. 36, (meeting the "necessity" standard before using force in self-defense), Paras. 51, 64, and 78 (Self-defense is only permitted when an "armed attack" or "aggression" is against a state, and not against indiscriminate acts of violence that may harm any number of States [such as the instant mines laid in international shipping lanes and missiles fired at ships of several different nationalities], and the self-defense from such acts must be against only another state actor) 6 November 2003. Indeed many U.S. scholars believe that the ICJ is rewarding aggressors and punishing those who engage in self-defense. John Morton Moore, Use of Force Decisions of the International Court of Justice: Triumph or Tragedy, 5 December 2011.

51. Scott DiRocco, *Holding the Line: Understanding the Role of Independent Legal Counsel in Command Decision-Making, The Army Lawyer* (December 2010), 2.

52. Practical advice to the SJA is offered by a retired SJA: "I've found that in the military setting (and I'm sure in private practice) the train is often moving fast. If I want my advice to be heard, I need to be on the train. In those situations I will give my best advice but inform the commander that advice is limited by the time I've had to research it." Michael Feighny, Esq., senior civilian attorney for the Corps of Engineers, Seoul, Korea, *Correspondence*, 26 November 2011.

53. Judge Advocate General's School, Charlottesville, VA, *Operational Law Handbook* (2010), 35.

54. Jennings and Hannah, 23-2. Something may be legal AND ethical, yet still unseemly in our culture. It may represent new thinking or change. A given culture may attack things new or unfamiliar using ethical or moral (or even legal) arguments when, in point of fact, the behavior is simply different. COL Thomas A. Kolditz, head, Behavioral Science and Leadership Department at West Point and director, West Point Leadership Center, communication with author, 27 July 2011. See also, The Constitution of the International Military Tribunal art 1, 8 August 1945.

55. Speech delivered at Peoria, IL, 16 October 1854.

56. Feighny, and DiRocco, 2.

57. Fort Leavenworth Ethics Symposium: Exploring the Professional Military Ethic: Symposium Report (November 2010) and Cf. George W. Casey, Jr., "Advancing the Army Professional Military Ethic," *Joint Force Quarterly*, 3d Quarter (2009): 14-15, and Cf. Robert L. Caslen, Jr., and Erik Anderson, "Reconnecting With Our Roots Reflections on the Army's Ethic," *Military Review* (September 2010): 114-15.

58. Hannah, Doty, and Jennings, *Building Moral Character for an Era of Persistent Conflict and Beyond*, Center for the Army Profession and Ethic, U.S. Military Academy (2011), 23.

59. Jennings and Hannah, 23-2.

60. Casey, 14.

61. Jennings and Hannah, 23-6.

62. *Ibid.*, 23-5. See also Don M. Snider, Paul Oh, and Kevin Toner, "The Army's Professional Military Ethic in an Era of Persistent Conflict," *Professional Military Ethics Monograph Series*, 1 (October 2009), 1-30.

63. McMaster, 37, 61.

64. Jennings and Hannah, 23-2.

65. *Ibid.*, 23-4.

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U.S. Army LTC James Zieba, a staff judge advocate with Task Force Cyclone, and Abdul Manan Atazada, the chief judge of the Kapisa Province of Afghanistan, discuss building plans for a jail in the Tagab Valley District center area of the province, 25 August 2009.

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# Uzbekistan's View of Security in Afghanistan After 2014

Matthew Stein



**M**UCH OF THE recent focus on Uzbekistan in relation to Afghanistan has been on the Northern Distribution Network, which the United States uses for two main purposes: to transport nonlethal supplies through Central Asia to troops in Afghanistan and for the New Silk Road economic projects to develop Afghanistan and the region over the next several years. The projects would improve transportation and energy links between Central Asia (Uzbekistan, Tajikistan, and others) and Afghanistan.<sup>1</sup> In addition, in September 2011 the U.S. Congress decided to resume security assistance to Uzbekistan after a seven-year hiatus, reopening a debate on U.S. security interests taking priority over human rights in Uzbekistan.

Less considered is the issue of regional security, specifically Uzbekistan's view of the coming U.S. drawdown in Afghanistan. This viewpoint is difficult to capture, because it is not often directly voiced, but we can examine it through the government's previous actions on security issues.

Of the Central Asian states involved in either the Northern Distribution Network or New Silk Road projects, Uzbekistan has the strongest security forces and some power projection capability. Uzbekistan sees itself as the bulwark against terrorism and extremism among other Central Asian states. It has been the birthplace of regional extremist groups, most notably the Islamic Movement of Uzbekistan (IMU), and the Uzbek government has demonstrated in the past that it will take any necessary action to protect its interests against such groups, especially if it perceives that a border state is not taking appropriate measures.

In October 2001, Operation Enduring Freedom changed the security dynamic for Uzbekistan and Afghanistan, and in particular, the status of the IMU, which had shifted its operational focus in 2001 to Afghanistan and Pakistan, partly because of the deaths of group cofounders Juma Namangani and later Tahir Yuldashev. The IMU and related groups will most likely remain in Afghanistan in some form even after U.S. military involvement there decreases over the next few years. While the IMU mainly operated in

Matthew Stein is a BAE Systems contractor-analyst on Central Asia at the Foreign Military Studies Office at Fort Leavenworth, KS. He holds a B.A. from Central College, Iowa, and an M.A. from the University of Kansas. He was a National Security Education Program Boren Fellow in Kazakhstan from 2008-2009.

PHOTO: Russian border guards observe Afghan territory controlled by the Taliban on the Tajikistan-Afghanistan border near the Tajik town of Pyandzh, 18 September 2001. (AP Photo/Pool)

the Afghanistan-Pakistan border region, it reportedly also carried out attacks in Afghanistan's northern regions near the Uzbek border. This region is a significant narcotics trafficking route, an additional factor for violence. This situation could lead the Uzbekistan government to take unilateral military action. Uzbekistan's viewpoint on the Afghanistan security situation is vital to understand, rather than condemn or ignore, to achieve the best possible outcome during the coming U.S. and NATO drawdown.

## The IMU and Uzbekistan's "International" War on Terrorism

One of the best ways to understand how Uzbekistan views security in the region is to look at the history of its conflicts with the IMU. The IMU grew out of an Islamic movement called Adolat (an Uzbek word meaning *justice*). When small- and medium-sized businesses developed in the last years of the Soviet Union, around 1989-1990, racketeers demanded protection money from business owners, particularly in the city of Namangan in Uzbekistan's Fergana Valley. The owners looked for ways to protect themselves against racketeers, and one business owner formed a protection group, Adolat, to fill that need. Within Adolat, young underground mullah Tahir Yuldashev emerged as an important leader along with one Juma Namangani, who had served in the Soviet Army in Afghanistan during the last years of the war.<sup>2</sup>

Adolat set up a vigilante group to patrol Namangan and enforce Islamic law and customs. The organization numbered a few hundred men (higher estimates put the number at a few thousand), and in December 1991, they occupied the local Communist Party headquarters. In spring 1992, Uzbekistan banned and cracked down on the movement. Both leaders and some Adolat members fled to Tajikistan, where they split up.<sup>3</sup> Namangani became involved in the Tajik Civil War, while Yuldashev traveled to Afghanistan (and reportedly Pakistan, Saudi Arabia, Turkey, Iran, and the United Arab Emirates) and made contacts to assist with obtaining funding and other resources.<sup>4</sup>

In Tajikistan, Namangani met up with Mirzo Ziyoev, an important figure in the United Tajik Opposition, and during the Tajik Civil War from 1992 to 1997, he commanded a small force that had followed him from Uzbekistan. Namangani stayed in Tajikistan, around Garm, after the civil war ended and became involved in drug trafficking. Yuldashev traveled to Tajikistan and met with Namangani in 1997, and together they formed the IMU in 1998. They declared a jihad against the government of Uzbekistan with the IMU's ultimate goal being to overthrow the government and establish an Islamic state.<sup>5</sup>

In 1998, the IMU started operating from a base in the Tavildara District in Tajikistan. They were linked with the 1999 Tashkent bombing (although there were conflicting reports of their involvement) and the cross-border incidents in the Batken Province, Kyrgyzstan, in 1999 and 2000.<sup>6</sup> IMU fighters crossed into the Batken Province in early August 1999 and took hostages, including members of the local government, a general in Kyrgyzstan's Interior Ministry forces, and four Japanese geologists. After receiving a ransom for the Japanese hostages, the fighters left Batken, with help and some convincing from Ziyoev, and spent the winter months near Mazar-i-Sharif, Afghanistan.

The group made its way back into Tajikistan several months later, and in August 2000, IMU fighters again crossed into Batken. During the second incursion, IMU fighters again took hostages, including four Americans, while other units simultaneously crossed into Uzbekistan in the Surkhandarya region and near the capital Tashkent. The latter groups clashed with Uzbek forces and even inflicted serious casualties on Uzbek troops, but were wiped out in turn. The IMU fighters in Kyrgyzstan withdrew in October and made their way to Afghanistan.<sup>7</sup>

***One of the best ways to understand how Uzbekistan views security in the region is to look at the history of its conflicts...***



Courtesy of the University of Texas Libraries, The University of Texas at Austin.

### Uzbekistan

Uzbekistan responded to the incursions with air strikes against IMU targets in Tajikistan and Kyrgyzstan in August 1999, but did so without notifying either government that it was conducting the strikes. Four aircraft from the Uzbek Air Force struck targets in the areas of Garm and Jirgatal, Tajikistan, in mid-August. Aircraft also struck at IMU members in Kyrgyzstan, with reported civilian casualties. The government of Kyrgyzstan apparently requested the airstrikes, but later claimed that Uzbekistan acted alone. Regardless, Uzbekistan believed the action was justified.<sup>8</sup>

The IMU was able to penetrate into Kyrgyzstan and Tajikistan through mountain pathways that border forces could not effectively patrol or secure. As a defensive measure, Uzbekistan mined its borders with Kyrgyzstan in 1999 and Tajikistan in 2000 in the Fergana Valley region.<sup>9</sup> The IMU made no more major incursions or attacks after 2000, but Uzbekistan did not start to remove the

mines until 2004-2005. An unknown number of mines are still on the border with Tajikistan and have caused casualties among the local population. Uzbekistan did not provide maps or locations of mined areas to the governments of Tajikistan or Kyrgyzstan.<sup>10</sup>

Uzbekistan's unilateral actions during and after the incursions can be somewhat explained by tensions over resources following the collapse of the Soviet Union. The centralized management of the Soviet system gave way to each state trying to put together water and energy sharing agreements. In short, this created a climate of mistrust and suspicion among all five Central Asian governments, particularly between Uzbekistan and its eastern neighbors, Kyrgyzstan and Tajikistan. Uzbekistan held this outlook on security issues as well.

An incident in 1991 between Yuldashev and Uzbekistan's president (then leader of the Uzbek Soviet Socialist Republic) Islam Karimov might



also explain the unilateral actions. In front of a large crowd in the city of Namangan, Yuldashev upstaged and undermined the president, speaking at length and gaining the crowd's support. At the time Karimov had not yet established a strong position in Uzbekistan during the transition to independence. The incident was caught on video and seen as a victory for Yuldashev. It remains a propaganda piece for the IMU.<sup>11</sup>

After the February 1999 bombings, Uzbekistan did not renew its membership in the Collective Security Treaty (renamed Collective Security Treaty Organization, CSTO, in 2002). Instead, the government joined a new organization with Georgia, Azerbaijan, Ukraine, and Moldova, GUUAM, which had less of a security focus.<sup>12</sup> The Batken incursions also demonstrated the sentiment of Uzbekistan when Karimov talked about Uzbekistan's defense capabilities compared to Russia, saying that he "will teach Russia how to deal with militants."<sup>13</sup> Karimov responded to what he believed was Russia trying to have a strong influence over regional governments through the Collective Security Treaty. Uzbekistan also believed that Tajikistan, and even Russian forces still in Tajikistan after the civil war, did not do enough to prevent the IMU from operating and crossing the Afghan-Tajik and Kyrgyz-Tajik borders.<sup>14</sup>

Terrorist attacks in 2004 added to Uzbekistan's anxiety. Members of an extremist group, belonging to either Hizb ut-Tahrir, the IMU, or the Islamic Jihad Union detonated bombs and attacked police in Bukhara and Tashkent in spring 2004.<sup>15</sup> The Islamic Jihad Union also received the blame for the July 2004 bombings outside the U.S. and Israeli embassies in Tashkent.<sup>16</sup>

Uzbekistan felt especially slighted at how the West, particularly the United States, reacted to the May 2005 Andijan incident. The government of Uzbekistan saw this as another example of its battle with extremist groups, although Andijan involved the group Akromiya, not the IMU.<sup>17</sup> The United States and Europe imposed sanctions on Uzbekistan not long after Andijan took place, although the United States had already stopped security assistance in 2004 because of human rights issues. The sanctions certainly had an effect, but also damaged the government of Uzbekistan's belief that it is united in an international war against terrorism. They see the 9/11 attacks alongside attacks in Uzbekistan as part of wider movement of terrorism.<sup>18</sup>

## Other Developments

Uzbekistan rejoined the CSTO in 2006, but has limited its participation.<sup>19</sup> It has not supported the formation or use of the CSTO's Collective Operational Reaction Force (CORF).<sup>20</sup> Uzbekistan refused to send troops to collective exercises or make them available for the CORF (sending only observers to the CSTO Rubezh 2007 exercise, the one time it participated).<sup>21</sup> Uzbekistan cited potential CORF problems in responding to crisis situations, specifically, sovereignty issues if CORF deployed to a member state in response to a regional conflict. Uzbekistan demonstrated this belief during the December 2010 CSTO summit. CSTO members agreed to change the organization's mandate to respond to internal threats in a member state following the conflict in June 2010 in southern Kyrgyzstan. The CSTO did not intervene at that time because the mandate allows a collective response only if a member is threatened by an outside aggressor.<sup>22</sup> Uzbekistan disagreed on the changes to the mandate and did not sign the new agreement.<sup>23</sup>

While Uzbekistan is usually ambivalent toward other states, especially in security issues, the government has demonstrated some willingness to negotiate. In 1997, Karimov proposed and created the now largely forgotten Six-plus-Two group in response to the civil war in Afghanistan. It



An exhibit at the State Museum of the History of Uzbekistan, Tashkent. The exhibit title reads "Uzbekistan: The International War Against Terrorism."

included all states bordering Afghanistan (China, Iran, Pakistan, Tajikistan, Turkmenistan, and Uzbekistan) plus the United States and Russia. The UN Security Council backed the declaration in 1999, officially known as the Declaration on Fundamental Principles for a Peaceful Settlement of the Conflict in Afghanistan. Its goals include not providing weapons or military support to any group in Afghanistan. Six-plus-Two was supposed to create a dialogue between members of the declaration and all factions in Afghanistan, so that the conflict would be resolved through negotiation and not military means.<sup>24</sup> A few meetings that included all members and representatives from the Northern Alliance and Taliban were held in Tashkent.<sup>25</sup> Six-plus-Two effectively stopped activities following the 9/11 attacks in the United States.

The idea of the group reemerged in 2008 as Six-plus-Three, to include all the previous members with the addition of NATO. Karimov revitalized the idea during the 2008 NATO Summit in Bucharest.<sup>26</sup> However, the group is still only a proposal. Russia did not support Six-plus-Three in 2008; it believed NATO involvement gave the United States too much influence and that Afghanistan should be included in the group as a full partner, not just as a participant in a dialogue.<sup>27</sup> While Six-plus-Three is not likely to become a reality, the government of Uzbekistan is thinking about its role in the future of Afghanistan and not strictly in defensive terms against the IMU. The government of Uzbekistan has proven that it will take action outside of U.S., Russian, or other influence to protect itself and maintain stability.

## The IMU in Recent Years

By 2001, the IMU had a base in Afghanistan, reportedly maintained one in Tajikistan, and had also established a relationship with the Taliban (against the Northern Alliance) and Al-Qaeda. Equally important is that at some point in its existence the IMU became involved in drug trafficking and continues to be.<sup>28</sup> Operation Enduring Freedom in Afghanistan changed the dynamics of the IMU in 2001. Namangani was killed in November 2001, along with a number of IMU combatants, ostensibly leaving Yuldashev in command. There have, however, been conflicting reports on the circumstances of Namangani's death, and even some reports that he is still alive.<sup>29</sup> While Namangani

***Operation Enduring Freedom in Afghanistan changed the dynamics of the IMU in 2001.***

never took a public relations role in the organization, the IMU has not had the same level of success that it did during the 1999 and 2000 incursions. This is a likely result of a lack of experienced commanders.

In late 2001 and early 2002, Operation Enduring Freedom forced the IMU to move into South Waziristan, in the Federally Administered Tribal Areas of Pakistan, where it operated from 2002 to 2009. It appeared to have broken apart during these years, but regrouped and periodically clashed with Pakistan's security forces, causing a backlash against Uzbeks from Waziristan tribes that bore the brunt of Pakistan's reaction.<sup>30</sup> A drone attack killed Yuldashev in August 2009, even though the IMU waited a year before officially announcing his death. His apparent successor is Usmon Odil, about whom little information is available.<sup>31</sup> The IMU probably maintains some ties with the Taliban, even a subordinate position to them. Yuldashev took an oath of allegiance to Mullah Omar; Usmon Odil has probably done the same or taken an oath to another Taliban leader. Ultimately, this will include the IMU in the future of Afghanistan in some form.<sup>32</sup>

The changes to the IMU also make it difficult to determine the current number of combatants or their origins or the organization's capabilities. The IMU has posted a number of photos and videos on their website, and, while it is mostly propaganda, there is some useful information. The website has a list of martyrs from 2009 (listed as the Islamic year 1430) and they appear to be a mix of ages and ethnicities, mostly from Central Asia, but also some from Afghanistan, Pakistan, and even Turkey.<sup>33</sup> The list of martyrs from 2010 (1431) is similar.<sup>34</sup> The most recent list of martyrs shows a large number of fighters from the northern provinces of Afghanistan and a few from Uzbekistan.<sup>35</sup> Videos posted to the website as recently as November 2011 are in several languages—Uzbek, Russian, English, German, and Urdu—and show some attacks the organization



A mullah delivers a sermon before prayer at a mosque in the Uzbek border town of Termez, near Afghanistan, 19 October 2001. (AP Photo/Efrem Lukatsky)

carried out. Some of these videos are also posted on YouTube.<sup>36</sup>

The IMU appears to be trying to reach a broad base, but the website is written in Uzbek with the Cyrillic alphabet. This suggests that the organization continues to address and recruit from the population in Uzbekistan. In any case, the government could have a strong reaction if its citizens join the IMU and are involved in future action against the state. Even if the IMU is now predominantly made up of fighters from Afghanistan, there could be an equally harsh reaction if the government of Uzbekistan perceives its counterparts in Afghanistan (at the national or provincial level) are not doing enough to maintain security.

## Considerations

Looking at the government of Uzbekistan's view of security does not mean ignoring or dismissing the human rights versus security assistance debate.<sup>37</sup> Rather, it draws attention to Uzbekistan's involvement in the future of Afghanistan outside these other issues. During the coming drawdown of United States and NATO forces in Afghanistan, it is realistic to expect that the IMU will somehow be involved in Afghanistan, despite its changes in leadership, operational focus, and capabilities.

Given Uzbekistan's history of conflict, the government will be cautious and likely hostile to the IMU's involvement and intent. There are a couple of possibilities to consider after the drawdown.

First, the IMU remains in Afghanistan and turns its attention to attacks on Uzbekistan, because of fundamentalist beliefs or criminal activities related to drug trafficking. If this happens the government of Uzbekistan would take defensive and possibly offensive measures. As a defensive measure, the government would most likely close or restrict movement on the border, hindering economic ties with Afghanistan. As an offensive measure, it could conduct a cross-border strike against the IMU. While a unilateral strike would be internationally and regionally condemned, Uzbekistan did this during the Batken incursions, and it might happen again.

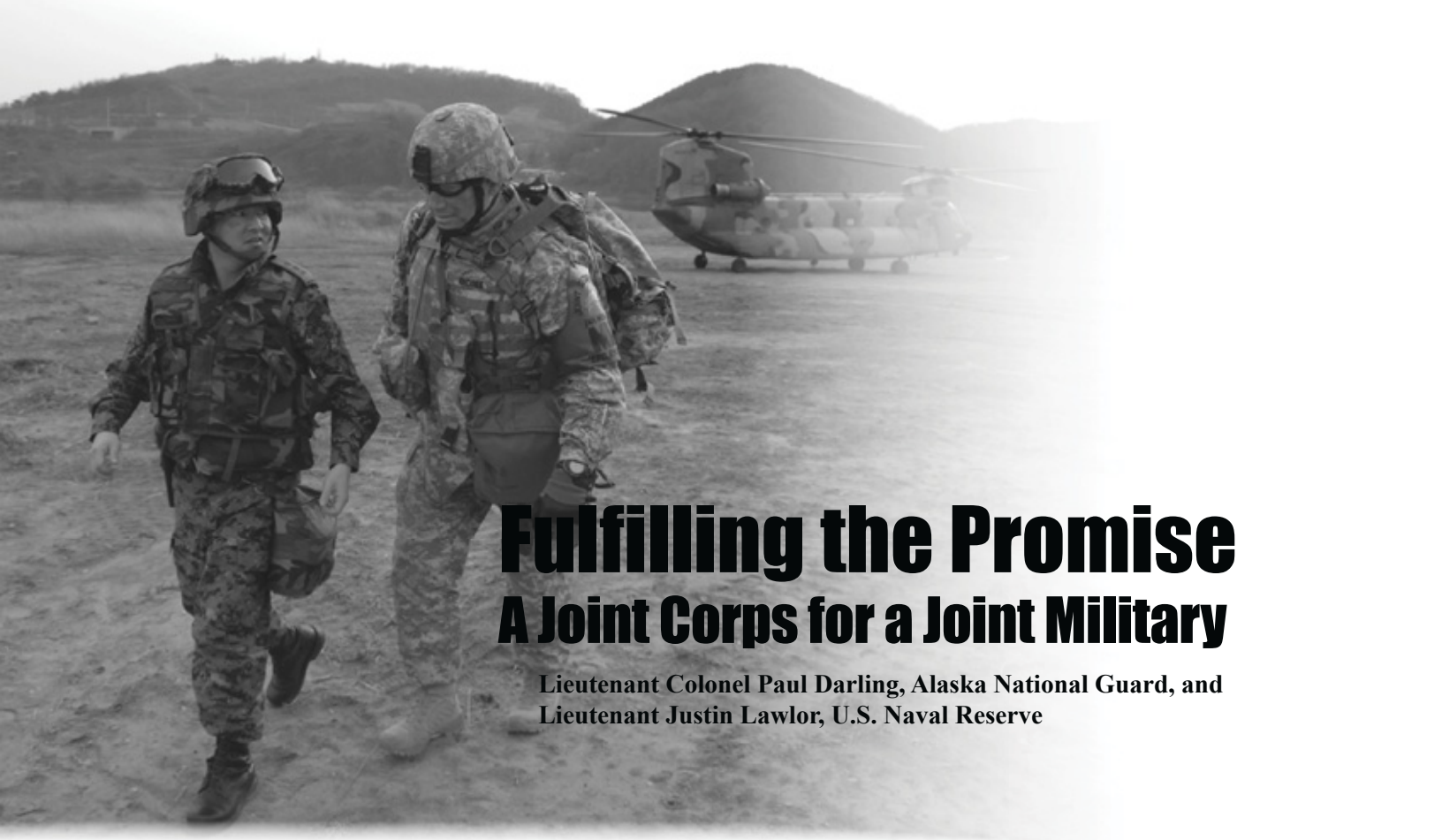
Another possibility is that the IMU remains in Afghanistan but, because of the organization's changes, does not carry out any attacks against Uzbekistan. In this scenario, the IMU could be a part of a ruling structure in Afghanistan because of its connections with the Taliban. If this happens, the government of Uzbekistan would have a strained relationship with the government of Afghanistan or whatever local government structure emerges in the future. Uzbekistan still views the IMU as a terrorist organization. If citizens of Uzbekistan are involved with the IMU (or the Taliban) it would complicate any political ties, regardless of the proposal for dialogue like the Six plus Three group. Uzbekistan could refuse to participate in economic development projects like the New Silk Road if it believes the IMU is associated with it.

Uzbekistan's government will take whatever action it believes is necessary to maintain stability and protect the state. Any debate on the justification of these actions could go on indefinitely. Ultimately, Uzbekistan is a regional power and will be involved in Afghanistan's future. Looking at the government of Uzbekistan's viewpoint of regional security and what action it might take to maintain it will help create awareness of the possible outcomes in the region following the U.S. and NATO drawdown and eventual withdrawal. **MR**



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# Fulfilling the Promise A Joint Corps for a Joint Military

Lieutenant Colonel Paul Darling, Alaska National Guard, and  
Lieutenant Justin Lawlor, U.S. Naval Reserve

Lieutenant Colonel Paul Darling is a member of the Alaska National Guard where he commands the 207th Training Regiment. He holds a B.S. from the U.S. Military Academy and an M.S. from the University of Missouri, Rolla. He previously served as the provincial lead mentor in Zabul Province, Afghanistan.

Lieutenant Justin Lawlor is in the U.S. Naval Reserve and currently a student in the Command and General Staff College Intermediate Level Education class 2012-02 at Fort Leavenworth, KS.

PHOTO U.S. Army LTC John E. Rhodes, right, commander of the United Nations Command Security Battalion-Joint Security Area, and his deputy, LTC Jung Hae-In, from the Republic of Korea Army, discuss a joint evacuation exercise held on Camp Bonifas, Republic of Korea, 23 February 2009. (U.S. Army, SGT Christopher Paul)

**B**ARRETT TILLMAN WRITES, “Long before jointness became doctrine and purple entered the military vocabulary, U.S. naval and air forces were operating hand in glove in a manner not possible today. The best example remains the Doolittle Raid against Japan . . . a bold concept devised by a naval officer—a submariner, no less—and executed by sailors and airmen.”\*

For almost 30 years, the Department of Defense (DOD) has formally wrestled with “joint operations,” with varying degrees of success. Despite almost universal agreement on its importance, the idea of joint operations remains more of a personnel management reality than an operational one. Starting in the mid-1970s, the DOD has attempted a bureaucratic top-down implementation of joint operations that all four service cultures have resisted with great success. The successful “purple-suited” officer simply doesn’t exist in a meaningful way within the DOD.

Decades of unsustainable military spending papered over many of these issues, as budgetary pie slices were large enough to isolate the services from one another. However, the likely enduring global operational environment and future manning realities stemming from coming budgetary constraints makes change imperative. The DOD budget appears to be on the chopping block for the foreseeable future. All discretionary spending will be crowded out by entitlements and servicing the growing debt. This reality alone makes the existing DOD joint calculus obsolete. A new version of “joint” is needed. It must be organic to the DOD but amenable to other government participation, adaptable for *in extremis* operational design and planning, and capable of sustaining long-term force generation requirements. It requires a true joint officer, as part of a corps of such men and women.

## A Bureaucratic Shift

The newest Army Doctrinal Publication 3-0 should prompt the military to field and fight the joint force in the manner intended, something not accomplished by current joint doctrine. For the cadre of experienced officers coming out of the nation's recent wars, the promise of joint execution has been a mixed success. Now is the time to capitalize on that experience. A restructuring of the DOD officer corps, something on par with reforms of the National Security Act of 1947, is called for and appropriate.

Such a bureaucratic shift requires flexibility, adaptability, and intentional planning that our current system barely accomplishes, and then nearly in spite of itself. The effective emplacement and employment of the full range of combat forces in a joint environment requires an exacting synchronization of military and nonmilitary elements. This synchronization in turn requires officers and leaders with broad knowledge of the capabilities and limitations of all facets of American power. Our current systems of officer development and training often fail this most crucial test. We then rely on our technological overmatch and individual excellence to carry the day. Neither condition is a given, and we must look to create more effective military minds. Joint planning has widely been hailed as part of the solution, but is its current execution part of the problem?

The concept of joint operations in its current incarnation is not a synergistic combination of the various branches of service. The reality of "joint" is its existence as the fifth branch of service. An officer completing a joint tour has not learned much about other branches aside from stories around the water cooler. Rather, he has learned "the joint world." The requirement for joint experience as a prerequisite for general officer creates a dynamic whereby the most talented officers from all branches avoid their mandated joint tour until already successful at the lieutenant colonel and colonel (O5 /O6) level, and thus are practically ensured of future success. A quick joint tour allows this officer to "punch his ticket," remain competitive for promotion, and quickly retreat back to his branch of service.

The adage that good generals command divisions and wings and that promising admirals command fleets is universally accepted. Maximum service in these divisions, wings, and fleets as field grade officers is rightly seen as the best training for future senior

commanders. The most successful of these officers, some having avoided joint duty for 26 of their first 30 years of service, are then in position to compete for the coveted combatant commands, assured that their branch specific experience and success is the best indicator of future success managing assets of which they have little knowledge or experience. Multiple joint assignments prior to attaining flag rank are generally perceived by selection boards as an indicator of mediocre performance and commensurately minimal potential for promotion. Officers in such positions often scramble to find service specific assignments to "re-blue" or "re-green" in hopes of strengthening their promotion potential. This is often an exercise in futility.

Even the current "joint" combatant commands themselves are *de facto* nearly branch specific. Transportation Command and Northern Command are both largely the domain of the Air Force. Strategic Command has been, with one exception, an Air Force or Navy command. Pacific Command is historically an exclusive Navy billet. European Command was an Army and Air Force slot, but now is open to every service. However, this inclusion does not reflect an adoption of jointness, but rather an acknowledgement of Europe's diminished importance. Southern Command has been primarily the Army's domain. The once ignored, but now glamorous Central Command (encompassing the Middle East), has usually been split between the Army and Marines. As *Defense News* highlighted last year, the Air Force, while quite comfortable with its own reserved "joint" commands, feels that Central Command should be opened up to Air Force officers despite the vast majority of the operations being on the ground.

Manning these most important commands does not appear to be a debate of who is most qualified, but rather a debate over which service has its turn for the billet. Interservice rivalry, the mitigation of which was one of joint doctrine's reasons for being, can appear at times to trump qualifications. But the Air

***Even the current "joint" combatant commands themselves are de facto nearly branch specific.***





(U.S. Army, SPC Andrew Ingram)

**U.S. Army SGT Michael Peterson, left, requests fire support while U.S. Air Force SSgt Nate Corean supervises during Joint Tactical Air Controller/Joint Forward Observer training at the Besmaya Range Complex near Baghdad, Iraq, 18 March 2011.**

Force has a valid point. The officers commanding these joint commands are not necessarily the most “joint” in their experience. They are the best each branch of service has to offer to then compete at the highest levels. When Air Force generals come up short in the most important of all commands, as Central Command is rightly viewed, it can be seen as a rebuke to the rejected services.

“Jointness” in its current incarnation was a congressional mandate in response to high-profile failures during the invasion of Grenada and the 1980 hostage rescue attempt in Iran. Seeing the lack of interservice cooperation and its deadly ramifications, Congress mandated a fix that appears to have created a whole batch of flag billets but no great improvement in military cooperation. DOD has succeeded in spite of, not because of, this current vision of jointness. We have to do better, and we can grow where joint seems to work best, at the operational level.

## **A Necessity for the Future**

A new type of “joint” is now no longer just operationally desirable, but necessary to the future of the DOD. Instead of a top-down directive, a more organic bottom-up methodology should achieve lasting effects and ensure continued viability. A two-tiered officer model should be adopted by all services. In this model, a line officer as a captain/lieutenant (O3) will elect one of two tracks, a service track or a joint track. Within the service track, the officer could pursue the traditional tracks of education and experience to compete for command within his community and service. On the joint side, the officer could follow a track that, while building on a basis of his original community and service, would include significant exposure to other services, with mandatory cross-assignments, and postings at rank-appropriate intervals at the key staff or executive officer level.

Assignments could be made with an eye to not only the officer's original branch of service but his geographical experience and civilian education. All services would be required to code these joint slots as broadly as possible to make the cross-fertilization work. A much more holistic model could be used in promotion and assignment with an eye towards development of truly joint officers.

An example would be a Marine Corps artilleryman who makes the transition to the joint corps. His next assignment could be as an operations officer in an Army infantry battalion. He would be expected to acquire a nonbase branch professional military education (PME). In this example, PME would be attendance at the Air Staff College with follow-on assignment to an F-15E wing working targeting issues. After three operational tours in three different branches of service, the senior major or junior lieutenant colonel would have his first "joint tour" employing his joint operational targeting expertise as part of the Joint Forces Air Component Command, Land Component Command or Combatant Command J-2, J-3, or J-5. A return to stateside might see that officer attending the Naval War College and a tour afloat assigned to a Ticonderoga class cruiser. After reaching O6, this hypothetical officer, while retaining his Marine Corps uniform and heritage, will have been immersed in each service. He will have gained a deep working knowledge of the strengths and weaknesses of military force along the total continuum of operations and across the various components. Should his career stop at this point, he will have infused his various units with not only the famous Marine Corps ethos, but with the best practices of each branch and headquarters he worked with. Further, he would have had a career that, while lacking in command, included more valuable troop time than those careers of most of his commanders.

The goal, of course, is that this time in our putative artilleryman's career will be merely prologue to future assignments of greater responsibility. The

concept of joint should not be limited to uniformed service. A two-year stint with the State Department could serve to unite the Departments of Defense and State. As it stands now, the complex issues of 21st-century warfare find these two critical components of diplomacy often at odds, if not near open conflict, with each other.

Likewise, the flag officer would do well to learn the critical skills of diplomacy from the acknowledged experts. A joint-tracked intelligence officer might find herself at the CIA, or elsewhere in the intelligence community. An Army logistician or Navy supply officer could conceivably match with Department of Transportation or Commerce. A final investment in a Ph.D. would produce an officer truly prepared for joint thinking and operations. As the J3 or other key flag billet, he would be uniquely qualified and respected. The synergistic permutations are endless. Examples could include an Air Force space and missile officer serving aboard an Ohio Class SSBN, an Army aviator assigned to flying duty with USAF Combat Search and Rescue, or a Navy SEAL billeted as an operations officer of a Ranger battalion. These initial assignments would culminate in the true end state of a joint corps: ultimately, an Army logistician commanding Transportation Command or an Air Force missileer commanding at Camp Smith or a surface warfare officer heading Africa Command. But these title trivialities would be in name only. In fact, it would simply be an amazingly qualified and trained joint officer in a joint command. Those officers who chose to remain in their basic branch would still be eligible for service chiefs of staff, service commands, operational units, and training units without the need to do the perfunctory "joint" tour in its current incarnation. There would no longer be interservice rivalry for who would command the joint theater commands as the ownership of these flags would belong completely and unquestionably to this proposed joint corps.

***A two-year stint with the State Department could serve to unite the DOD and DOS. As it stands now, the complex issues of 21st-century warfare find these two critical components of diplomacy often at odds, if not near open conflict, with each other.***

Such officers would be selected for promotion and assignment based upon joint corps specific evaluations and boarded by officers similarly assigned to the joint corps. What an F-16 squadron commander sees as outstanding attributes may not be what is required for a successful joint corps officer. Professional curiosity and ability to adapt and learn to new cultures would be the primary drivers of success, rather than piloting ability, ship handling, or maneuver brilliance. The chairman of the Joint Chiefs of Staff and the secretary of defense should control this group of officers. We will not need another four-star headquarters for this joint concept, as the framework already exists.

The U.S. military is uniquely suited to make this work. The noncommissioned officer corps in each branch would be the honest broker to ensure that cross-trained officers derived the right lessons from their experiences and to ensure the officer's deficiencies in experience were compensated for accordingly. The overall size of the DOD makes this cross-fertilization feasible.

Naturally, an air force pilot assigned to a marine infantry battalion would not be as effective as a ground combat marine officer. The timing of these cross-pollination assignments may possibly preclude combat deployments. However, the deployment experience of joint corps officers would primarily occur at the combatant command level where their experience and education would be best employed. Within joint commands you would still find base component officers, but now serving as deputies and assistants where their service specific expertise would advise joint officers. Professionally, the lack of command opportunities could be mitigated by the breadth of experience and preponderance of flag billets with the obvious culmination of having the combatant commands and subordinate joint task forces reserved solely for the joint corps officer.

The base service components would benefit as their core strengths would be more clearly understood by joint commanders who right now are experienced primarily in their own component of origin. Outstanding officers would have more command opportunities as the joint corps would draw some of their peer competitors away. The commanders of our warfighting units would enjoy maximum time serving in them and would benefit from even more experience than they currently expect. The best practices of each

service would be spread far and wide. Occasional distrust or even disdain of sister services would not be eliminated, but would certainly be reduced at all ranks and echelons as the differences in service cultures would be better understood in context.

## Exchange Tours

While current exchange tours exist, these tours are often considered career limiting, and often broaden the view of the officer in only a limited fashion. A Marine Corps aviator integrating into an Air Force F-16 squadron does provide needed perspective, but only within the strike aviation framework. To achieve real and practical effects of combined arms operations, planning, and managing across the spectrum of combat and non-combat power is required. Ultimately the goal of a greatly expanded joint corps would be to build, through concrete training and experience, the knowledge required to do this.

Currently, we do exchanges between services, and with our allies. Indeed, many services have explored partnering with civilian institutions to adopt best practices. However, we need this codified and expanded. This expansion should start with the exchange within inherently joint services, like the Army National Guard and Air National Guard on the Reserve Component side, and the Navy and Marine Corps on the Active Component side. After this integration into the Reserve Component with others, integration within the active duty elements would logically follow. Rather than the exception, a cross-assigned officer should be the rule throughout the tactical units.

We are doing this now in a limited and ad hoc fashion with the Air Force and Navy Individual Augmentees currently serving deployed. During assignment to the ISAF Regional Police Advisory Command-South Headquarters, one author was fortunate to have been assigned a young naval surface warfare officer recently promoted to O3. His natural abilities allowed him to quickly integrate to our staff, and he was soon providing not only a quality product, but also giving the Army-dominated staff a different look born of his experience at sea. Likewise, his own incorporation of army tactical operations center procedures benefitted his development as well. Where he was deficient in experience, our noncommissioned officers compensated, and we were certainly a stronger staff because of his





(U.S. Air Force, SSgt. Jonathan Lovelady)

**U.S. soldiers with the 4th Battalion, 10th Special Forces Group, secure their jump gear and prepare to board a U.S. Air Force KC-130 Hercules aircraft at the John C. Stennis Space Center during Emerald Warrior 2011, 8 March 2011.**

inclusion, rather than in spite of it. Ironically, until only recently, this officer's year assigned to the Army in Kandahar City did not count as a joint tour, regardless of the actual benefit both he and the Army gained from his deployment.

In the near future, American military operations will be stressed by concurrent operational demands and material limitations unprecedented in our nation's history. At few other times have our responsibilities been so global. Our responsibilities as officers to "America's sons and daughters" demand we springboard off Army Doctrinal Publication 3-0 to seize the high ground of joint operations as many have imagined it should be.

## What the Future Holds

If we codify and expand this kind of service, the benefits to the Department of Defense as a whole would be manifest. No longer will parochial concerns of component prestige possibly dictate mission assignments by joint commanders. Institutional stovepipes, built during World War II, reinforced during the Cold War, and reflecting bureaucratic sensitivities of times gone by, are

simply inadequate to deal with the current array of threats, our operational reality, and likely future resource constraints. As a military, we are going to be continually tasked to do more with less. The establishment of a joint corps would be a positive first step to preserving our capabilities within a framework of resource constraints as opposed to warfighting necessity as was originally envisioned for the nascent DOD by both the McNarney Plan in 1944 and the Collins Plan in 1945, which both proposed a separate procurement service at the same authority level as, and completely separate from, the Departments of Army, Navy and Air Force.

Such a joint corps putting its weight behind procurement could alleviate concerns that procurement revolves around service prestige and political considerations as opposed to warfighting necessity. With loyalty (and promotion potential) in the hands of the joint corps, only professional competence and intellectual honesty should dictate further advancement. Finally, we will bring to fruition the true potential for jointness as was first hinted at almost 70 years ago when a submariner's ideas culminated in a daring raid on Tokyo. **MR**

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### NOTE

\*Barrett Tilman. "Into the Rising Sun: The Doolittle Raid," *Proceedings*, April 2007, vol. 133/4/1,250, available at <<http://www.usni.org/magazines/proceedings/2007-04/rising-sun-doolittle-raid>>.



# ***Policy Options for a Cuban Spring***

Gregory Weeks, Ph.D. and Erin Fiorey

**O**VER 20 YEARS after the fall of the Soviet Union and more than 50 years since the Cuban revolution, the Cuban government remains a stubborn reminder that not all Cold War conflicts have ended. As the world watches historic political change taking place in the Middle East, Cuba is ruled by the same two men who have governed since the administration of Dwight D. Eisenhower. Meanwhile, the policies of the United States have evolved only slightly in that same span of time.

The deep antagonism between the United States and Cuba has left policy options calcified. The official policy of the United States is that the Cuban government is illegitimate and should be removed from power. However, it has become clear that the United States has very little leverage and will therefore respond to transition in Cuba as it occurs rather than act as a driving force of political change. How to do so in the most effective manner possible is an open question. This article examines the evolution of U.S. policy toward Cuba and offers policy recommendations in the eventuality of a Cuban Spring, using the Arab Spring as a recent example for comparison.

## **Historical Background**

Cuban political history of the past century is tightly bound to the United States. As one scholar has put it, “the United States and Cuba have never had normal ties.”<sup>1</sup> “Regime change” was even codified into the Cuban constitution from 1901 to 1934 through the Platt Amendment. The third part of that amendment stated the point clearly:

That the government of Cuba consents that the United States may exercise the right to intervene for the preservation of Cuban independence, the maintenance of a government adequate for the protection of life, property, and individual liberty.<sup>2</sup>

Gregory Weeks is an associate professor of political science and director of Latin American Studies at the University of North Carolina at Charlotte. He holds a Ph.D. from the University of North Carolina, Chapel Hill.

Erin Fiorey is an M.A. candidate in Latin American Studies at the University of North Carolina at Charlotte. She holds a B.A. from Wake Forest University.

PHOTO: Dressed in white and armed only with an iris and a photo of their loved ones, the Damas de Blanco (Ladies in White) Association in Cuba march in protest of the detention of jailed dissidents. (Damas de Blanco)

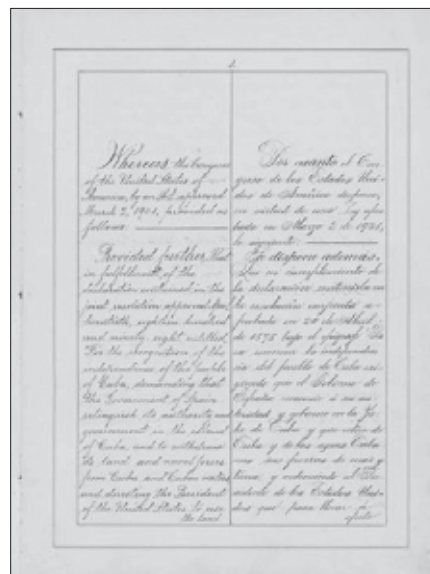
The United States intervened on more than one occasion, and U.S. ships and marines were common sights. Senator Platt wrote confidently, “The United States will always, under the so-called Platt Amendment, be in a position to straighten things out if they get seriously bad.”<sup>3</sup> As a prominent historian of Cuba notes, in the United States, Cuba was portrayed by media and politicians alike as a child, unable to make its own decisions capably.<sup>4</sup> President Franklin Roosevelt’s Good Neighbor Policy, announced in 1933, marked the end of the era of U.S. stewardship, but not intervention.

In part because of this asymmetrical relationship, the Cuban revolution was born and grew. Fidel Castro was born during occupation and became politically prominent at a time when the United States viewed dictator Fulgencio Batista as the ultimate defender of stability on the island. Castro’s distrust of the United States confounded President Eisenhower, who told a reporter, “When they got in trouble, we had an occupation, back about 1908, and again we set them on their feet, and set them free.”<sup>5</sup> That Cubans may not necessarily have appreciated foreign-led regime change crossed few minds. To succeed after the Castros eventually leave power, U.S. policy must always be cognizant of the Cuban population’s resistance to foreign manipulation, or even the appearance of it.

## A Dual-Track Policy of Isolating Cuba

The policy shift that began soon after the revolution is, of course, well known. The economic sanctions launched in 1960 (and expanded in 1962), the Cuban Missile Crisis in 1961, the failed Bay of Pigs invasion of 1962, and even assassination plots are all part of the historical record of U.S. policy toward Cuba. Taken together, they constitute an effort to isolate the Castro government both political and economically, with the ultimate goal of regime change. That policy goal, quite obviously, has never been achieved. Instead, the regime consolidated its position.

To further that aim of squeezing the Cuban regime, in 1982, the State Department listed Cuba as a “State Sponsor of Terrorism,” a designation that remains in effect to this day. Any country on the list has “repeatedly provided support for acts of international terrorism.” the most recent report,



### The Platt Amendment of 1901

The Platt Amendment stipulated the conditions for the withdrawal of United States troops remaining in Cuba at the end of the Spanish-American War and defined the terms of Cuba-U.S. relations until the 1934 Treaty of Relations.

released in late 2011 and less assertive than those the State Department issued during the Cold War, argued the following:

[T]he Government of Cuba maintained a public stance against terrorism and terrorist financing in 2010, but there was no evidence that it had severed ties with elements from the Revolutionary Armed Forces of Colombia (FARC) and recent media reports indicate some current and former members of the Basque Fatherland and Liberty (ETA) continue to reside in Cuba.<sup>6</sup>

The net result of the designation is to isolate the country by blocking economic assistance, arms sales, and to impose a variety of financial restrictions.

If anything, the end of the Cold War served to harden U.S. policy. Assassination attempts and covert operations were taboo, but the overall assessment was that the regime was on the brink of collapse, so more restrictions would push it further toward that result. The Cuban Democracy Act of 1992 asserted that U.S. policy was “to seek a peaceful transition to democracy and a resumption of economic growth in Cuba through the careful



application of sanctions directed at the Castro government and support for the Cuban people.”<sup>7</sup> That entailed tightening the embargo by penalizing foreign subsidiaries of U.S. companies that did business in Cuba, while also restricting travel and remittances. It emphasized that restrictions would not be lifted until free elections were held. The law was framed in both human rights and national security terms because of “subversive activities.”

The United States government no longer considers Cuba central to national security, but it is always present to a degree. Successive versions of the *National Security Strategy of the United States of America* addressed Cuba in some fashion after the Cold War, noting that it was the only remaining dictatorship in the region. Concerns about Cuba sending troops abroad—a constant issue during the Cold War—evaporated, giving way to an emphasis on promoting democracy. In 1998, the document reinforced the notion that the United States “remains committed to promoting a peaceful transition to democracy in Cuba.” The National Security Strategies for 1990, 1995, 1998, 2002, and 2006 display similar patterns in syntax and themes. For instance, each year offers “unprecedented” or “unparalleled” opportunities for the United States to exert its power and influence on the global stage as well as for the growth of democracy.

The United States exerted economic pressure on the Cuban government to enact reforms while it funded opposition civil society organizations and increased humanitarian aid. Cuba faded further from the national security radar after 9/11, when the United States shifted its focus firmly on the Middle East. By that time, Cuba had no real global presence and so was significant primarily for humanitarian reasons.

The greatest change in strategy came in 2010 with emphases on national endeavors for security

***The United States government no longer considers Cuba central to national security...***

rather than efforts to influence international events and on economic rather than democratic development. That year’s *National Security Strategy* document focused on streamlining and maximizing the effectiveness of U.S. institutions, including military deployment. The discourse on encouraging democracy throughout the globe, so prominent in all the documents from previous years, appears only briefly. Indeed, the new emphasis was that “we are promoting universal values abroad by living them at home, and will not seek to impose these values through force.”<sup>8</sup>

The 2010 *National Security Strategy* cited few specific examples why democratic development has succeeded or stalled and simply stated, “Even where some governments have adopted democratic practices, authoritarian rulers have undermined electoral processes and restricted the space for opposition and civil society.” It also dropped the imperative or “responsibility” of the United States “to oppose those who would endanger the survival or well-being of their peaceful neighbors,” used far less heated language, and made more references to international organizations for the resolution of conflicts involving the United States. These changes, only a few among many in the 2010 report, revealed a shift—albeit limited—in paradigms as well as acceptable strategies for national security. From this perspective, Cuba needed to change, but that change would not be forced.

A 2008 Congressional Research Service Report for Congress summed up U.S. policy as “a dual-track policy of isolating Cuba.” The two tracks were economic sanctions and efforts to facilitate a Cuban civil society that could become a more active political opposition. The report points out correctly that the Cuban Liberty and Democratic Solidarity Act of 1996 (the Helms-Burton law) constrains reaction to any political transition in Cuba. With logic similar to the Cuban Democracy Act, the law was intended to turn the embargo screws as tightly as possible to oust the Castro government.

## **Providing a Policy Framework**

The future U.S. response to political transition in Cuba must follow a cumbersome sequence. Section 203 of the Helms-Burton law requires the

president to appoint a coordinating official once a transition government is in power. That official must then create and convene a U.S.-Cuba council. Finally, the president must write a report to the appropriate congressional committees no later than 15 days after making the determination of a transitional government. In practice, this means influence over U.S. policy toward Cuba has shifted to Congress, which must approve the president's action. One stated purpose of the law is "to provide a policy framework for United States support to the Cuban people in response to the formation of a transition government or a democratically elected government in Cuba."<sup>9</sup> It will be a joint project between the president and Congress, at least until the latter proclaims the transitional government to be democratic, at which point the president's hands are freed.

The administration of George W. Bush added more layers of complexity. His Commission of Assistance to a Free Cuba, chaired by General Colin Powell, issued a report in 2004. General Powell noted in the preface that one purpose of the commission was to find ways to "hasten" the Cuban transition and then work with the transitional government.<sup>10</sup> Referring primarily to Helms-Burton, the report notes that "the report may include recommendations to assist a free Cuba that may be prohibited or limited by current U.S. law." Its essential recommendations were to continue isolating Cuba, to undermine the succession process, to fund the Cuban opposition, to restrict travel by U.S. citizens to the island, and to highlight the abuses of the regime. The report recommended an active role by the U.S. military for modernization and professionalization of the Cuban armed forces after the transition.

Barack Obama's administration made minor changes to Cuba policy in 2009, hoping to engage Cubans by allowing more family visits, remittances, and humanitarian donations as well as opening more telecommunication links to the island. In 2011, President Obama made more allowances for "purposeful travel" as part of a policy of "reaching out to the Cuban people."<sup>11</sup> Substantively, though, the change was not dramatic or drastically different from the past. However, as noted, the administration moved away from the rhetoric of "hastening" the transition or intervening. Thus, the report of the Committee of

Assistance to a Free Cuba, which does not have any legal standing, will likely not be immediately followed if a transition occurs while President Obama is in office. Indeed, the Department of State's 2010 *Quadrennial Diplomacy and Development Review* deemphasizes nation-building and focuses more on channeling resources through local governments to generate economic development.<sup>12</sup>

As the Castro dictatorship became deeply entrenched, signs of a "Cuban Spring" have been few and far between. Organized movements have periodically emerged but have not led to widespread protests and are harassed and closely monitored by the government. Especially given demographic change, however, some type of political transformation is highly likely. A growing number of Cubans were born after the revolution and—if they haven't emigrated already—are not necessarily as committed to it ideologically. This is not unlike the Arab Spring. When Fidel Castro became ill in 2006, rumors of his imminent death spread quickly and inaccurately. Regime change of some sort is inevitable, though its precise nature is impossible to predict.

## The Rule of the Sultans is Coming to an End

Although it has roots in the 2009 Iranian Green Movement protests, the so-called "Arab Spring" began in December 2010, when a man burned himself publicly to protest police brutality in Tunisia. Large-scale protests in Tunisia led to the president's removal the following month. Through the use of technology and social media, the example spread across the Middle East in a struggle against sultan-like governments controlled by a small, ruling clique that fuses the public and the private, the state and the ruler as one, with no accountability. As scholar Jack Goldstone put it, "The rule of the sultans is coming to an end."<sup>13</sup> One essential characteristic of all the protests is that although they might have found inspiration in events abroad, they were fundamentally domestic in nature. Indeed, the movements' vitality depended largely upon that fact.

The sources of homegrown dissent were numerous. Authoritarian rule, corruption, unemployment, and economic disparities combined

with demographic change that created a large cohort of discontented youth. No longer as closely linked to the socio-political conditions—most notably the Cold War—that helped install the dictatorships in the first place, young people demanded change. But they faced long-standing dictatorships unaccustomed to allowing more than token opposition.

As they grew and clashed—sometimes very violently—with their governments, these movements received foreign moral and material support. With regard to the United States, the nature of this response has varied considerably, ranging from support for a NATO operation in Libya to the removal of rhetorical and material support for Hosni Mubarak in Egypt. Given differing and very fluid circumstances, there is no rigid policy model to follow. In a 2011 speech, President Obama referred to the Arab Spring in terms that echoed years of Cuba policy, where the United States would promote reform and democratic transition, even in countries where transitions had yet to take place. However, at the same time, “it was the people themselves who launched these movements, and it’s the people themselves that must ultimately determine their outcome.”<sup>14</sup> This position falls in line with the 2010 *National Security Strategy*.

To date, regime change has occurred in four countries: Egypt, Libya, Tunisia, and Yemen. Meanwhile, political conflict has engulfed Syria and Bahrain and may still emerge elsewhere. Regimes that only a short time ago were widely considered solid crumbled in a matter of weeks. The United States has managed to establish positive, although cautious, ties to the emerging transitional governments. This has been the case in no small part because of the measured policy response. Diving headfirst into civil war is a decidedly risky business.

Although these political processes are still undergoing change and outcomes are uncertain, there are lessons for better understanding the Cuban situation and the role of the United States in contributing to democratization in Cuba. Sultans also run the Cuban regime, as there is little difference between the state and the Castros. When a transition occurs, there will certainly be some similar economic and demographic characteristics.

At the same time, we must acknowledge important differences. One critical factor is the political activism of the Cuban-American community in the United States, for which there is no parallel for the countries affected by the Arab Spring. Tied closely to that is geography. Civil conflict in the Middle East certainly affects the United States, but for Cuba the impact is immediate, in the form of refugees. That possibility was raised in the 1998 *National Security Strategy* and never leaves the minds of policy makers. Nonetheless, we can establish some policy parameters.

## U.S. Money Won’t Cause Change in Cuba

What would a Cuban transition look like? Why would it start? No one predicted the Arab Spring, and for Cuba the many possible permutations are well beyond the scope of this article. Cuban opposition blogger Yoani Sánchez writes that Cubans view transition as similar to a dilapidated building in Havana: “The hurricanes don’t bring it down and the rains don’t bring it down, but one day someone tries to change the lock on the front door and the whole edifice collapses.”<sup>15</sup> In any event, given the hermetic nature of the regime and its successful resistance to U.S. influence, it is



Internationally renowned *Generation Y* blogger, Yoani Sánchez, Havana, Cuba, 2011. (Orlando Luis Pardo Lazo)



***Widespread perception that the United States is attempting to direct events fosters distrust...***

very unlikely that the United States will have much influence over its initiation.

As the prominent Cuban dissident Oswaldo Payá argues, “One talks about the United States’ money for civil society . . . . The United States’ money won’t cause change in Cuba.”<sup>16</sup> It is a point he has made repeatedly. If there is a Cuban Spring, then its emergence and ultimate success will hinge on its domestic wellsprings. In fact, this echoes the policy position of the administration of Barack Obama. As Secretary of State Hillary Clinton put it in 2011, “These revolutions are not ours. They are not by us, for us, or against us, but we do have a role. We have the resources, capabilities, and expertise to support those who seek peaceful, meaningful, democratic reform.”<sup>17</sup> Even the Catholic Cardinal in Cuba, Jaime Ortega, has cautioned against “a type of U.S. subculture which invades everything.”<sup>18</sup> He was referring not only to culture, but also to politics.

What the wariness entails is an increased risk of backlash if the United States injects itself too forcefully. The United States faced a similar dilemma in the Arab Spring Middle Eastern transitions. Widespread perception that the United States is attempting to direct events fosters distrust and provides leverage to pro-regime forces or at the very least puts leaders on the defensive who might otherwise welcome assistance from the United States. This is commonly referred to as “blowback,” and over the long term, it could greatly reduce U.S. influence.

However, once the political transition is underway the United States will have to respond, especially given Cuba’s geographic immediacy and the domestic political ties of the Cuban American community. It must do so in a constructive way, to avoid remaining in the habit of “rejecting most tools of diplomatic engagement” as a 2009 Senate staff report put it.<sup>19</sup> The report also accurately noted that any transitional government or opposition movement attempting to become a government will not be a *tabula rasa*. Even

if they are more positive toward the United States than the Castros are, the movement’s leaders will also be steeped in the history of U.S.-Cuban relations; that is, steeped in U.S. efforts to exert political control. In 2009 congressional testimony, former Southern Command commander General Barry McCaffrey noted, “There is no question we lack influence.”<sup>20</sup> Establishing influence is no easy task, and we cannot accomplish it quickly.

## **Policy Responses**

If we bring together the lessons of the history of U.S.-Cuban relations and the initial experience of the Arab Spring, then we can make some informed policy recommendations based on Cuban sensitivities to their country’s sovereignty, the difficulties inherent in unilateral action, and the delicate balance between legislative and executive policymaking.

First, material support from the United States must come at the request of the transitional government. Premature action can actually undermine protests by allowing the government to reframe them as U.S. strategy to assert undue influence. Even prominent Cuban opposition members express concern in that regard. Aid can be useful, but it can also easily backfire. This is true at all stages of the transition.

The Commission for Assistance to a Free Cuba advocated immediate, wide-ranging action, but even the opposition will be wary of its northern neighbor. Moving precipitously would force a potentially friendly group into a nationalistic response. That would complicate domestic political calculations in the United States and could even slow down the transition itself.

Second, the United States should engage with other Latin American countries to facilitate as peaceful and autonomous a transition as possible in Cuba. This will not necessarily be a smooth process; it will face multiple challenges. As in the Middle East, a multilateral response will increase the domestic and international legitimacy of the transitional government and the governments that follow it. This does not mean the United States “leads from behind” but rather that it avoids unilateral responses. In particular, economic aid and debt relief will be important for the new government.

A multilateral approach will entail a slower response than a unilateral approach. However, it will



(U.S. Navy, J01 Preston Keres)

**U.S. Navy hospital ship USNS *Comfort* (T-AH 20) passes the Statue of Liberty enroute to Manhattan to provide assistance to victims of the 9/11 terrorist attack on the World Trade Center in New York, 15 September 2001.**

increase the chances that the new government will be able to normalize relations with the United States. It will also be difficult, at least at first, because five decades of unilateral embargo policy have left the United States isolated in both the region and the world.

Third, the use of U.S. troops is not recommended. Given the history of Latin American governments' strong preference for nonintervention, unlike in the Middle East, it is highly unlikely that regional support would emerge for the use of force in any form, and the history of U.S.-Latin American relations warns against unilateral action. It would almost certainly be viewed as illegitimate. This is consistent with the policy shift outlined in the 2010 *National Security Strategy*.

Across Latin America, the use of military force is viewed in almost entirely negative terms. Not only does the region boast one of the lowest rates of interstate war of any region in the world, but there are many examples of unilateral intervention by the United States that were not viewed favorably.

Fourth, soft power is important. As Joseph Nye argues, soft power "is the ability to get what you want through attraction rather than coercion

or payments."<sup>21</sup> He adds that "attraction can turn to repulsion if we act in an arrogant manner and destroy the real message of our deeper values." The relevance of soft power has been cited with regard to the Arab Spring as well. It should also be noted that soft power can include the U.S. military, though not in the sense of combat or training. In his book, Admiral James Stavridis makes the point that medical missions, most notably the USNS *Comfort*, have proven highly effective in promoting a positive image of the United States.<sup>22</sup>

Since the end of the Cold War, the United States has tended to focus more on payments to civil society, although there have been periodic humanitarian efforts. However, as aforementioned, money alone is not only insufficient but also counter-productive, if executed poorly. Ideally, soft power has no strings attached and simply becomes a concrete demonstration of goodwill that goes beyond rhetoric.

## **A Post-Castro Relationship**

The history of U.S.-Cuba relations and the experience of the Arab Spring provide a useful context for identifying the optimal policy responses

to an eventual Cuban political transition. There is a fine line between caution and passivity, but this line is one the United States must successfully walk. There will be strong resistance to a foreign presence, and the possibility of blowback is very real. The United States can and must play a role in Cuban democratization, but it cannot create it.

The policy of the United States toward Cuba has been remarkably consistent for decades, but has never achieved its stated goals, namely regime

change and democratization. There is no way to predict when a political opening will occur, and it is highly unlikely the United States will be the motor of change, but we have laid out the optimal ways of addressing regime change when it occurs. The most effective responses will be constructive, measured, and multilateral, but active. These are not terms usually associated with U.S. policy toward Cuba, but they are central to a new post-Castro relationship. **MR**

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# Military Review



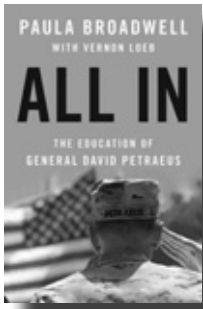
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## Featured Review

**ALL IN: The Education of General David Petraeus**, Paula Broadwell with Vernon Loeb, The Penguin Press, New York, 2012, 394 pages, \$29.95.

*All In* is not the typical biography or “tell-all” about public figures. The book does not span retired General David

Petraeus’s entire life and career, but it does relate some aspects of the CIA director’s early life and helps explain how he became who he is. There are new revelations about Petraeus that unless you were part of his inner circle you would not know, but at times, his thoughts surprised even some of those who knew him well. What this biography covers well and clearly is the issue of strategic thinking and leadership.

Paula Broadwell achieves what no other reporter or author has been able to do since the beginning of Operation Iraqi Freedom in 2003. In fact, Broadwell’s access to Petraeus is the first of this kind since Rick Atkinson was embedded for two months with the 101st Airborne Division in Iraq and wrote *In the Company of Soldiers*. Broadwell provides insights that few others have. Some have questioned her objectivity, but having been part of the personal staff myself and seeing the inner workings of Petraeus and his staff, I affirm that Broadwell presents both a skeptic’s and a proponent’s view about Petraeus and the Iraq War. While she is loyal to him as a mentor, she paints an objective picture of the hardship of leadership at his level. Vernon Loeb of the *Washington Post* helped ensure the narrative remained objective; Loeb had an important role in structuring and editing the book.

Several books have attempted to cover the inner workings of Petraeus—how he thinks and how

he makes decisions. Who *is* this man entrusted to command at all levels including the Central Intelligence Agency? Tom Rick’s *The Gamble* and Linda Robinson’s *Tell Me How This Ends* do a respectable job with the access they had at that time. However, *All In* provides new insights into Petraeus, even for those in his most inner circle, including some new and insightful anecdotes from his youth regarding his intellectual development (how his father’s “gruff love” shaped his drive), exposure to low-intensity conflict (especially in Latin America), and the heavy burden of command and how it affects even the strongest people.

Because Petraeus is so well known, the author did not have to explain his leadership traits and actions. Publically criticized about his relationship with the media, Petraeus insisted that to effectively perform his duties, he was obliged to report to the American public what its military was doing. He felt it was incumbent on its military leaders to engage with the media. One of Petraeus’s key driving factors is that one must be “first with the truth.” That is non-negotiable.

Petraeus used decentralized command and control effectively to gather information, talk to troops at all levels, and “see” the issues while attempting to get a “feel” for what was happening in the area of operations (not unlike what he did in Iraq). In military terms, he was gaining situational awareness and understanding in order to better provide leadership, direction, and guidance at the operational and strategic level.

Petraeus’s career has spanned two presidential administrations. He has dealt with Congress as a commanding general with the 101st Airborne Division, the Multi-National Security Transition Command–Iraq, the Combined Arms Center at Fort Leavenworth,

the Multi-National Forces–Iraq, and U.S. Central Command. His final tour was as commander with the International Security Assistance Forces in Afghanistan. Students of civil-military relations will learn about senior leaders at all levels and about civil control over the military and the authority the president and Congress have over the military.

For professional military leaders, from the new recruit up to the senior general, the book is full of case studies on leadership, critical thinking, leadership challenges, how to get the best out of subordinates while facing the innumerable challenges of counterinsurgency, and leading the “next greatest generation” of soldiers.

Broadwell offers a cautionary note about her conversations with Petraeus: he never said counterinsurgency was the only way to fight, but that it was the best way to pursue the fights America was involved in. We must be careful not to take the wrong lessons from these two wars. Petraeus was also a huge advocate of the use of “full spectrum” operations, which encompasses all elements required to prosecute our nation’s wars.

*All In* is a fast read that draws you into the inner workings and decisions of one of the most well known military leaders of our time and, in former Secretary of Defense Robert Gates’ words, one of America’s “great battle captains.”

**COL Steve Boylan, USA, Retired, Fort Leavenworth, Kansas**

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**JIHAD JOE: Americans Who Go to War in the Name of Islam**, J.M. Berger, Potomac Books, Inc., 2011, Washington, DC, 265 pages, \$29.95.

In late July 2011, U.S. military authorities announced that it had an AWOL soldier, Private First Class Naser Abdo, in custody for planning an attack on the Fort Hood Army Base, the same installation where

Major Nidal Hasan struck nearly two years earlier. Abdo's case illustrates the "homegrown" terrorism trend in America and Western Europe, small-scale, leaderless attacks carried out by jihadists operating on their own initiative. In *Jihad Joe: Americans Who Go to War in the Name of Islam*, investigative journalist J.M. Berger explores the travails of numerous Americans who have committed themselves to a personal jihad.

The Soviet invasion of Afghanistan in 1979 galvanized the jihadist movement, which extended its reach to America. Giving top priority to countering Soviet communism, the Reagan administration turned a blind eye to the radical Islamic clerics and Afghan fighters who toured America seeking support from Muslims and non-Muslims alike. Although they engaged in numerous attacks that targeted American interests overseas, Islamic extremists did not conduct any major attacks inside the United States until the early 1990s. On 26 February 1993, a small circle of Islamic extremists (under the direction of Pakistani Ramzi Yousef) attempted to topple the World Trade Center towers. It later transpired that Yousef was a member of Al-Qaeda, which had attracted several American recruits over the years.

Since 9/11, Americans have become visible representatives of Al-Qaeda in the media. Adam Gadahn (a.k.a. "Azzam the American") has emerged as a leading Al-Qaeda spokesperson on the Internet. Another important figure is Anwar al-Awlaki, a Yemeni-American cleric who grew up in New Mexico and played an important operational role for Al-Qaeda. Fluent in both Arabic and English, he had an encyclopedic knowledge of Islam and was a gifted speaker capable of moving men to action. Once characterized as the "bin Laden of the internet," Al-Awlaki's pronouncements were broadcast on jihadist websites and YouTube. (He was killed September 2011.)

According to Bergen, several traits exist among the American

jihadists. Many act out of a sense of altruism in that they believe their fellow Muslims are under attack. Nevertheless, they often exhibit an obsession with violence and feel a strong sense of alienation. Identity politics is also important. The allure of joining an empowered social network should not be underestimated. Here, the Internet is important insofar as it allows dissident groups to disseminate their message and provide a mechanism of social reinforcement.

The popularity of online forums has caused a shift in the patterns of radicalization. The Internet enables individuals to connect with the global jihad and immerse themselves in a dizzying array of radical Islamic literature. Previously, Al-Qaeda and related groups tightly controlled indoctrination, but since 9/11, the model has changed. First, the invasion of Afghanistan destroyed the network of Al-Qaeda terrorist-training camps. Second, the atmosphere in America became less congenial for jihadist recruiters. Today, mosques are less hospitable to extremists and monitoring is pervasive.

The declining quality of terrorist training and increased surveillance has combined to work against terrorist plotters. Arguably, the quality of their recruits has declined because many of them are young men with "little practical experience in Islam, fighting, or life." Many are "jihobbyists," a term coined by the terrorism analyst Jarret Brachman. The jihobbyists run into trouble when they attempt to move from talk to action, and those who are most likely to act are also those who are most likely to have attracted law enforcement scrutiny. In the short term at least, this makes performing major terrorist acts extremely difficult but not impossible.

Not long after Osama bin-Laden's death, U.S. officials warned that Bin-Laden's demise could speed up the jihadist lone-wolf trend over the next few years and that Al-Qaeda could become a more decentralized, and therefore more

difficult, entity to stop. Berger's study will be useful to those who wish to gain a better understanding of this trend.

**George Michael,  
Maxwell Air Force Base,  
Alabama**

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**THE OPERATORS: The Wild and Terrifying Inside Story of America's War in Afghanistan**, Michael Hastings, Blue Rider Press, New York, 2012, 432 pages, \$27.95.

*The Operators* is a cautionary tale of media-military relations. On one hand, it is a subtle reminder that "intelligence preparation of the battlefield" is a term that applies to every military operation, even something as seemingly innocuous as an engagement with a journalist. On the other hand, it is a stark reminder of how events can spin horribly out of control when a writer's agenda trumps the privilege of access. Ultimately, *The Operators* is a mix of yellow journalism and rabid antiwar sentiment, a dubiously sourced manuscript published under the guise of an exposé on the Afghan war.

The first image to greet readers of this book is what many in the media refer to as "the drunken general." The front cover graphic bears an uncanny resemblance to now-retired General David Petraeus in his official Central Command photo. With tie askew, whiskey on the rocks in hand, and a 9-mm Berretta at the ready, it proves difficult to miss the simple fact that every detail of the uniform matches that of the retired and highly respected Army general. The back cover is no better, depicting a McChrystal-like figure with beer in hand and armed with a combat knife. In more genteel times, this would be considered character assassination.

Little of *The Operators* subject matter is new. It draws heavily from the author's previous *Rolling Stone* articles, "The Runaway General," "King David's War," and "Another Runaway General."

Michael Hastings promises to reveal much more detail, to “name names,” but, as readers soon find, when editorial license cannot place McChrystal in close proximity to an especially acerbic quote, Hastings attributes comments to an unsuspecting trip planner or a distant member of the staff. However, *The Operators* confirms that, in the hands of an unscrupulous journalist, loose facts, innuendo, and hyperbole can bring a career to its knees.

Hastings, a former reporter for *Newsweek* and now a freelance journalist, stands by his earlier claims that none of what he writes intends harm. But even the least discerning of readers may well question his sincerity, if not his facts. The outcome of “The Runaway General” leaves him with little credibility in this regard, and *The Operators* does nothing to improve this perception. His hatred of the war has been revealed, his dislike of military leaders exposed, and his personal agenda laid bare before his audience.

There is nothing within the pages of *The Operators* that will appeal to military leaders and little of value for readers in general. Those who purchase the book will be disappointed; those who read it will likely regret the decision to do so.

**LTC Steve Leonard, USA,  
Fort Leavenworth, Kansas**

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**ALLAH’S ANGELS: Chechen Women in War**, Paul J. Murphy, Naval Institute Press, Annapolis, MD, 2010, 294 pages, \$34.95.

*Allah’s Angels: Chechen Women in War* illustrates how changes and evolutions in the political and social environment, shifts in regional power, latent grievances and hatred, and behaviors of state and nonstate actors link and interact to cause war. Poignant and at times disturbing, this book took me back to my own experiences in the post-war environment of the Balkans in 1996 and 1997. Paul Murphy uses the brutal, bloody environment in Chechnya and the North Caucasus from 1994 to 1999 as the backdrop to examine the impact of war on

Chechen women, who were its principal victims and (in some cases) its perpetrators.

Murphy is a U.S. counterterrorism official, a college professor, author, and currently the director of the Russia-Eurasia Terror Watch, uses reports from human rights organizations, police, military, news sources, and personal interviews to argue that Chechen women are the principal victims of the wars with Russia and the current conflict with Islamic jihadists. Although a Westerner, Murphy’s experience in Russia, especially his counterterrorism projects with the Russian parliament, give him unique insight into the historical, cultural, religious, political, and regional factors that continue to leave an indelible mark on Russian and Chechen society.

Well-organized, *Allah’s Angels* provides insight into the traditional identity and cultural norms for women in a historically patriarchal society based on Islam. These norms include adherence to strict social, ethical, and moral codes; a hierarchy of values (honor, loyalty to ethnic group); and a strong family-clan orientation (men as heads of households and breadwinners, and women as wives, mothers, caregivers, and peacemakers).

After this cultural perspective, the author provides a comprehensive portrait of all categories of Chechen women including innocents. In this portrait are those wounded or killed by indiscriminate bombing and shelling, kidnapped for ransom, robbed, raped, burned out of their homes, and targeted for honor killings; accomplices (*posobniki*) tortured or killed as suspected terrorists or collaborators; suicide bombers (“black widows,” *shakhidas*); snipers (“white stockings”); and “organizers” (those individuals attempting to focus attention on human rights abuses).

Although Murphy acknowledges there is no single profile for how or why women join the Islamic resistance movement, his analysis shows how over time, the cumulative effects of violence, the everchanging political and military aspects

of the war, and necessity forced Chechen women to venture from their traditional gender roles and responsibilities to survive.

The last two chapters, perhaps the most intriguing, examine how Chechen women coped with the psychological scars of war, maintained their will to survive, returned to their traditional role in society, or to a more overt role as educators, businesswomen, public figures, or human rights activists.

Murphy highlights that although rebuilding efforts continue in Chechnya, new battle lines have been drawn within Chechen society focusing on the role of men and women. Abdul Sultygov, a Chechen sociologist describes this issue. “It’s kind of a revolution, the start of a matriarchy, which is threatening to destroy the nucleus of Chechen society—the family—and could ultimately be even more destructive than Stalin’s deportations. The long-term implications for Chechen women is unknown but the current movement championing traditional Islam, led by Chechen President Ramzan Kadyrov, is taking away the rights of women and waging war through government programs and laws.

*Allah’s Angels* is a well-written and documented book that explains how conflict environments and actors evolve over time and how regional conflicts have transnational and cultural implications. Its extensive notes, useful index, and numerous photos of the wartime environment and various Chechen women (angels) provide great insight into the culture. Whether you agree with Murphy’s views or not, the book is of enduring value.

**LTC Edward D. Jennings, USA,  
Retired, Leavenworth, Kansas**

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**THE ASIAN MILITARY REVOLUTION: From Gunpowder to the Bomb**, Peter A. Lorge, Cambridge University Press, New York, 188 pages, \$26.99.

Peter Lorge’s *The Asian Military Revolution* is a valuable contribution to the ongoing debate about



military revolution and is a pithy primer on Asian military history. Admirably concise, the book's brevity is its strength but also a weakness. The short length will be attractive to students who frequently feel overwhelmed with reading, although truncating so much history into so little space sometimes leaves out explanatory context, and will likely cause confusion to some readers not as familiar as the author with the events and people he describes.

As Lorge reminds us, the military revolution, which many Western academics have placed at the center of or as the prime mover of the West's rise to world dominance, first occurred in China in the 12th and 13th centuries 400 years before Europe underwent a similar revolution after the introduction of gunpowder and guns from China. The author points out that political and social structures such as a centralized state and efficient taxation were necessary to facilitate the Chinese military revolution. He maintains the same is true for all the countries that took advantage of the military revolution—including those in Europe.

Thus, he reverses the argument of scholars who have claimed the development of gunpowder weapons in Europe required the political and social changes that produced strong, centralized states. Lorge goes on to give a brief overview of how gunpowder and gunpowder weapons influenced warfare in China, Japan, Korea, Southeast Asia, and South Asia. He reiterates the consensus of area specialists: that the impact was less dramatic than many Western historians proclaim and was mediated by local culture such that there was "no inherent single response to encountering either European culture or technology."

Those who are interested in the development of "the bomb" in the title will be disappointed. Lorge limits his discussion of this development to the opening paragraph of his concluding chapter. His focus is overwhelmingly on the

introduction of gunpowder and gunpowder weapons and how this did or did not produce changes in a particular polity or region. While perhaps attractive to busy readers, the book's brevity results in some compression that will be off-putting. Readers not familiar with the history of Myanmar or Burma, for instance, may find the brief overview of Burmese military history hard to follow, and when Lorge discusses "the First Toungoo dynasty," or the "Zunghars," without even a brief explanation, sometimes for several pages, he will lose some readers. Still, for the interested reader, Lorge offers good suggestions for further reading after each of his chapters.

A much-needed look at a much-neglected topic, and particularly important now to U.S. military readers given the new emphasis DOD is placing on Asia, *The Asian Military Revolution* would be an excellent college introductory text on Asian warfare. National security professionals and anyone interested in an introduction to this critical part of the world should read it.

**COL David Hunter-Chester, USA, Retired, Fort Leavenworth, Kansas**

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**UNTIL THEY ARE HOME: Bringing Back the MIAs from Vietnam, A Personal Memoir**, Thomas T. Smith, Texas A&M University Press, College Station, 2011, 136 pages, \$29.95

Lieutenant Colonel Thomas T. Smith (Retired) commanded Detachment 2, Joint Task Force-Full Accounting/Joint POW-MIA Accounting Command in Hanoi between 2003 and 2004. His book is an informative and interesting review of that demanding and rewarding year of analysis, research, planning, and operations to recover the remains of American MIA in all areas of Vietnam.

Rich in descriptions of the demanding, even dangerous, work involved in field operations to recover remains in jungle, mountains, and swamps, *Until They Are*

*Home* gives unstinting praise to the men and women, military and civilian, who have given many years to this noble effort. It provides an insider's view of the planning and research involved in each recovery operation. Perhaps most important, *Until They Are Home* details the extensive political tasks involved in coordinating the Vietnamese and American partners in this undertaking. It is fascinating to learn of the intricate maneuvering required to bring both sides to political agreement on each aspect of the recovery mission. The author's description of duty in Vietnam, "a place of shadows within shadows, secrets within secrets" is a picture of how two former enemies cooperated to achieve common goals—each side with different reasons to cooperate and different political bosses to satisfy. Some solutions were reached only after protracted official negotiations, while other important decisions were reached through discrete behind-the-scenes common agreement.

Smith's depiction of the routine "life" of Detachment 2 personnel will strike a sympathetic chord with those whose duties involved the personalities, politics, and logistics of field operations. During his year of command in Hanoi, joint U.S.-Vietnam operations recovered 14 sets of American remains. The author's description of the extensive preparation, expenditure of man-hours, and risk to the lives of the operational personnel shows the dedicated efforts the United States exerts to assure the best possible accounting for, and repatriation of, every lost service member.

*Until They Are Home* is an absorbing, easy read that is helped greatly by the many photographs—most taken by the author and other Detachment 2 personnel—that illustrate every aspect of the MIA recovery process, from files research to moving repatriation ceremonies. Highly recommended for all service members and their families.

**COL John B. Haseman, USA, Retired, Grand Junction, Colorado**

**THE VIETNAM WAR: An Assessment by South Vietnamese Generals.** Lewis Sorley, Texas Tech University Press, Lubbock, 2010, 944 pages, \$60.00.

Lewis Sorley's *The Vietnam War: An Assessment by South Vietnamese Generals* is a work of great heft, both intellectual and physical. Totalling 919 pages, the work contains South Vietnamese officers' detailed examinations of their country's role in the Vietnam War. From 1976 to 1978, the U.S. Army Center of Military History transcribed oral histories of South Vietnam's officers in a collection later referred to as the "Indochina Monographs"; the edited reminiscences make up the bulk of this work. Sorley's work explores the vastness of the Vietnam War's complexities, including the Republic of Vietnam Armed Force's performance on the battlefield, its strategy and tactics, leadership, intelligence, logistics, and partnership with U.S. forces. Also covered are events specific to the war itself, including the General Offensives of 1968-1969, the Cambodian Incursion, the Easter Offensive, and the Final Collapse. As with all good history, this work answers a great many questions yet encourages the reader to pose many more.

In the years immediately following the Vietnam War, American scholars chronicled the war under the narrow presumption that the effort was a U.S.-owned endeavor gone wrong. To that end, scholars went to great length to discover the precise reasons for U.S. failure, and initial debates hinged upon where the U.S. military, and in particular the U.S. Army, had failed. Among the early works, most notable were Harry Summers' *On Strategy* and Andrew Krepinevich's *The Army and Vietnam*. They examined the war strictly through the participation of U.S. military forces, largely ignoring the South Vietnamese role in a war fought on South Vietnamese soil for the defense of South Vietnam. While it is true the United States failed to achieve its objectives in Vietnam, so, too, had its South Vietnamese ally failed.

Placing South Vietnam's efforts firmly within the Vietnam War must be the aim of any modern scholar examining this multifaceted and complex history. Sorley's edited collection presents a rich and valuable source of information, especially for scholars still framing their study in the beginning stages of research. The Indochina Monographs are a vast and dense collection, and scholars should be aware that they could not be represented in total. In order to examine the Indochina Monographs in their full entirety, scholars should go to the original source.

**Michael Doidge,  
Fort Leavenworth, Kansas**

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**AFTER HIROSHIMA: The United States, Race, and Nuclear Weapons in Asia, 1945-1965,** Matthew Jones, Cambridge University Press, Cambridge, UK, 2010, 514 pages, \$116.00.

If you shouldn't judge a book by its cover, you shouldn't judge this one by its title. The title's reference to "Hiroshima" could suggest the book traverses well-trod ground recounting the aftermath of the world's first nuclear detonation in anger, and its reference to "race" is likely to elicit the kind of negative reaction that sometimes attends appeals to racial injustice in an effort to steer arguments over divisive social issues.

However, this is not the case. On the contrary, *After Hiroshima* presents a remarkably compelling argument that, beginning with the bombing of Hiroshima and continuing throughout the era of nuclear testing in the Pacific and well into the Vietnam experience, Asian governments and publics deeply and widely held the view that U.S. nuclear weapons were essentially anti-Asian weapons that the United States would never consider using against a "white" enemy. Indeed, the sentiment in Asia was that the United States had not used the bomb against Nazi Germany precisely for that reason. When it is pointed out that the United States had not developed the bomb

prior to the fall of Nazi Germany, the response seems to have been something along the lines of "Yes, but even if it *had*, the United States would not have used it in Europe."

*After Hiroshima* makes a very strong case that the United States conducted its foreign policy from 1945 to 1965—in Asia and elsewhere, with allies and with adversaries—on the basis of this perception. Indeed, even if the U.S. had protested that the race-based perception was not correct, the protest would have fallen on deaf ears internationally, as the United States struggled mightily with its own racial issues at home—a fact, which *After Hiroshima* points out, was not lost on the Communist propaganda machine of that era, both in the Soviet Union and elsewhere.

The book's thorough research and documentation make it an excellent tool for the student of history and equally valuable for the student of national security seeking to make sense of the fiscal perplexities of the current decade. The parallels are striking: declining defense budgets, war fatigue after the conclusion of two long and costly wars, increasing public antipathy against nuclear weapon use, and debate over the role nuclear weapons should play in a security environment quite unlike the one for which they were designed.

The realities that faced the Eisenhower and Kennedy administrations face us now. They suggest questions like, "What role, if any, should nuclear weapons play in the world?" "What are the moral ramifications of their use?" and "How will the rest of the world perceive our national choices vis-à-vis nuclear weapons?" The last question is particularly important given the U.S. proclivity to view the world through a particular lens and then assume that everyone else views it in the same way—and that if they do not, they are simply "out of step."

*After Hiroshima* reminds us that there is more than one way to view the world and that Americans ignore alternative world views at

their peril. In the world of nuclear weapons, failing to appreciate the ramifications of other perspectives has consequences of unthinkable gravity.

**John Mark Mattox, Ph.D.,  
Alexandria, Virginia**

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**KILLING THE CRANES**, Edward Girardet, Chelsea Green Publishing, White River Junction, VT, 2011, 417 pages, \$27.95.

Although dissimilar in format and time frame, this book contains haunting echoes of “Berlin Diary,” William L. Shirer’s journal that warned of an epoch-making tragedy in the works. Edward Girardet recounts three decades of “I-was-there” Afghan history that extends from the Soviet invasion to the now-expected U.S. and NATO pullout.

Unless you consider his visits with tribal leaders and fighters at mountain teahouses, the author eschewed the official semblance of embedding with any faction. It is a shame that America’s politicians, envoys, and generals could not have straddled the same mules or walked the same paths that took Girardet early on into the dangerous valleys and along the mountain trails that give realism and insight to this book.

“Experience has convinced me,” writes Girardet, “that whether out of political expediency, arrogance, or plain ignorance, too many Western policymakers continually fail to examine the history of this defiant country. Satellite links, remote-controlled drones or heavily armed sorties provide little insight into the soul of this hard and insolent land.”

Much of Girardet’s reporting appeared in the *Christian Science Monitor*. This once-powerful news voice has suffered from the decline of print journalism, but at its height was well regarded for using independent journalists like Girardet and not pool reporters on a quick, well-protected, in-and-out search for a dateline. The author’s other credits are many, and include the *MacNeil Lehrer NewsHour*, *The International Herald Tribune*, *Financial Times*, and *U.S. News and World Report*.

One historical figure that crossed Girardet’s path was “a strikingly tall man with a thin black beard” who confronted a party of reporters while Soviet mortar shells fell nearby. It was in the twilight of Moscow’s influence, and this was Osama bin-Laden, flush with the victory that launched his career.

The young terrorism mastermind warned the Western reporters in perfect English: “If I see you again, I’ll kill you. Don’t ever come back.” A week later, they would meet again and another tense confrontation ensued, but this time Girardet was backed by a strong force of friendly mujahedeen who resented the “Arabi” interlopers and forced the Al-Qaida element to back off.

The author soon learned that, even under the heel of Moscow, Afghanistan comprised myriad tribal or ethnic groups and that no single valley, province, or region was representative of the country as a whole. “I was at a loss,” he recalls, “as to which mujahedeen group would give me the best chance at writing an accurate story (during the Soviet occupation).”

Even when he was among Afghan fighters who radiated historical confidence in their religion and heritage, Girardet wondered how an army equipped largely with museum-piece long-bore rifles could be effective against Soviet helicopters and armor.

Considering the period this book covers, it nevertheless maintains a fast-paced narrative—sometimes travelogue, sometimes a who’s who of major and minor players in the Afghan saga. I also welcomed the final 28 pages devoted to a timeline of crucial events; mini-biographies of difficult, often obscure personages; a list and explanation of acronyms; and a comprehensive index.

**George Ridge, J.D.,  
Tucson, Arizona**

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**FRAGGING: Why U.S. Soldiers Assaulted Their Officers in Vietnam**, George Lepre, Texas Tech University Press, Lubbock, 2011, 318 pages, \$27.96.

Military forces have many non-combat casualties. In past wars,

forces in camps faced illness and death from exposure, poor food, and improper sanitation. Soldiers can also get sick from the normal health problems that strike civilians. Accidental deaths can happen at any time. Some soldiers, overcome with the cumulative stresses of combat, military life, or personal problems, can turn to suicide. Fratricide, both intentional and unintentional, is a recurring problem.

Recent news articles have discussed the current suicide rates of soldiers and fratricide among U.S. forces and their Afghan allies. *Fragging* discusses the problem of intentional fratricide during the Vietnam War. “What is the truth about fragging in Vietnam? How often did it really happen? What were the causes?” While there can be attacks on superiors during any war, Vietnam seems to be the war where fratricide became much more frequent and associated with the general history of the war. *Fragging* reports estimates that there were between 600 to 850 fragging attacks in the Army and between 100 to 150 in the Marine Corps.

George Lepre examines military records with a specific focus on fatal fragging incidents. His chapters look at the military culture of the time, the fragging phenomenon, the attackers’ motives, the military response, a comparison with Australian forces in Vietnam, and the legacy of fragging.

Why were there so many attacks? Each particular attacker may have his own reason. But, why were there so many attacks in one conflict? Any military force has some members who get into disciplinary problems, but the Vietnam War came with its own unique dynamics. It may be impossible to answer why there were so many incidents, but Lepre points to the morale and discipline of the military, the rage against superiors, racial tension, and drug use.

Lepre also looks at many reports of fragging in popular media that were just simply false. Fragging was probably worse in Vietnam than in any other conflict, but the size of the problem has also been exaggerated in popular culture.



Lepre's book is not entertaining reading because it focuses on such a serious problem, but it may be valuable to those who want to learn more about the problem. At the same time, we have to remember that every war is different. Lessons learned from the Vietnam War may have limited application in Afghanistan.

**MAJ Herman Reinhold, USAF,  
Retired, Athens, New York**

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**VALLEYS OF DEATH: A Memoir of the Korean War**, William Richardson, with Kevin Maurer, Penguin, New York, 2010, 336 pages, 16.00.

Since Thucydides recorded his account of the Peloponnesian Wars more than 2,400 years ago, combat memoirs have occupied a place of honor on the military professional's bookshelf. The best of these works interpret the excitement, fear, boredom, doubt, folly, panic, courage, and horror of armed conflict in a voice whose initial innocence magnifies the shock of the subsequent baptism by fire. War, it seems, is a tragedy we cannot bear to ignore.

In *Valleys of Death: A Memoir of the Korean War*, retired Colonel William Richardson and coauthor Kevin Maurer have produced an unforgettable account of Richardson's combat experience in Korea. As a young soldier, Richardson barely managed to reenlist in an Army that was busily downsizing after World War II. Assigned to an infantry battalion at Fort Devens, Massachusetts, Richardson and his poorly equipped unit shipped out to Korea in July 1950 under the able command of Lieutenant Colonel Harold K. Johnson, later the Army's Chief of Staff. Landing at Pusan in mid-August, the battalion joined the 8th Cavalry Regiment and quickly began a movement toward the "Bowling Alley," northeast of Taegu.

Richardson's memoir conveys these preliminary events in an engaging if economical fashion, but the narrative really finds its stride once the shooting starts. Richardson recounts the experience of ground combat with

admirable understatement, limiting his description to his own actions and events in his immediate vicinity. Consider, for example, his description of his unit's first moments under enemy fire: "Suddenly artillery shells and mortar rounds crashed down around us. We dove into ditches that lined the road and waited for the barrage to end. . . . A smoky haze with the pungent smell of gunpowder hung over us, as we started moving forward. I could feel my heart beating and my breaths came quickly, almost as if I was running. But it wasn't nerves. It was adrenaline."

Following the X Corps landings at Inchon, Richardson and the 8th Cavalry Regiment participated in the breakout from the Pusan Perimeter, racing north in pursuit of the disintegrating North Korean forces. By late October, United Nations forces had crossed the 38th Parallel and captured the North Korean capital of Pyongyang. The war seemed over.

However, at Unsan, the fortunes of war turned dramatically worse. On the night of 1 November 1950, several regiments of Chinese "volunteers" launched a well-planned counterattack that forced the Americans into a hasty retreat, with Richardson's 3rd Battalion, now under the command of Major Robert Ormond, providing a rear guard. Enemy forces overran the battalion perimeter in several places, and the rear guard action degenerated into a deadly melee in and around the battalion command post. After two days of fighting, the Chinese captured most of the survivors, including Richardson.

Richardson's subsequent detention in squalid communist POW camps followed a familiar tragic pattern. American prisoners received little food or medical attention while marching north toward hastily arranged camps near the Yalu River. Guards executed those too wounded or exhausted to keep pace, and the prisoners faced the additional hazard of UN airstrikes. The camps themselves offered little salvation. Richardson and his fellow prisoners huddled together in unheated huts, and dozens of them died

each day because of malnutrition, dysentery, exposure, and untreated wounds. In one of the memoir's most remarkable and disturbing episodes, Richardson himself narrowly escapes drowning in a pool of human waste.

When cease-fire talks began in July 1951, living conditions improved dramatically, but prisoners still had to endure concerted Chinese efforts to reeducate them. These efforts persuaded some prisoners to cooperate in the effort in exchange for better food and more privileges (thus contributing to later collaboration charges and rumors of widespread "brainwashing"). Richardson and others resisted the manipulation, suffered various punishments as a result, and mounted several escape attempts, none of them successful. Richardson finally regained his freedom as part of the "Big Switch" prisoner exchange in August 1953.

Although few scholars have examined the plight of American POWs in Korea, the Pentagon conducted several studies (now declassified), and many survivors have authored superb accounts of their captivity. Richardson's memoir is among the best of these works. His account of Unsan may prove even more significant, as this action has received relatively little attention from scholars, tacticians, or the participants themselves. *Valleys of Death* elegantly sheds light on a dark chapter in American military history.

**LTC Bill Latham, USA, Retired,  
Overland Park, Kansas**

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**PEARL HARBOR CHRISTMAS: A World at War, December 1941**, Stanley Weintraub, Da Capo Press, Cambridge, MA, 2011, 208 pages, \$24.00.

This enlightening book reads like a close-up study of world leaders at the end of 1941: Roosevelt, Churchill, MacArthur, Hitler, and Stalin. Beginning on 21 December 1941, we are absorbed into the events of each day leading up to the new year, and the book juxtaposes the strategies and expectations of the nations at war. While Churchill

and his staff contemplated the handling of a trip to pro-Vichy French-Canada, Hitler reluctantly begged the German people for donations of warm clothes for his soldiers. Hitler was not willing to show his warriors as weak, but Churchill asked Roosevelt for American soldiers to relieve British troops in Iceland and guaranteed the Empire's hold on Singapore. The book details parts of Churchill's private life, including early indications of his angina, his enjoyment of church services, and his manic habits of working at night.

While the U.S. East Coast was worried about Germany's role in its future (with fake anti-aircraft guns poised on buildings as much to reassure Americans as to fool the enemy), citizens on the opposite coast were manning observation posts in search of a second Japanese attack. Even so, this was to be a "normal" Christmas, with Roosevelt insisting the National Christmas Tree be lit on the White House lawn. What was not widely known was that in a cloakroom behind the display a Hollywood-based Navy reservist and movie star, Lieutenant Robert Montgomery, was hanging war maps and creating special pushpins.

Cultural contrasts are evident among the United States, Great Britain, and the Soviet Union. While Americans celebrated the season much as they did before the war, the British were accustomed to blackout conditions and rationing. Our new ally, the Soviet Union, put out carefully worded press statements that omitted phrases like "freedom of religion."

Readers are inside MacArthur's Corregidor Christmas as well, following the Japanese invasion of the Philippines, and the author does not hesitate to give examples of MacArthur's boastfulness even as the Japanese make steady progress against his forces.

As we sojourn into New Year's Eve, with familiar throngs in Times Square, author Weintraub allows the reader to feel the winter's winds of change. This would be the last

Christmas "as usual" for quite some time.

**Heidi M. Crabtree,  
Fort Leavenworth, Kansas**

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**CHURCHILL'S SECRET WAR: The British Empire and the Ravaging of India During World War II**, Madhusree Mukerjee, Basic Books, New York, 2010, 282 pages, \$28.95.

Madhusree Mukerjee's *Churchill's Secret War* is a compelling, in-depth account of a needless and little-known famine that caused the death of about three million Indians in Bengal in 1943. The book does much more than simply recount starvation and death set against the complex and dynamic backdrop of World War II (although the author does so in a most persuasive manner, with discerning accounts of those badly affected by the famine). Instead, *Churchill's Secret War* highlights external factors, internal divisions, and India's long fight for independence, all of which played important roles in the decision-making progress surrounding the food crisis. Winston Churchill's abject failure to support those most in need is central to the narrative. Controversially, while many view Churchill as an inspirational war leader and loyal partner, Mukerjee paints a compelling picture of a man afflicted by racial prejudice and complicit in the unnecessary death of so many ordinary Indians. The book also sheds light on a leader who was often misleading and deeply guarded the truth, especially with his closest ally.

*Churchill's Secret War* is well researched, challenging, and informative. Mukerjee's style is free flowing and engaging, drawing sensibly on persuasive quotations and historical facts. The result is an easy, if disturbing, read that is hard to put down. Of necessity, Mukerjee cleverly explains why so many historical accounts have overlooked or downplayed the famine. She also makes clear that available foodstuffs were withheld from India in the summer and autumn of 1943

largely due to Churchill's dislike of austerity at home, his commitment to stockpiling food for the Balkans, and the long-term requirement to feed postwar Britain. However, Mukerjee never lets the reader forget that the starvation and death were ultimately avoidable. By doing so, she implies strongly that Churchill was almost akin to a war criminal.

*Churchill's Secret War* is a significant contribution to Indian history and a must read for students of colonial history and the region. It will also be of particular interest (and no doubt generate significant heated debate) for World War II enthusiasts and those with an interest in Churchill's leadership. For the lay reader, this is a troubling account of indifference, deception, and imperial brutality, which ultimately contributed to rebellion, independence from British rule, and postwar partition.

**LTC Andrew M. Roe, Ph.D.,  
British Army,  
Episkopi Cantonment, Cyprus**

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**UNJUSTLY DISHONORED: An African American Division in World War I**, Robert H. Ferrell, University of Missouri Press, Columbia, 2011, 146 pages, \$29.95.

The 92nd Division was the only fully organized and manned African American division of the American Army in World War I. As with other divisions raised during the war, the 92nd suffered from poor training and the other systemic challenges of mass mobilization. Unlike other American units, however, the division suffered the additional burden of having to prove the capabilities of its officers and soldiers to an army and society that doubted their intelligence and courage.

In *Unjustly Dishonored*, Robert Ferrell seeks to set the record straight on the 92nd Division's war record. He notes that at the end of the war, the American Expeditionary Force's senior officers maintained that the 92nd had panicked under fire during the Meuse Argonne Campaign and had to be pulled from the line. These senior white officers generally claimed that the division

represented a failed experiment and laid the blame for the unit's lackluster combat performance on the black officers who commanded its companies and platoons.

Drawing upon previously unpublished archival records, Ferrell shows that the division's poor reputation rested largely on the performance of one of the unit's four infantry regiments, and that the division's other infantry, engineer, and artillery regiments built sterling combat records. He lays much of the blame for the 92nd's alleged shortcomings at the feet of the division's white field grade and general officers. These officers, Ferrell notes, were ill-prepared to face the challenge of modern warfare and often undercut the morale and combat effectiveness of their units by allowing racist assumptions to color their actions.

Although Ferrell adds to our knowledge of the 92nd Division, his book is rather terse (145 pages) for such an important subject. Ferrell spends much time discussing what the unit's white officers thought of their commissioned African American subordinates, but little time actually analyzing how well the black officers actually performed. *Unjustly Dishonored* is a good primer, but the 92nd Division deserves a more comprehensive examination.

**Richard S. Faulkner, Ph.D.,  
Fort Leavenworth, Kansas**

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**NOTHING LESS THAN WAR:  
A New History of America's  
Entry into World War I**, Justus  
D. Doenecke, The University of  
Kentucky Press, Lexington, 2011,  
432 pages, \$40.00.

Many past histories of the United States entry into the World War I have focused on Imperial Germany's implementation of unrestricted submarine warfare, and President Woodrow Wilson's subsequent, if hesitant, declaration of war to reclaim freedom of the seas and the American right to neutrality. While *Nothing Less Than War* prominently features this topic, its author, Justus

D. Doenecke, also skillfully traces the intricate policy decisions and machinations of Wilson and his inner cadre that managed to keep the United States neutral until the spring of 1917.

Arranged as a classical political and diplomatic history, the book argues that while Wilson often formulated his statecraft without consulting his cabinet or the national media, he did not make policy decisions in a vacuum. In order to explore this notion, the author carefully examines not only how Wilson reacted to major crises throughout his administration, such as the sinking of the *Lusitania*, but also how key members of his government viewed and interpreted them. This well-executed approach provides a fascinating look into the strange dichotomy of Wilsonian statecraft in which occasional complete deference to aides on key policy issues alternates with autocratic presidential decision making. Interestingly, Doenecke suggests that such contrasts were not necessarily caused by outright international ignorance or political ineptitude, but rather by the impossible situation that Wilson faced: the public demanded neutrality as well as a firm stance against belligerents violating American international rights.

Doenecke's analysis is strongest in the extremely thorough examination of period newspapers and magazines featured in *Nothing Less Than War*. By following the reactions of a wide range of interventionist, neutral, pro-entente, and pro-German periodicals to Wilson's various policies and peace-brokering attempts, Doenecke illustrates the difficulty the American public had in reaching a consensus on the war and neutrality in general. These sources and Doenecke's survey of the historian interpretations of Wilsonian policies demonstrate that unanimous interventionist sentiment did not fuel U.S. entry into the Great War and it was not even thought imminent when the United States eventually broke diplomatic relations with Germany.

Doenecke's analysis, however, is not without flaws. By covering the entire period of U.S. neutrality from 1914 to 1917, Doenecke must

at times address certain topics in cursory fashion. He only sporadically examines the debates over military preparedness, the role of the United States in the Entente once war was declared, and the German espionage scandals. These topics deserve more attention.

Although the scope of *Nothing Less Than War* might be slightly too broad, Doenecke's excellent use of source materials and his thorough research far outweigh its shortcomings. I recommend the book to defense professionals curious about the roles of military power and domestic politics in the application of U.S. foreign policy.

**Joseph Barron,  
Alexandria, Virginia**

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**REVERED COMMANDER,  
MALIGNED GENERAL:  
The Life of Clarence Ransom  
Edwards, 1859-1931**, Michael E.  
Shay, University of Missouri Press,  
Columbia, 2011, 288 pages, \$45.00.

Those familiar with the history of the U.S. Army in World War I might recognize the name of Clarence Ransom Edwards as the commanding general of the 26th (Yankee) Division, who was among many generals relieved by General John J. Pershing, commander of the American Expeditionary Forces. One of Michael E. Shay's purposes in writing this book was to illuminate the deeper causes of that relief, while giving full tribute to the life of Clarence Edwards. The author succeeds on both counts.

Major General Clarence Edwards' relief became a topic of postwar American politics, as he was commanding a National Guard division drawn from greater New England. Over the course of their training, deployment, and combat experience, the soldiers of the 26th Division came to revere Edwards and referred to him as "daddy." Shay explains how the tensions between Pershing and Edwards predated the war itself and Edwards' tendency to carp when confronted with issues within his command exacerbated this.



He rarely took responsibility and habitually blamed the shortcomings of his own command on other parties. When Pershing ordered Edwards' long-considered relief on 20 October 1918, Edwards had just received word of the death of his only child. He came home to a hero's reception. The perceived injustice of his relief, while operations were underway in the Meuse-Argonne offensive, became the substance of regional and national politics. Edwards encouraged this tumult out of his own concern for his reputation, his regional political connections, and his sense of maltreatment at the hands of Pershing.

*Revered Commander, Maligned General* may be most valuable for the contemporary reader not for its explanation of the deeper causes of relief, but for what it reveals about the evolution of the military profession. Edwards was a political class of officer, who depended as much on connections with senators, the secretary of war, and the president of the United States for advancement, as he did on his own level of personal achievement. Shay reveals the personal connection between President William Howard Taft and Edwards, including pictures of Edwards and Taft in a golf foursome and riding horses together. The book reveals the depth of Army general officer in-house politicking that predated World War I, long before the reforms that led to today's now-familiar centralized promotion boards. The book provides insight into a politically connected general officer corps badly in need of reform.

For those in search of Army counterinsurgency history, *Revered Commander, Maligned General* also reveals in detail the impact the Philippine-American war had on Clarence Ransom Edwards' development as an officer. Edwards' service in the Philippines marked him to a far greater extent than his service in The Great War. The Philippines was where Edwards learned to lead. The story and the pictures of this biography reveal an era of Army development that

stands in stark contrast to the professionalism of the U.S. Army today.

**COL Dean A. Nowowiejski, Ph.D., USA, Retired,  
Fort Leavenworth, Kansas**

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**VIOLENCE AGAINST PRISONERS OF WAR IN THE FIRST WORLD WAR: Britain, France, and Germany, 1914-1920**, Heather Jones, Cambridge University Press, Cambridge, UK, 2011, 451 pages, \$110.00.

The treatment of POWs is one of the neglected aspects of World War I. There have been studies of humanitarian agencies in the camps and of home front involvement, but because prisoners of war are a sidebar to the military, diplomatic, or social histories of the battlefields and the home front, much of the coverage has examined the interwar years, a period when prison camps and the war itself were downplayed as Europe sought harmony and forgetfulness. This is the first major study of the three major belligerents' handling of POWs, particularly in the combat zone.

*Violence Against Prisoners of War in the First World War* is the first to explore the extent of violence in the British, French, and German prisons. Jones has delved deeply into the pertinent archives and documents in three languages. She finds, not surprisingly, that the treatment of POWs differed among the three nations and that over time, with deterioration as the war progressed, propaganda took hold, and conditions became more desperate, particularly for the Germans.

Going into the war, custom dictated the removal of prisoners not only from the field of combat but also from any action that promoted the enemy cause. POWs were treated with decency and respect, but the modern way of war created both massive numbers of POWs and massive animosities. As casualty rates rose, POWs came to represent the cause of those losses. As the battlefield required large numbers of laborers, POW labor camps came

into use by all three nations, and some were illegally close to the front lines. Conditions varied not only by country and by time but also by the nature of the camp, and whether it was in a civilian area or in the combat zone. This use of prisoners changed the definition of POW, and it was a violation of international law.

Jones also notes a class distinction in the treatment of POWs due to differing military and civilian traditions and differing degrees of civilian control. The author does not attempt to use World War I as an explanation for the brutality of World War II, although she does note that there were two types of camps in World War I, the home front camp that England later chose as its model in World War II and the battlefield labor camp that became the German model. The past may not dictate the present, but it clearly presents options.

**John H. Barnhill, Ph.D.,  
Houston, Texas**

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**THE CAMPAIGNS FOR VICKSBURG, 1862-1863: Leadership Lessons**, Kevin J. Dougherty, Casemate Publishers, Philadelphia, PA, 2011, 240 pages, \$32.95.

In *The Campaigns for Vicksburg, 1862-1863: Leadership Lessons*, historian Kevin J. Dougherty places Vicksburg in the spotlight as the "decisive battle of the Civil War," arguing that superior leadership resulted in the Union Army's 1863 victory. He further claims the disparity in generalship between U.S. Major General Ulysses S. Grant and Confederate Lieutenant General John C. Pemberton decided Vicksburg's fate. Attempting to prove that leadership—more than any other factor—contributed to the campaign's success, Dougherty offers a thorough campaign history, a basic background to Civil War era military structure, and 30 instructional "leadership vignettes." This not only familiarizes readers with the "brilliant campaign of maneuver," but also highlights the campaign's many leadership lessons.

To prove his argument, Dougherty includes analyses of officers and individual soldiers' experiences. Attention to both groups illustrates that good leadership qualities such as bravery, persistence, self-confidence, and preparation resulted in Union victory. To demonstrate this, each of Dougherty's vignettes explores a significant moment in the campaign with a detailed summary and concludes with bulleted "takeaways." Dougherty designed the short chapters—approximately two to five pages each—to compel the reader to internalize each lesson and contemplate its effect on the campaign. This organization makes the book an easy and stimulating read.

Dougherty's "takeaways" make this book a convenient teaching instrument. Besides assessing leadership qualities, he also considers planning and networking skills. While these lessons apply to any career field, they are especially pertinent to military instructors who will find this book especially helpful when introducing their cadets to basic military structure, operational planning, and core leadership skills. By presenting the Vicksburg Campaign in concise accounts and incorporating useful takeaways, Dougherty's work offers a clear decision-making guide and campaign history.

The most significant shortcoming of the book is Dougherty's scapegoating of Pemberton. Dougherty allocates three chapters to Pemberton and his poor leadership skills, yet only one chapter for the shortcomings of Confederate President Jefferson Davis and General Joseph E. Johnston. Dougherty criticizes Pemberton excessively; his critical focus is disproportionate. Johnston and Davis, as Dougherty briefly comments, also made mistakes that resulted in Vicksburg's surrender. Dougherty's tone for U.S. Major Generals Grant and Sherman approaches the laudatory. Greater recognition of Grant's earlier failures would have helped the book by exposing that even great leaders have

faults. Despite these weaknesses, Dougherty effectively underlines the value of good leadership in the Vicksburg Campaign and provides a valuable teaching tool for military professionals.

**Angela M. Riotto,  
Hattiesburg, Mississippi**

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**THE MORMON REBELLION: America's First Civil War 1857-1858**, David L. Bigler and Will Bagley, University of Oklahoma Press, Norman, 2011, 392 pages, \$34.95.

In 1857, President James Buchanan ordered 2,500 soldiers to escort Brigham Young's replacement as territorial governor to Utah, and restore order and federal control in the mountain west. Brigham Young and his followers saw this as a violation of their constitutional liberties and their right to self-government, and they resisted.

*The Mormon Rebellion*, David Bigler and Will Bagley's study of the resultant Utah War begins unambiguously. The Mormons "meant to supersede Buchanan and the government he stood for." Worse, the Mormons could not "tolerate peaceful coexistence with any beliefs but their own." Bigler and Bagley score points for clarity, not objectivity. They argue that the Church of Jesus Christ of Latter Day Saints (LDS), as led by Brigham Young, was a militant anti-republican millenarian movement, making conflict between the Mormons and the United States inevitable.

Bigler and Bagley trace the LDS Church's history back to its founder Joseph Smith, accusing him and his followers of picking fights with their neighbors, counterfeiting, committing random acts of violence, and punishing dissenters even before Smith was murdered and Brigham Young led the Mormons westward. Much of the book focuses on Brigham Young's policy toward Native Americans. Bigler and Bagley accuse Young and his followers of killing unco-

operative Native Americans "often execution style" or with poison, and yet somehow allying with them against the U.S. government. (Complaints from Indian agents helped to spur Buchanan to dispatch troops.)

Bigler and Bagley use a wide variety of sources for their work. They have searched Young's correspondence, diaries, reports from soldiers in Johnston's Army and contemporaneous Mormon accounts, demonstrating their long experience with the era and the subject. Unfortunately, they show a marked preference for embittered apostate or excommunicated members of the LDS church.

I should note here that I am a Mormon, who has read a good deal of historical work and primary documents about this period of Utah history. Bigler and Bagley's reliance on primary sources that are obviously ghostwritten, heavily edited by others, or written angrily while in exile greatly hurts *The Mormon Rebellion's* scholarly value.

However, this preference is not a problem when Bigler and Bagley focus on the U.S. Army's journey to Fort Bridger, its long winter there, and the eventual march into Salt Lake City. The chapters on the actual campaign and the army are quite good. Colonel, later Brigadier General, Albert Johnston was an effective leader, who managed to keep the largest single formation of the U.S. Army fed, housed, and motivated despite wintering in a burned-out fort hundreds of miles from any kind of supply base. Many of Johnston's junior officers show excellent leadership and fieldcraft. Bigler and Bagley succeed in one of their objectives—to show the U.S. Army's excellent leadership and men during the Utah campaign. If Bigler and Bagley had focused on the actual campaign rather than interpretations of Mormon doctrine and attacks on Brigham Young and his followers, this would have been a much more valuable book.

**1LT John E. Fahey,  
Lafayette, Indiana**

**THE POPE'S SOLDIERS: A Military History of the Modern Vatican**, David Alvarez, University Press of Kansas, Lawrence, 2011, 444 pages, \$34.95.

David Alvarez provides a fascinating and well-researched history of the Vatican's military forces in the post-medieval period. Going beyond the traditional Swiss Guard story, the author delves into campaigns conducted by the Pontifical Army between 1796 and 1870 as part of the Great Power struggle over Italy and illustrates how the Army haphazardly confronted the forces of Italian unification. He elaborates on the Papacy's World War II mobilization and its precarious position vis-a-vis both Nazi Germany and Fascist Italy, and then brings the story into the modern era with an

overview to the Papal disarmament of 1970 and the security challenges of the present day.

The book goes beyond previous volumes like *Popes, Cardinals and War*; *The Pope's Legions*; and *The Pope's Army* given its depth of research. A professor of politics, the author gained access to a number of hitherto unexplored archives and provides the reader with an extensive, multilingual bibliography.

Several factors make this book an intriguing read. First, the author demonstrates the natural tensions of a secular and spiritual papacy, which was concurrently the headquarters of a world church and an Italian sovereign state. Second, the book shows how the papal forces have been overlooked in the nationalistic history of Italian unification,

especially, the Pontifical Army's victory over Giuseppe Garibaldi's Red Shirts at Mentana. (Official Italian history credits the supporting French with this triumph.)

The author's history of the Pope's military endeavors introduces the reader to a wide array of unique characters—rogues, heroes, incompetents, and villains. General Hermann Kanzler, the last commander-in-chief of the Pontifical Army, who created a truly professional force just before the demise of the Papal States, is one character deserving of his own English-language biography. I highly recommend this book to any scholar or officer interested in military, Italian, or Roman Catholic history.

**MAJ Kevin D. Stringer, Ph.D.,  
USAR, Zurich, Switzerland**

## Letters <sup>MR</sup>

### **Writing and Thinking**

Master Sergeant Raymond V. Morgan, USAF, Retired, *Leawood, Kansas*—I recently picked up the current copy of *Military Review* while at the exchange today. It's an outstanding publication as always. The article by Dr. Jacqueline E. Whitt, "Dangerous Liaisons: The Context and Consequences of Operationalizing Military Chaplains" is probably the best I've ever read about the military chaplaincy, and I've read almost all of them. After a full career in Air Force Chapel Management, I keep in touch

with both chaplains and managers through a retirees web site in the Chapel Family Program, and I plan to share this article with others. I would like to see a future article about what chaplains endured in the Bataan experience during World War II. Their ability to adapt and overcome tremendous adversity is an inspiration for all. Another interesting role model would be Chaplain (MG) Charles I. Carpenter, who served as the first Chief of Air Force Chaplains. I served during his tenure and have an admiration for him and his work. I would also like to mention that recently

the Air Force Chaplain School at Maxwell AFB was closed and both Army and Air Force chaplains now train together at Fort Jackson, South Carolina. Your sections of book reviews and recommendations for reading are excellent. Might I also suggest "Ghost Soldiers: The Forgotten Epic Story of World War II's Most Dramatic Mission" by Hampton Sides. It is a well-written chronology of the Bataan Death March, the horrible conditions our captured servicemen endured in Japanese POW camps in the Philippines, and the heroic rescue mission to liberate them.





PFC Jessica Dostie, a military policewoman with 58th Military Police Company, attached to 2nd Brigade Combat Team, 4th Infantry Division, rests against a wall during a long patrol through the community of Police Sub Station 16 before she brings out gifts for the children behind her, 30 September 2011. (U.S. Army, SPC April York)

## **ANNOUNCING the 2012 General William E. DePuy Combined Arms Center Writing Competition**

During the wars in Iraq and Afghanistan, we have seen dramatic developments in how we fight our wars. Perhaps most dramatic have been the ever-increasing contributions and sacrifices of women in what have previously been considered male-only areas of operation. Current and future innovations can use automation, robotics, and other technologies to lighten the soldier's load and negate the necessity of physical strength in many battlefield tasks. The blurring of the line between front-line and support units in counterinsurgency conflicts, the success of programs such as Cultural Support Teams, and other 21st century evolutions in the conduct of combat all contribute to a need to rethink our nation's current combat exclusion rules. These considerations are far from comprehensive, but serve as an introduction to the 2012 DePuy writing contest topic:

### **What is the role of women in the United States Army for the next 20 years?**

**★ Contest closes 29 June 2012 ★**

- 1st Place** \$1,000 and publication in *Military Review*
- 2nd Place** \$750 and consideration for publication in *Military Review*
- 3rd Place** \$500 and consideration for publication in *Military Review*

For information on how to submit an entry, go to <http://militaryreview.army.mil>



**King Hsiao-Ch'eng: "And may we ask what ways and what modes of action the true king should follow in employing soldiers?"**

Counselor Hsun Tzu: "Such detailed matters are of minor importance to Your Majesty, and may be left to the generals . . . If the ruler is a worthy man, the state will be ordered; if he is incompetent the state will be disordered. . . . He who uses his soldiers with caution will be strong; he who uses them rashly will be weak. He whose strategies proceed from a single source will be strong; he whose strategies proceed from several sources will be weak. This is the abiding rule of strength and weakness."

Hsun Tzu, *Basic Writings*, translated by Burton Watson (New York: Columbia University Press, 1963)

Image : Zocho-ten (Nara Period) from Nishihozo Treasure Hall, Horyu-ji Temple, Asuka, Japan.