



The Simons Center
Fort Leavenworth, Kansas

InterAgency Journal

NORAD: A Model to Address Gaps in U.S.-Mexico Security Coordination

Patti Bielling

The Tumultuous Recent History of U.S. Stabilization and Reconstruction Efforts: The Way Ahead?

David A. Anderson

Civil Affairs History and Doctrine: From Military Government to Interagency Partner

Thomas R. Geisinger

Moral Courage and Intelligent Disobedience

Ted Thomas and Ira Chaleff

Evaluation of Current Risk Assessment Models for Genocide and Mass Atrocity

Kathryn Gillum

U.S. Special Operations Forces and the Interagency in Phase Zero

Kyle Johnston

Sharing Resources Between Government Agencies

George K. Hughes

The Journal of The Simons Center
Vol. 8, Issue 1, Winter 2017



About The Simons Center

The Arthur D. Simons Center for Interagency Cooperation is a major program of the Command and General Staff College Foundation, Inc. The Simons Center is committed to the development of military leaders with interagency operational skills and an interagency body of knowledge that facilitates broader and more effective cooperation and policy implementation.



About the CGSC Foundation

The Command and General Staff College Foundation, Inc., was established on December 28, 2005 as a tax-exempt, non-profit educational foundation that provides resources and support to the U.S. Army Command and General Staff College in the development of tomorrow's military leaders. The CGSC Foundation helps to advance the profession of military art and science by promoting the welfare and enhancing the prestigious educational programs of the CGSC. The CGSC Foundation supports the College's many areas of focus by providing financial and research support for major programs such as the Simons Center, symposia, conferences, and lectures, as well as funding and organizing community outreach activities that help connect the American public to their Army. All Simons Center works are published by the "CGSC Foundation Press."

The CGSC Foundation is an equal opportunity provider.

InterAgency Journal

Vol. 8, Issue 1, Winter 2017

Arthur D. Simons Center for Interagency Cooperation

P.O. Box 3429
Fort Leavenworth, Kansas 66027
Ph: 913-682-7244 • Fax: 913-682-7247
Email: office@TheSimonsCenter.org
www.TheSimonsCenter.org

EDITOR-IN-CHIEF
Roderick M. Cox

MANAGING EDITOR
Elizabeth Hill

EDITOR
Valerie Tystad

DESIGN/PRODUCTION
Mark H. Wiggins
MHW Public Relations and Communications

PRINTING
Allen Press, Inc.
Lawrence, Kansas

ADVISORY COUNCIL

David A. Anderson, DBA
Professor of Strategic Studies
U.S. Army Command and General Staff College

Ambassador (Ret.) David F. Lambertson
Former U.S. Ambassador to Thailand

Wilburn E. "Bud" Meador, Jr.
Assistant Professor
U.S. Army Command and General Staff College

James P. Pottorff, Jr., J.D., L.L.M.
General Council, University of Kansas

FEATURES

- 5 NORAD: A Model to Address Gaps in U.S.-Mexico Security Coordination**
Patti Bielling
- 27 The Tumultuous Recent History of U.S. Stabilization and Reconstruction Efforts: The Way Ahead?**
David A. Anderson
- 36 Civil Affairs History and Doctrine: From Military Government to Interagency Partner**
Thomas R. Geisinger
- 58 Moral Courage and Intelligent Disobedience**
Ted Thomas and Ira Chaleff
- 68 Evaluation of Current Risk Assessment Models for Genocide and Mass Atrocity**
Kathryn Gillum
- 76 U.S. Special Operations Forces and the Interagency in Phase Zero**
Kyle Johnston
- 105 Sharing Resources Between Government Agencies**
George K. Hughes
- 111 WORTH NOTING**
- 117 BOOK REVIEW**

SIMONS CENTER EDITORIAL BOARD

David A. Anderson, DBA

Professor, U.S. Army Command and General Staff College

Maj. Gen. Allen W. Batschelet, U.S. Army, Ret.

Col. Adrian T. Bogart III, U.S. Army

John G. Breen, Ph.D.

Commandant's Distinguished Chair for National Intelligence Studies,
Central Intelligence Agency Representative to U.S. Army Combined Arms Center

Jacob Bucher, Ph.D.

Dean, School of Professional and Graduate Studies, Baker University

G. Michael Denning

Director, Kansas University Graduate Military Programs

William G. Eckhardt

Teaching Professor Emeritus, University of Missouri-Kansas City School of Law

Ralph M. Erwin

Senior Geospatial Intelligence Officer, National Geospatial Agency Liaison to U.S. Army Training and Doctrine Command

Gary R. Hobin

Assistant Professor, U.S. Army Command and General Staff College

Col. Bart Howard, U.S. Army, Ret.

Lt. Col. George Kristopher Hughes, U.S. Army

U.S. Army Command and General Staff College

Gene Kamena

Chair, Department of Leadership and Warfighting, U.S. Air Force Air War College

Jack D. Kem, Ph.D.

Supervisory Professor, U.S. Army Command and General Staff College

Brig. Gen. Wendell C. King, Ph.D., U.S. Army, Ret.

Brig. Gen. Eugene J. LeBoeuf, U.S. Army, Ph.D.

Deputy Commanding General and Executive Vice Provost for Academic Affairs, Army University

James B. Martin, Ph.D.

Dean of Academics, U.S. Army Command and General Staff College

Wilburn E. Meador, Jr.

Assistant Professor, U.S. Army Command and General Staff College

Gustav A. Otto

Defense Intelligence Agency Representative to U.S. Army Combined Arms Center and Army University

William T. Pugh

Assistant Professor, U.S. Army Command and General Staff College

James H. Willbanks, Ph.D.

George C. Marshall Chair of Military History, U.S. Army Command and General Staff College

Mark R. Wilcox

Assistant Professor, U.S. Army Command and General Staff College

Donald P. Wright, Ph.D.

Deputy Director, Army Press

From the Editor-in-Chief

Welcome to the Winter issue of the *InterAgency Journal*. Our first three articles, while addressing different topics, offer a way ahead for your consideration. In our first article, which is taken from an award winning School of Advanced Military Studies paper, Patti Bielling offers a model for better U.S. – Mexico security cooperation. David Anderson follows with his thoughts on how to best address future stabilization and reconstruction operations. And in our third article, taken from an award winning U.S. Army Command and General Staff College manuscript, Thomas Geisinger provides us his thoughts on what he believes should be the way ahead in civil affairs.

Ted Thomas and Ira Chaleff address the leadership topic of intelligent disobedience. Knowing when and how to disobey is a skill that leaders in the national security business should have in their tool kit. Our fifth article is taken from a paper written for a recent ethics symposium. Kathryn Gillum addresses the responsibility the world community has to recognize and prevent escalating atrocity situations and she offers for our education several risk assessment models used to evaluate potential cases of genocide.

In our sixth article, which is also an award winning paper from the U.S. Army Command and General Staff College, Kyle Johnston looks at how special operations forces (SOF) and the interagency community achieve national security objectives during phase zero operations. He offers his thoughts on how SOF assets should be used by chiefs of mission and combatant commanders.

In our final article George K. (Kris) Hughes argues that the way to successfully address the era of “do more with less,” is for agencies to share resources rather than spending scarce monies to develop capabilities or contract for services that already exist elsewhere in the government. He provides a few examples and gives some insight on how you might affect coordination of usage.

Thank you for reading this issue of the *InterAgency Journal*. I invite you to visit our website where you will find this journal, and a library of other interagency publications, available for your use. Your feedback is always welcome. – **RMC**

Contributors Wanted!

The Simons Center is looking for articles that involve contemporary interagency issues at both the conceptual and the application level.



The *InterAgency Journal* is a refereed national security studies journal providing a forum to inform a broad audience on matters pertaining to tactical and operational issues of cooperation, collaboration, and/or coordination among and between various governmental departments, agencies, and offices. Each issue contains a number of articles covering a variety of topics, including national security, counterterrorism, stabilization and reconstruction operations, and disaster preparation and response.

The *InterAgency Journal* has worldwide circulation and has received praise from various military, government, and non-government institutions, including the UN High Commissioner for Refugees.



Contact the Arthur D. Simons Center for Interagency Cooperation

www.TheSimonsCenter.org • editor@TheSimonsCenter.org

www.facebook.com/TheSimonsCenter

655 Biddle Blvd. • P.O. Box 3429 • Fort Leavenworth, KS 66027



NORAD: A Model to Address Gaps in U.S.-Mexico Security Coordination

by Patti Bielling

Mexico's dynamic evolution toward democracy remains a hidden success story to most people in the U.S.¹ The Mexican government's incremental legislative and election reforms from 1977 to today paved the way for the 2000 election of Vicente Fox as the first president from an opposition party since the 1910 Mexican Revolution.² In 2013, the country's three major political parties came together in an unprecedented move and signed the Pact for Mexico, a joint agenda affecting a broad range of labor, education, tax, and economic reforms. These efforts are bearing fruit. Although widespread poverty still exists, Mexico is no longer a poor country. In just a few decades, Mexican society has experienced the rise of a middle class that is "younger, more educated, wealthier, [and] healthier"³ than any previous generation. In comparison, the rise of the first, modern, middle class in Europe after industrialization took more than a century.

Internationally, Mexico now assumes a greater role on the world stage. The Mexican government asserts more leadership in Latin America. It also negotiated favorable terms in the Transpacific Partnership trade deal and now sends military observers and specialists to participate in UN peacekeeping missions. These efforts help boost the country's economy and demonstrate to the world community that Mexico defends international law, promotes free trade, guarantees foreign investment, and champions peace.⁴

The Mexican government recognizes that to achieve its domestic reforms and foreign policy goals, while maintaining the confidence of world nations, it must also confront transnational organized crime within its borders. Transnational crime groups in Mexico use violence in pursuit of profit rather than political change, and they see international boundaries as opportunities rather than barriers.⁵ Their cross-border profiteering ranges from fraud and peddling pirated goods to robbery, kidnapping, extortion, and human trafficking.

To address this threat, the governments of Mexico and the U.S. developed a robust plan. The Mérida Initiative, a bilateral cooperative framework, consists of four pillars: disrupting organized criminal groups, institutionalizing the rule of law, creating a modern border, and building strong

Patti Bielling earned a master of military art and science degree in 2016 from the U.S. Army Command and General Staff College's School of Advanced Military Studies. She currently serves as a strategic planner for U.S. Army North (Fifth Army) in San Antonio, Texas.

and resilient communities. Under the 2007 initiative, the U.S. committed more than \$2.3 billion for security cooperation. Mexico also devotes significant national resources under its current strategy. The government's multi-pronged approach included spending \$9.2 billion in 2013 for social programs and infrastructure development, institutional reforms, and law enforcement activities. Just a few short years ago, such a close security relationship with the U.S. would have been politically unacceptable. However, growing social and economic interdependence between the two countries

...the U.S.-Canada institutional structure...serves as a fitting model for U.S.-Mexico security cooperation to address the threat of transnational organized crime.

enabled the Mexican government to put aside longstanding sovereignty concerns and allow significant U.S. involvement in Mexico's domestic security efforts.⁶

As mechanisms for implementing the Mérida Initiative, the two countries established the U.S.-Mexico High Level Consultative Group to coordinate whole-of-government bilateral security policy, and the U.S.-Mexico Policy Coordination Group to develop bilateral strategy. To execute the strategy, agencies on both sides of the border employ a variety of means. Each day, Mexico's Secretario de la Defensa Nacional employs up to 45,000 soldiers to confront transnational criminal networks. In addition, myriad local, state, and federal law enforcement agencies on both sides of the border work to address the threat. However, these agencies often operate autonomously, contend with overlapping jurisdictions, and rely on separate authorities, procedures, and systems against an adversary unconstrained by jurisdictional or international

boundaries. Without a bilateral institution to coordinate these law enforcement and military means, attempts to achieve U.S.-Mexican policy goals remain stove-piped and result in wasted effort and resources.

This organization contrasts with the U.S.-Canada security cooperation structure that developed in the 1940s and 1950s. In response to the Nazi threat in Europe and the emerging Cold War, the U.S. and Canada created the Permanent Joint Board on Defense and the Military Cooperation Committee as standing institutions to coordinate bilateral security policy and strategy. As the Soviet nuclear threat increased, Canada and the U.S. soon found they lacked the ability to coordinate the "means" of continental defense—the radars, missiles, and aircraft designed to deter and defeat a nuclear attack.⁷ The U.S.-Canada security cooperation structure matured in 1958 with the formation of the North American Air Defense Command (NORAD). This binational command remains responsive to emerging threats, as exemplified by its 1981 name change to North American Aerospace Defense Command and the addition in 2006 of a maritime warning mission.

This paper will demonstrate that the U.S.-Canada institutional structure enables effective bilateral coordination of security policy, strategy, and means and, therefore, serves as a fitting model for U.S.-Mexico security cooperation to address the threat of transnational organized crime.

From a theoretical perspective, neoliberalism asserts that international institutions such as NORAD benefit member states by conferring legitimacy, enabling information-sharing, reducing transaction costs, making commitments more credible, acting as focal points for coordination, and facilitating reciprocity.⁸ G. John Ikenberry proposes that throughout history, international institutions served to bridge power asymmetries among nations. Such institutions enable states to resolve disputes and develop

cooperative policies and strategies that help achieve shared goals. Ikenberry notes that in joining institutions, more powerful states willingly accept limits on their use of power in exchange for lowering the enforcement cost of maintaining international order. Meanwhile, he asserts, less powerful member-states earn a stake in the system and gain access to policy discourse to help shape decisions.⁹

Functionalism theory addresses how and why international institutions develop. David Mitrany believes that modern states are losing their power to act unilaterally to address complex issues associated with economic growth, social welfare, and military security.¹⁰ Institutions form as states begin cooperating on small issues of mutual interest—the regulation of radio wavelengths, for example. The more citizens appreciate these services, the more they trust the institutions that enable such services. Increasing trust and legitimacy encourages state governments to create other international institutions to address broader or more sensitive interest areas such as trade, immigration, and security.¹¹ This functionalism theory explains the evolution of North America’s bilateral social, economic, and security structures.

To demonstrate that the U.S.-Canada institutional structure can serve as a fitting model for U.S.-Mexico security cooperation, this paper uses a case study approach structured around three questions. The first question asks what enabled the U.S. and Canada to overcome historical frictions that hindered bilateral cooperation. This question is important given the historical tensions that color U.S.-Mexico relations today. This paper argues that the convergence of U.S. and Canadian social, economic, and security interests that began in the early 1900s led to the formation of a range of bilateral institutions, including the robust bilateral security structure that exists today, and that today a similar phenomenon of converging interests is enabling the U.S. and Mexico to form

bilateral institutions to address a range of issues.

The second question begins with recognizing that the insidious threat posed by modern transnational organized crime contrasts with the existential threat posed by Nazism and nuclear war. How does the nature of the threat affect the development of bilateral security structures? This paper argues that the existential threat facing the U.S. and Canada encouraged the relatively rapid development of a robust, security-cooperation, institutional structure, and further asserts that the

...modern states are losing their power to act unilaterally to address complex issues associated with economic growth, social welfare, and military security.

insidious nature of the transnational organized crime and lingering sovereignty concerns have thus far failed to spur the U.S. and Mexico to build a robust U.S. security-cooperation structure.

The final question considers the efficacy of the existing U.S.-Canada and U.S.- Mexico structures to meet complex security threats. Effective bilateral efforts to address complex problems logically require two states to coordinate policy, develop strategy, and employ means in a coordinated fashion to accomplish the strategy. This paper shows that the nascent U.S.-Mexico security framework lacks a mechanism to effectively coordinate means and examines how an institution modeled on NORAD might address this gap.

Before assessing the two cases using the lens of policy-strategy-means, this paper will first examine the relationship among these concepts and assume that when state leaders pledge to work together, their governments must then arrive at shared goals through policy dialogue. The policy goals that emerge from this

dialogue form the basis of bilateral strategy or, at a minimum, congruent national strategic goals. Strategic goals then guide the employment of means.

In its strictest interpretation, the term “strategy” describes the link between military action and policy as exemplified by the U.S.-Canada case.¹² Yet in the U.S.-Mexico case, responding to an organized crime threat primarily involves law enforcement actions. For consistency, this paper uses the term “strategy” to mean both law enforcement and military actions that help achieve policy. Applying the term in this broader sense comports with the U.S. military’s definition of strategy in Joint Publication 3-0, *Joint Operations*, which includes the employment of all instruments of national power.¹³ Likewise, readers should interpret the term “means” to include military force as well as the broad array of resources a state or institution employs to meet policy goals.

Within this definitional framework, this paper uses the lens of policy-strategy-means to examine the efficacy of the bilateral security structures the U.S.

forty-five thousand British loyalists fled north from the thirteen rebelling colonies, creating a counterrevolutionary movement in British Canada.¹⁴

The U.S. again attacked Montreal in the War of 1812 and, through the end of the 1800s, various policy disputes and disagreements arose over the boundary in the west. Distrust during this fractious post-bellum period led the two nations to embark on the most active fort-building period in Canadian history. A dispute over Oregon in the 1840s led Canada to build defensive works in Kingston and Halifax, and the Civil War led Canada to erect forts south of the St. Lawrence River to reinforce Quebec.¹⁵ Despite these frictions, a shared preference eventually emerged to resolve contentious U.S.-Canada issues through bilateral negotiation.

This preference for “negotiated settlement and mutual accommodation”¹⁶ led the two governments to create several important bilateral institutions. To settle U.S.-Canada boundary disputes, the two nations formed the International Joint Commission in 1909. The success of this commission soon led to the International Fisheries Commission, the International Pacific Salmon Fisheries Commission, and the Great Lakes Fisheries Board of Inquiry. Thus, the once-feuding nations established preferences for cooperation in the social and economic realms.

The growing threat of National Socialism in Europe created both the need and the impetus for increased bilateral security cooperation between the U.S. and Canada. Before that time, geographic isolation meant the North Americans needed neither large standing armies nor defense relationships.¹⁷ In response to Nazi aggression in Europe, President Franklin D. Roosevelt made public pledges in 1936 and 1938 that the U.S. would defend Canada against foreign aggression.¹⁸ In return, Canadian Prime Minister Mackenzie King promised that “enemy forces should not be able to pursue their way either by land, sea, or air to the U.S. across Canadian

The cooperative nature of U.S.-Canada relations today contrasts with the tense bilateral relationship in the 1800s.

Case Study 1: U.S. and Canada

The cooperative nature of U.S.-Canada relations today contrasts with the tense bilateral relationship in the 1800s. Canada’s history has been one of balancing its political relationships with Great Britain and the U.S. Canada wished to remain neutral in the Revolutionary War, but the Continental Army invaded Quebec to convince its northern neighbors to ally with them against Britain. A humiliating defeat in Montreal ended that aspiration for the attackers, and

territory.”¹⁹

By July 1940, German bombs began falling in Britain, creating a greater sense of urgency in the minds of U.S. and Canadian leaders. One Canadian defense policy advisor described the existential threat posed by a Nazi conquest of the British Isles:

To those whose knowledge was most complete it was correspondingly apparent that if the Germans were able to land in force, the almost unarmed soldiers and civilians of Britain could not long maintain an effective defence. The collapse of British resistance would almost certainly be followed by demands on the nations of the New World for cooperation with the fascist powers. Rejection of these demands would invite early attack. Acceptance would mean the betrayal of the spiritual, social, political, and economic ideals which, though frequently honoured more in breach than in observance, were still the hallmarks of North American democracy.²⁰

It was under this cloud that Roosevelt and King met on August 17, 1940, and agreed to establish the Permanent Joint Board on Defense to study sea, land, and air defense issues for the northern half of the Western Hemisphere. The “permanent” designation signified that the leaders intended the structure to outlast the war, a de facto acknowledgment of the increasingly interdependent nature of the security relationship.²¹ The two nations modeled the new defense board on the International Joint Commission, the well-liked boundary adjudication body and perhaps the most successful and trusted U.S.-Canadian agency of the time.²²

The need to coordinate bilateral defense strategy became apparent following World War II. The Military Cooperation Committee, formed in 1946, included representatives of the military service departments, the U.S. State Department, and the Canadian Department of External Affairs.

The group focused on preparing, continuously revising, and submitting recommendations for the implementation of various security plans.

As Soviet technologies improved in the 1950s, fear of nuclear war heightened. The Canadian government recognized its population was too sparse to defend its expansive territory. The U.S. worked with Canada to emplace early warning radar systems deeper in the northern territory to ensure sufficient notice of an airborne attack. As they built more aircraft, the two governments saw the need to rapidly synchronize alert measures to provide a coordinated response to a Soviet incursion. The two militaries envisioned a joint command to coordinate the assets of the Royal Canadian and U.S. Air Forces, the “means” of North American defense. In 1958, the U.S. and Canada established NORAD.²³ The command evolved over time as the security environment changed, and NORAD now responds to potential airborne threats originating within North America and performs aerospace and maritime warning missions.

The need to coordinate bilateral defense strategy [between the U.S. and Canada] became apparent following World War II.

Sovereignty, however, remained a postwar concern for Canada. To protect its self-determination, the Canadian government ensured the binational NORAD agreement sufficiently constrained the U.S. from unilateral action. Although the agreement readily passed the Canadian House of Commons, eight members “with a visceral distrust of American military power”²⁴ still voted against it. Historian Shelagh Grant explains this postwar dynamic: “...the traditional fear of American encroachment increased and decreased in an inverse relationship to the perceived threat of

Soviet aggression. When the need for security against an alien aggressor became paramount, the objective to guarantee security rights was superseded, a pattern which had precedent in the war years.”²⁵

Still conscious of sovereignty, the modern Canadian government mitigates power asymmetry with the U.S. by leveraging a “defense against help” strategy.²⁶ In the end, this resource-maximizing approach serves both nations. Canada maintains a sufficient unilateral defense capability to assure the U.S. that its northern approaches are secure, thus avoiding “unwanted help” from the U.S. In return, the U.S. expends significant resources for radars and other technology and receives permission to emplace them on Canadian soil to protect both nations.

**In the post-9/11 world,
U.S. security needs continue
to influence Canadian
defense policy...**

In the post-9/11 world, U.S. security needs continue to influence Canadian defense policy, and the special relationship with the U.S. gives Canadian defense officials an influential voice in U.S. defense policy formulation in areas of mutual interest.²⁷ Canada also benefits, as its military gains access to defense-related information, training, and operational experiences, and Canadian businesses receive access to important technologies and the lucrative U.S. defense market. Thus, this case study answers two of the questions posed earlier. First, this analysis shows that growing social and economic integration allowed the two nations to overcome historical frictions, leading to the creation of a range of bilateral institutions. Second, the existential nature of the threat affected the formation of defense institutions, leading to the relatively rapid development

of a robust, bilateral, security-cooperation structure. To mitigate sovereignty concerns and power asymmetries inherent in the integrated structure, Canada adopted its “defense against help” resource-maximizing strategy to shape the institutional structures and achieve a balance between security and sovereignty.

To answer the third question, this paper will examine each structural level to assess how effectively the U.S.-Canada security model enables the coordination of security policy, strategy, and means. The Permanent Joint Board on Defense, the body created in 1940, coordinates U.S.-Canada defense policy.²⁸ Since the end of World War II, the Permanent Joint Board advised on nearly all major joint defense measures, including the installation of early warning radars; the adoption of an underwater, acoustic, surveillance system; the creation of NORAD; and modernization of North American air defense. Today, its members confer biannually on important issues of defense policy, operations, finance, and logistics, submitting recommendations to the two governments for approval. After the terrorist attacks on the U.S. in 2001, board membership expanded to include representatives of the U.S. Department of Homeland Security and Public Safety Canada. Perhaps equally important, the forum serves as an alternate channel of communication to more rapidly resolve difficult policy issues, such as cost-sharing in the face of declining budgets, and acts as a “valuable forum for the expression of national interests and for frank exchanges that allow discussion of the full spectrum of security and defence issues.”²⁹

Strategy coordination occurs today through the Military Cooperation Committee. In 1946, the committee served as the direct link between the Canadian Chiefs of Staff Committee and the U.S. Joint Chiefs of Staff to recommend and coordinate joint defense planning. The first act of the newly formed committee was crafting a plan to implement a set of post-war joint

defense principles established by the Permanent Joint Board. The principles included defense collaboration, exchange of personnel, joint maneuver exercises, developing and testing of materiel, increased standardization, reciprocal use of military facilities, and “no impairment of control by each country over all activities in its own territory.”³⁰ These arrangements protected sovereignty while offering strategic flexibility that “allowed for increasing amounts of collaboration as the two countries began to accept the inescapable conclusion that the Soviet post-war strategy left no alternative but to broaden the defensive collaboration designed to guard North America from Soviet aggression.”³¹

The committee also devised the Basic Security Plan, which called for a “comprehensive continental air defence organization, cartography, air and surface surveillance to provide early warning of attack, anti-submarine and coastal defence, counter-lodgements plans, and a joint command structure.”³² Committee members updated the plan regularly based on joint intelligence estimates produced by the intelligence subcommittees of the Permanent Joint Board on Defense and the Military Cooperation Committee.

As increasing Soviet nuclear attack capability narrowed the time window to detect an imminent attack, no institution existed to coordinate the “means” of defense. The militaries of the U.S. and Canada recognized the need for trained forces that could rapidly react under a single commander and fight in a coordinated air battle.³³ To improve close operational coordination, the two governments established NORAD, a joint command to conduct aerospace warning and aerospace control of North America. A U.S. commander heads NORAD with a Canadian deputy. To alleviate sovereignty concerns, each nation retained national command over its own units, managing their training, discipline, stationing, and logistics. This examination shows that the

three institutions that make up the U.S.-Canada bilateral security coordination structure adapt with the times, give each nation an equal voice, and enable Canada and the U.S. to effectively coordinate defense policy, strategy, and means.

...no other nation affects the U.S. and its citizens as much on a day-to-day basis as Mexico.

Case Study 2: U.S. and Mexico

U.S.-Mexico interdependence has grown to the point that perhaps no other nation affects the U.S. and its citizens as much on a day-to-day basis as Mexico.³⁴ About one million U.S. citizens reside in Mexico and more than 33 million Hispanics of Mexican descent live in the U.S.³⁵ Mexico buys more U.S. products than any nation except Canada, and one in every twenty-four U.S. workers depends on trade with Mexico.³⁶ The two nations boast new intergovernmental organizations to coordinate higher education, research, entrepreneurship and innovation, border modernization, and repatriation strategy and policy. These new initiatives complement long-standing, cross-border cooperation on environmental issues, natural resources, telecommunications, and public health.

One sees the same interdependencies reflected in the problem of transnational organized crime. The U.S. is the world’s largest consumer of illegal narcotics, while economic conditions and underdeveloped legal and judicial systems in Mexico have allowed the country to become a major producer and transit route for drugs.³⁷ In recent years, drug trafficking organizations grew more violent and diversified their activities to include extortion, robbery, piracy, kidnapping, and human smuggling. From 2006 to 2012, an estimated 80,000 people died in Mexico from drug-related violence.³⁸

In recent years, the U.S. and Mexico committed to work together to meet the threat posed by violent transnational crime. The two governments enacted the 2007 Mérida Initiative, a cooperative framework that guides bilateral efforts to disrupt organized crime groups, institutionalize the rule of law, create a modern border, and build strong and resilient communities. Reaching this unprecedented level of cooperation required the U.S. and Mexico to overcome significant political frictions rooted in their shared history.

Descending from very different colonial heritages, the U.S. and Mexico had little interaction before the 1800s.³⁹ In the mid-1800s, Mexico suffered threats of intervention from Spain, Great Britain, and France. French troops occupied Mexico City in 1863, but the U.S., focused on its own internal conflict, did nothing until the Civil War ended 1865.

Understanding the need to ensure Mexican neutrality in World War I, the Wilson administration abandoned interventionist policies...

The U.S. then sided with Benito Juárez and his Mexican liberal forces against the French-backed Mexican elites who installed a Hapsburg on the throne. After the monarchy collapsed, Mexico attempted economic and educational reforms, but no leader effectively controlled the Mexican state until Porfirio Díaz consolidated power in 1876 and established a thirty-five-year reign of internal peace and political stability. For the first time in the country's history, Mexico began developing an identity as an independent nation-state.⁴⁰

Despite democratic aspirations, the Díaz regime remained a military dictatorship that accomplished its ambitious modernization

agenda at the expense of personal and political freedom. Díaz maintained control through a strong state bureaucracy buttressed by the country's interdependent economic relationship with the U.S.⁴¹ For thirty years,

U.S. financial investment in the country increased, but concentration of wealth among a few local and foreign investors entrenched class stratification, and Mexico remained a poor and rural country.⁴²

Into the 1900s, the U.S. administrations of Theodore Roosevelt and William Howard Taft maintained interventionist policies toward Latin America. Many Mexicans resented U.S. support for the Díaz regime, and a strong, anti-U.S. movement emerged in segments of the population.⁴³ The Mexican economy foundered. In 1910, the volatile northern region of Mexico, with its ungoverned spaces and rapid access to money and guns from the U.S., fell into revolution.⁴⁴ By May 1911, rebel uprisings throughout the country spurred the eighty-year-old Díaz to resign. Years of violent upheaval followed, and repeated U.S. political interventions and military encounters led successive Mexican governments to adopt a foreign policy designed to limit U.S. influence and "establish a sphere of autonomous action vis-à-vis the ever-more-powerful neighbor to the north."⁴⁵

During World War I, the 1917 Zimmerman Telegram proposing an alliance between Germany and Mexico outraged the U.S. public. The secret proposal, however, also caused the U.S. government to seriously rethink its aggressive stance toward the neighbor on its southern flank.⁴⁶ Understanding the need to ensure Mexican neutrality in World War I, the Wilson administration abandoned interventionist policies and recognized the government of President Venustiano Carranza. Nonetheless, revolution continued in Mexico until 1920, prompting more than 800,000 Mexicans to migrate to the U.S.

Mexico emerged from ten years of revolution with the Constitution of 1917. This progressive document stands today. It codified the concepts of federalism, separation of powers, and a bill of rights, and it recognized social and labor rights, separation of church and state, and universal male suffrage. Sovereignty concerns are evident in the document's nationalist proclamations that limit foreign and church-owned property and assert national control over Mexico's natural resources. By 1929, the Partido Revolucionario Institucional, (Institutional Revolutionary Party) emerged. Members of this political party would lead the Mexican government for the next seven decades.

In 1933, President Franklin D. Roosevelt entered office seeking to reframe U.S. relations with Latin America. He announced his "Good Neighbor" policy, which abrogated U.S. military intervention in Central and South America while seeking to advance U.S. economic interests and build a hemispheric alliance against the Axis powers.⁴⁷ Roosevelt intended his more sophisticated approach to strengthen continental defense and "attract cooperation rather than coerce it."⁴⁸ Yet despite the friendlier U.S. foreign policy, many Mexican immigrants—and Mexican-Americans—faced deportation or left the U.S. voluntarily between 1929 and 1939 because of anti-immigrant sentiments exacerbated by job scarcity during the Great Depression.⁴⁹ The economic downturn also led to a sharp decline in national income in Mexico, whose economy had not fully recovered from a decade of civil war. Nonetheless, the Mexican government fueled a slow economic recovery throughout the 1930s by creating a national investment bank, accelerating land reforms, and nationalizing the railroad system.

Perhaps the first major test of the Good Neighbor policy came in 1938 when Mexico nationalized its oil industry, seizing foreign oil holdings and leading some U.S. business leaders to call for a military response.⁵⁰ Roosevelt

supported Mexico's right to expropriate foreign oil holdings as long as the government promptly compensated the property owners, a position that earned the approval of Mexico and other Latin American nations.⁵¹ Negotiations over payments for expropriated property dominated the U.S. State Department's Mexico agenda for more than three years, impeding the U.S. military's desire to achieve a bilateral defense agreement with Mexico. The two governments finally signed a settlement in November 1941 to compensate U.S. oil investors. Despite the settlement, many Mexicans remained suspicious of the U.S., and Mexican leaders continued to stoke anti-U.S. rhetoric for political effect.⁵²

...Roosevelt's more respectful approach toward Mexico enabled wartime security cooperation at the highest levels of government.

These tensions notwithstanding, Roosevelt's more respectful approach toward Mexico enabled wartime security cooperation at the highest levels of government. After the Japanese attack on Pearl Harbor, Mexican President Manuel Ávila Camacho severed diplomatic relations with Japan. In May 1942, the German sinking of two oil tankers in the Gulf of Mexico led the Mexican government to declare war on the Axis Powers. Mexico subsequently allowed the U.S. military to use ports and airfields on Mexican soil. The U.S. offered lend-lease equipment and materiel to Mexico, and Mexican pilots trained in the U.S. to fly missions alongside their U.S. counterparts in the Philippines. The Mexican government also allowed U.S. military mechanics to remain at Mexican airfields, but only in civilian clothes as employees of Pan American Airways.⁵³

More importantly for post-war cooperation, the two nations formed the Joint Mexican-U.S. Defense Commission. Much like the U.S.-

Canada Permanent Joint Board on Defense, the U.S.-Mexico commission reported directly to national political leaders and coordinated on joint defense issues. Although they did not designate the joint commission a permanent body, the two countries made plans in 1945 to continue the meetings into the postwar years. Additionally, both the U.S. and Mexico joined seventeen other signatories of the 1947 Inter-American Treaty of Reciprocal Assistance. The mutual defense arrangement proclaimed that an attack on one state by an American or foreign nation would be considered an attack on all. The postwar treaty was a manifestation of the U.S. Cold War policy intended to prevent Latin American nations from falling prey to Soviet influence.⁵⁴

During World War II, labor shortages had led the U.S. to admit Mexican temporary workers into the country.

Relations deteriorated in 1952 when the U.S. proposed an agreement with Mexico that offered military aid if the Mexican government signed a “Defense of Democracy” clause and agreed to commit troops to fight on foreign soil under certain circumstances.⁵⁵ The Mexican people had no appetite for following the U.S. into regional conflicts—perhaps not surprising given the country’s history of repeated invasion. Mexico rejected the proposal and, from that point forward, security cooperation ceased. Mexico refused U.S. military aid, declined participation in joint exercises, and forbade U.S. troops from entering Mexican territory. The once-promising military-to-military relationship diminished to include only annual events such as joint staff talks and the Fifth Army Inter-American Relations Program, as well as limited training of Mexican officers and soldiers at U.S. military institutions.⁵⁶

Changes also ensued in the social and economic realms. During World War II, labor shortages had led the U.S. to admit Mexican temporary workers into the country. A repatriation program followed in the 1950s and 1960s, and more than one million Mexicans forcibly or voluntarily left the U.S. A large jobless population formed in northern Mexico, with unemployment rates rising as high as 50 percent in border cities such as Ciudad Juárez, Tijuana, and Mexicali.⁵⁷ To address unemployment in the historically volatile border region, the Mexican government instituted a series of economic development programs. The Program for the Use of Excess Manpower in the Border Region (Programa de Aprovechamiento de la Mano de Obra sobrante a lo largo de la Frontera con Estados Unidos) helped spur the growth in the 1960s of *maquiladoras*, factories in Mexican border towns that enjoy special tax breaks.⁵⁸ In these factories, laborers in Mexico assembled goods destined for U.S. markets using materials imported duty-free from the U.S. The U.S. charged duties on the finished imports based only on the value added by Mexican costs. This border industrialization effort changed U.S. investment in Mexico from an extractive model to one focused on assembly and production. It also “constituted a reversal of the traditional Mexican policy of attempting to bolster the northern border economy against U.S. economic penetration and dominance.”⁵⁹ Northern Mexican cities grew and cross-border trade surged, further increasing U.S.-Mexico economic and cultural ties in the border region.⁶⁰

Newly discovered oil fields in the 1970s led the Mexican government of José López Portillo to borrow huge sums of foreign capital to develop the resource. However, falling oil prices and rising inflation in the early 1980s created economic stagnation and high unemployment in the now deeply indebted country.⁶¹ A half-century of one-party rule resulted in an inefficient, “inward-looking, oil-

dominated economy”⁶² in which state-sponsored monopolies employed nearly one million Mexicans and provided patronage opportunities for party officials and union members. Unable to meet its debts, Mexico suffered a financial crisis. Assuming office in 1988, Mexican president Carlos Salinas de Gortari recognized that the government could no longer view political sovereignty and economic dependence as contradictory; national development required increased integration into the world, specifically with the U.S.⁶³ The government took steps to “liberalize its economy and democratize its politics to get closer to its neighbor.”⁶⁴ Mexico privatized a range of industries including telecommunications, steel, railroad, airlines, electricity and natural gas, insurance and banking systems. Salinas also proposed a free trade pact with the U.S. Subsequent talks led to the North American Free Trade Agreement, which became the “cornerstone of [Mexico’s] democratization and liberalization process.”⁶⁵

The *maquiladoras* of the 1960s matured into today’s cross-border regional supply chains and a more sophisticated manufacturing process called production sharing. One study estimates that one in every twenty-four U.S. workers depends on the production-sharing process, in which raw materials, parts, and partially-assembled goods cross the border multiple times during the manufacturing process.⁶⁶

Transnational Crime and Building a Robust U.S.-Mexico Security-Cooperation Structure

The post-war cycles of economic crisis and expansion that affected the legitimate economy also affected the illegitimate business of transnational crime. Mexican crime groups such as Sinaloa, Tijuana, Juarez, and Gulf cartels originated in the 1960s when smuggling contraband goods into the U.S. became profitable, and corrupt state security forces provided protection from prosecution

and rivals.⁶⁷ In the 1970s and 1980s, cocaine began transiting Mexico from Central America. Mexican crime groups expanded from “family businesses to small armies,”⁶⁸ growing more sophisticated and creating their own security forces as they competed for markets and territories. The groups hired former guerrillas and mercenaries—veterans of the wars in

In the 1970s and 1980s, cocaine began transiting Mexico from Central America. Mexican crime groups expanded from “family businesses to small armies...”

Central and South America—who employed military training, organization, equipment, and tactics. To maintain these expensive armies, the crime groups secured territories or plazas where they could impose tolls or taxes (*piso*) on the activities of other criminal organizations operating in those areas. Collecting *piso* serves as a significant revenue stream for the dominant crime group, which claims up to half the value of the contraband moving through its corridor.⁶⁹ Today, nearly all cocaine and a significant amount of heroin that enters the U.S. passes through Mexico, and Mexico remains the primary foreign source of marijuana and methamphetamines destined for the U.S.⁷⁰

Meanwhile, the U.S. perpetuates the narcotics industry not only through its market for drugs, but also from the tide of cash and the “iron river” of weapons streaming south.⁷¹

Violence and corruption remain major concerns within Mexico. Mexican crime groups use violence in pursuit of profit rather than political change. The most brutal violence involves securing lucrative logistics hubs and corridors—ports, trade routes, and border transit areas—although crime groups also resort to bloodshed for “managing

everything from marketing to public relations to human resources.”⁷² Much like multinational corporations, these borderless networks use supply and logistics chains, calculate risk and return on investment, seek new geographic markets and ways to cut business costs, and employ as many people as British Petroleum or Intel.⁷³ Illicit profit rivals those of global corporations. Estimated earnings from drug sales to the U.S. range from \$19 billion to \$29 billion annually.⁷⁴

Globally, these criminal networks “insinuate themselves into the political process...through direct bribery; setting up shadow economies; infiltrating financial and security sectors; and positioning themselves as alternate providers of governance, security, services, and livelihoods.”⁷⁵ Once embedded in the social and political fabric of a state, organized crime spreads corruption and insecurity by distorting the regular economy and fueling a feedback loop that further erodes governance and rule of law.

Although U.S. officials worry about violence spilling over the border from Mexico, the greater threat from the U.S. perspective lies at the nexus of transnational crime and terrorism.

Attempts by states to confront the threat cause the networks to undergo rapid mutations and adopt ever more effective tactics. Fluid and decentralized network structures impede law enforcement efforts to infiltrate, disrupt, and dismantle conspiracies as opportunistic groups form around specific, short-term schemes or “outsource” portions of their operations to others.

Although U.S. officials worry about violence spilling over the border from Mexico, the greater threat from the U.S. perspective lies at the nexus

of transnational crime and terrorism.⁷⁶ Today’s transnational criminal elements are “fluid, striking new alliances with other networks around the world and engaging in a wide range of illicit activities, including cybercrime and providing support for terrorism.”⁷⁷ Meanwhile, terrorists are increasingly turning to transnational criminal organizations for financial and logistical support.⁷⁸ Although largely opportunistic, the crime-terror nexus is critical; U.S. officials worry about the “successful criminal transfer of [weapons of mass destruction] material to terrorists or their penetration of human smuggling networks as a means for terrorists to enter the U.S.”⁷⁹ There is evidence, for example, that Hezbollah worked in Latin America and with Mexican drug trafficking organizations to launder money, finance terrorism, and smuggle people, and that transnational criminal organizations worked with outlaw motorcycle gangs to conduct illicit activities in the U.S.⁸⁰

Given the threat, this case study seeks to answer the question of how shared interests can help overcome historical bilateral frictions and, ultimately, achieve effective security coordination. From an economic perspective, the U.S. is, by far, Mexico’s largest trading partner, and Mexico buys more U.S. products than any country except Canada.⁸¹ Mexican President Enrique Peña Nieto and U.S. President Barack Obama pledged to work together to make their economies even more competitive around the world. In January 2013, they announced the establishment of bilateral forums to coordinate trade policy, foster economic growth, and develop a shared vision for education, innovation, and research. Policy-level coordination across these issue areas now occurs through new mechanisms, such as the cabinet-level, high-level, economic dialogue; the Bilateral Forum on Higher Education, Research, and Innovation; the Mexico U.S. Entrepreneurship and Innovation Council; and the Repatriation Strategy and Policy Executive

Coordination Team. In January 2015, Peña Nieto said these efforts improve economic conditions in Mexico, which in turn raise living standards; discourage undocumented immigration to the U.S.; and support his administration's efforts to improve internal security conditions.⁸² Mexico also joined the U.S. and Canada in the Trans-Pacific Partnership trade negotiations. The trade deal, negotiated in October 2015, signals Mexico's economic strength through its willingness to compete offensively rather than defensively with China and creates both a path and incentive for additional reforms in Mexico and other Latin American countries.⁸³

Understanding how the nature of the threat shaped current U.S.-Mexico security institutions begins with examining bilateral relations during World War II as both Mexico and the U.S. declared war on the Axis powers. The existential threat of war led to broad cooperative efforts such as base sharing, bilateral sales of natural resources and materiel, combined training, units flying side-by-side in the Pacific, and even the stationing of U.S. troops in Mexico, albeit dressed as civilian mechanics. With the defeat of Axis powers and a surging economy, Mexican distrust of U.S. intentions returned and the security relationship cooled.

Today, transnational organized crime poses a more insidious threat, resulting in a more incremental approach to building a security cooperation structure. Within the last few decades, changing social, economic, and security conditions in Mexico created opportunities for greater bilateral cooperation. In the security realm, the Mérida Initiative became the cooperative framework, and institutions emerged to coordinate policy and strategy. At the level of the means, however, the two nations continue to rely on numerous law enforcement agencies with support of the military to carry out strategy. This discussion, then, naturally leads to the third question: How effective is the current U.S.-Mexico-structure at coordinating policy,

strategy, and means in response to the insidious threat of transnational organized crime?

At the political level, once rare presidential meetings now occur frequently, and presidential representatives meet annually to coordinate policy through the U.S.-Mexico Security Coordination Group. The State Department, through its Embassy in Mexico City, leads the U.S. effort to coordinate bilateral strategies that guide implementation of the Mérida Initiative. In 2010, the two countries established the High Level Consultative Group, an annual meeting of

The State Department, through its Embassy in Mexico City, leads the U.S. effort to coordinate bilateral strategies...

U.S. and Mexican cabinet-level officials that sets strategic direction and reaffirms the commitment and willingness of both governments to continue the partnership. The group's meeting in 2011 established or affirmed fourteen priorities across the four pillars of the Mérida Initiative. The broad approaches included improving intelligence sharing; increasing efforts to counter illicit weapons trafficking; accelerating justice system reforms; developing a coordinated, investigative strategy to enhance law enforcement cooperation in the border region; and initiating a binational narcotics demand reduction study.

This guidance frames the activities of the Policy Coordination Group. National security representatives from both countries chair the group. The offices of the ambassadors serve as secretariats, and assistant secretaries from various agencies sit as members. This group develops bilateral strategy and strategic goals for implementing the Mérida Initiative. These two organizations, then, perform policy and strategy-coordination functions similar to those of the U.S.-Canada Permanent Joint Board on Defense

and the U.S.-Canada Military Cooperation Committee. Other U.S.-Mexico bodies perform administrative functions, such as facilitating equipment transfers and coordinating training programs, while others focus on specific issues areas, such as reducing violence in key border areas.⁸⁴

Despite these mechanisms to coordinate policy and strategy, U.S.-Mexico security coordination at the level of the means remains largely stove-piped; that is, the myriad agencies on both sides of the border report to their respective headquarters in their national capitals. Within these “stovepipes,” agencies employ diverse means in an uncoordinated fashion. These means include law enforcement operations and investigations, as well as military activities permitted by each country’s laws. Much of the interagency and cross-border cooperation remains personality-dependent and occurs in an ad hoc fashion. A 2016 Congressional Research Service report notes that much more remains to be done to improve cross-border law enforcement operations and investigations.⁸⁵

...a variety of systemic problems hinder coordinated employment of law enforcement and military means to address transnational organized crime.

Applying the NORAD Model to U.S.-Mexico Security Cooperation

Despite the significant barriers to cooperation, the existing structure achieves some level of interagency coordination. Across multiple agencies, increased information sharing allowed the U.S. and Mexican governments to develop trusted traveler programs, better target money laundering and financial crimes, and improve capacity to interdict weapons of mass

destruction. Military engagements also increased significantly in the last decade.⁸⁶ The two militaries now enjoy a high level of cooperation in the areas of professional military education, training, and operational collaboration. In an unprecedented move, Mexico approached the U.S. Department of Defense to procure more than \$1 billion in trucks, helicopters, and other acquisitions, a one-hundred-fold increase from previous years.⁸⁷

In the U.S. domestic law enforcement realm, the Department of Homeland Security created three interagency task forces, incorporating elements from sixteen agencies including the Coast Guard, Customs and Border Protection, Immigration and Customs Enforcement, and Citizenship and Immigration Services. One organization, Joint Task Force West, focuses on the U.S. West Coast and Southwest land border. Their collocation with Army North increases opportunities for interagency and military cooperation. The other Homeland Security task forces include Joint Task Force East, which is responsible for the U.S. southern maritime border and approaches, and Joint Task Force Investigations, a functional organization designated to focus on investigations in support of the other task forces.

However, a variety of systemic problems hinder coordinated employment of law enforcement and military means to address transnational organized crime. Long-standing institutional disputes create problems among agencies of the U.S. Department of Homeland Security that have authority to pursue counter-narcotics cases and the U.S. Drug Enforcement Administration, an agency of the Department of Justice, which maintains oversight of these investigations. In a detailed 2010 report, policy analyst Curt A. Klun documented that domestic law enforcement agencies on both sides of the border often operate autonomously, contending with overlapping jurisdictions and supported by their own authorities, procedures, and systems.⁸⁸

Law enforcement task forces in the U.S. foster some interagency coordination, but their tactical focus does not enable long-term or complex planning, their enforcement mission does not allow for a prevention-based approach, and their impact is short-lived.⁸⁹ The existing structures also frustrate effective cross-border coordination because geographic and functional boundaries, government echelons, and civilian and military authorities fail to correspond with those of the agencies across the border.⁹⁰ These and other frictions hinder cooperation, lead to duplicative investigations, and create other operational inefficiencies.⁹¹

These well-documented problems reveal the need for bilateral prioritization and coordination of limited U.S.-Mexico means. A bilateral institution can address that problem by enabling mutual accommodation and increasing coordination. The case studies examined here indicate that for such an organization to be effective and acceptable to both the Mexican and U.S. governments, the institution must do at least three things. It must overcome stovepipes to enable interagency cooperation, adapt to meet changing threats posed by transnational organized crime, and ensure respect for the sovereignty of both nations. NORAD provides a fitting model. The U.S.-Canada structure is a proven model that allows the two countries to adjudicate policy, develop strategy, and coordinate means.

NORAD eliminated the problem of agency stovepipes for the U.S. and Canada. Since its establishment in the 1950s, the command seamlessly detects, validates, and warns of attack by missiles, air, and spacecraft and coordinates with a range of military and law enforcement organizations on both sides of the border. In 2006, NORAD's charter expanded to include a maritime warning mission for North America, and NORAD now assists civilian law enforcement agencies with detecting and monitoring aircraft suspected of trafficking

drugs into North America as part of its aerospace control mission. The agreement in 2006 to make NORAD a permanent body attests to the confidence that both governments have in the organization to coordinate limited security resources across multiple agencies and employ them effectively to address a shared threat.

The evolution of NORAD demonstrates the flexibility of such an organization to meet emerging threats. The invention of cruise missile and stealth aircraft in the 1960s and 1970s led to improved NORAD technologies for warning of missile and space attack and defending against intercontinental ballistic missiles. The command's mission expanded in 1988 to include detecting and tracking suspected drug-trafficking aircraft across U.S. or Canadian borders and reporting them to law enforcement agencies. Subsequent NORAD plans called for improved space surveillance and enhanced ground-based radar, as well as aircraft to detect missiles and fighters to defeat air-to-air threats. After the September 11, 2001, terrorist attacks, NORAD's mission changed from only guarding the approaches to responding to threats originating

NORAD eliminated the problem of agency stovepipes for the U.S. and Canada.

within North America's air borders. In 2002, the U.S. government designated the NORAD commander as the head of U.S. Northern Command, a new U.S. geographic combatant command with responsibility for U.S. homeland defense and civil support. This new command also assumed responsibility for security cooperation with Canada, the Bahamas, and Mexico. The history of NORAD demonstrates how such an institution can adapt over time to meet new or emerging threats.

Finally, the NORAD agreement sufficiently

preserves international sovereignty. Within the NORAD structure, Canada and the U.S. each retains command of its forces, but the commander exercises operational control over forces provided; that is, the commander has the power to “direct, coordinate, and control the operational activities of forces assigned, attached, or otherwise made available.”⁹² Specific provisions constrain unilateral action, directing that the NORAD commander remain responsible to the two defense chiefs; operate according to joint air defense concepts, plans, and procedures; and consult with the two governments before releasing public information. Perhaps most importantly, the NORAD agreement includes a mutual consultation pledge—the promise by each nation for the “fullest possible consultation”⁹³ on joint defense matters. Such consultation occurs through diplomatic channels, both as time allows during crisis and on a regular, consistent basis to the satisfaction of both countries. For more than 60 years, the bilateral institution of NORAD has served the U.S. and Canada, fostering coordination across agencies and across borders, adapting to meet emerging threats, and employing resources effectively and efficiently to ensure the security and sovereignty of the North American partners.

The same border that hinders governments presents opportunities for enterprising crime groups.

Conclusion

Global transnational organized crime is growing more complex, and governments around the world struggle to address it. Law enforcement agencies continue to play “by yesterday’s rules”⁹⁴ and resort to dealing with the weakest criminals and the easiest problems. The hierarchical structures of law

enforcement agencies, problems of interagency coordination, and jurisdictional and diplomatic issues all hinder efforts to counter transnational organized crime.⁹⁵ Between the U.S. and Mexico, the problem of transnational organized crime is inextricably linked with border politics and the issues of trade, immigration, homeland security, drug policy, gun control, and sovereignty. Thus, the border stands as a physical boundary while also symbolizing an intellectual and emotional boundary for the two governments and their people.

The same border that hinders governments presents opportunities for enterprising crime groups. These transnational groups operate simultaneously as multinational corporations and violent armies, unimpeded by state jurisdictions and boundaries. The sophisticated networks adapt easily in pursuit of their goals. To confront these borderless networks, a bilateral institution must effectively coordinate law enforcement actions of both nations, adapt to meet new and emerging threats, and enable resolution of issues while respecting the sovereignty of both partners.

The emerging U.S.-Mexico bilateral security structure has come a long way since the announcement of the Mérida Initiative in 2007. The presidents of both countries confer regularly, and the two countries created standing institutions to coordinate security policy and strategy. The military-to-military relationship has never been stronger.

However, “integrating the options at the operational and tactical levels is difficult, for each agency has its own responsibilities.... The Departments of Homeland Security, State, Justice, Treasury, Defense, and other agencies are largely doing their own individual missions, with no one effectively in charge.”⁹⁶ Without an institutional structure to coordinate the law enforcement and military means on both sides of the border, the effort to confront transnational organized crime results in missed opportunities and wasted resources.

The Mérida Initiative represents a historic opportunity for Mexico and the U.S. to move forward to address the threat of transnational organized crime. Although language and cultural differences remain between the two neighbors, changing demographics and economic integration portend opportunities for greater security cooperation. The growth of the U.S. population with ties to Mexico will increase significantly in coming years, driven more from children born to Mexicans and Mexican-Americans in the U.S. than from immigration.⁹⁷ Mexican public opinion supports cooperating with the U.S.; three quarters of the Mexican population say they want U.S. help to train Mexican police and military to combat transnational organized crime, and more than half approve of the U.S. providing money and weapons to Mexican police and military.⁹⁸ A proven NORAD-like structure would ensure mutual respect for sovereignty, eliminate stovepipes, adapt to changing threats, and enable prioritization of limited means on both sides of the border. Only through cooperation and the efficient and coordinated application of law enforcement and military means can Mexico and the U.S. hope to confront the insidious threat posed by transnational organized crime. **IAJ**

NOTES

- 1 Michael Werz, “Mexico’s Hidden Success Story,” Center for American Progress, June 28, 2012, <<https://www.americanprogress.org/issues/security/news/2012/06/28/11660/mexicos-hidden-success-story/>>, accessed on January 17, 2016.
- 2 Lisa Guáqueta and Kristin Foringer, “The Evolution of Democracy in Mexico: A Conversation with José Woldenberg,” *Houston Chronicle*, May 8, 2014.
- 3 Werz.
- 4 “Mexico as a Global Player,” *Foreign Affairs*, April 29, 2015, <<https://www.foreignaffairs.com/country-focus/mexico-global-player>>, accessed on January 17, 2016.
- 5 Jerome P. Bjelopera and Kristin M. Finklea, *Organized Crime: An Evolving Challenge for U.S. Law Enforcement*, Congressional Research Service, Washington, 2012, p. 1; Paul Rexton Kan, *Cartels at War: Mexico’s Drug-Fueled Violence and the Threat to U.S. National Security*, Potomac Books, Inc., Dulles, VA, 2012, p. 113.
- 6 Clare Seelke, testimony before the Subcommittee on the Western Hemisphere, House Committee on Foreign Affairs, Washington, May 23, 2013, <<http://docs.house.gov/meetings/FA/FA07/20130523/100907/HHRG-113-FA07-20130523-SD001.pdf>>, accessed on October 14, 2015.
- 7 “The Canada-U.S. Defence Relationship: Backgrounder,” National Defence and the Canadian Armed Forces, December 4, 2014, <<http://www.forces.gc.ca/en/news/article.page?doc=the-canada-u-s-defence-relationship/hob7hd8s>>, accessed on October 17, 2015; NORAD Office of History, *A Brief History of NORAD*, North American Aerospace Defense Command, Colorado Springs, CO, 2014.
- 8 Robert O. Keohane and Lisa L. Martin, “The Promise of Institutional Theory,” *International Security*, Vol. 20, No. 1, Summer 1995, p. 42.
- 9 G. John Ikenberry, *After Victory: Institutions, Strategic Restraint, and the Rebuilding of Order After Major Wars*, Princeton University Press, Princeton, NJ, 2001, pp. 53–54.
- 10 Per A. Hammarlund, *Liberal Internationalism and the Decline of the State: The Thought of Richard Cobden, David Mitraný, and Kenichi Ohmae*, Palgrave Macmillan, Gordonsville, VA, 2015, p. 28.

- 11 Ibid., p. 36.
- 12 Everett Carl Dolman, *Pure Strategy: Power and Principle in the Space and Information Age*, Routledge, New York, 2005, p. 6.
- 13 Joint Publication 3-0, *Joint Operations*, Government Printing Office, Washington, 2011, p. xi. This manual defines strategy as a set of ideas for “employing the instruments of national power in a synchronized and integrated fashion to achieve theater, national, and/or multinational objectives.”
- 14 Richard J. Kilroy, Jr. et al., *North American Regional Security: A Trilateral Framework?* Lynne Rienner Publishers, Inc., Boulder, CO, 2013, p. 43.
- 15 C. P. Stacey, “The Myth of the Unguarded Frontier, 1815-1871,” *American Historical Review*, Vol. 56, No. 1, October 1950, p. 4.
- 16 Roger Rindeau, *A Brief History of Canada*, Facts on File, Inc., New York, 2000, pp. 92–93; Stacey, pp. 1–18.
- 17 Stanley W. Dzuiban, *Military Relations between the U.S. and Canada*, U.S. Army in World War II, Special Studies, Government Printing Office, Washington, 1959, <http://www.history.army.mil/html/books/011/11-5/CMH_Pub_11-5.pdf>, accessed on October 17, 2015, p. 2. Despite lacking a formal defense relationship, the United States and Canada collaborated during World War I in the areas of military equipping, armaments, recruiting, and training.
- 18 Ibid., pp. 3–4.
- 19 John J. Noble, “Defending the United States and Canada, in North America and Abroad,” *Policy Options*, May 1, 2005.
- 20 H. L. Keenleyside, “The Canada-United States Permanent Joint Board on Defence, 1940-1945,” *International Journal*, Vol. 16, No. 1, Winter 1960/1961, p. 51.
- 21 Dzuiban, p. 26.
- 22 Shelagh Grant, *Sovereignty or Security? Government Policy in the Canadian North, 1936-1950*, UBC Press, Vancouver, British Columbia, 1988, pp. 57–59.
- 23 Philippe Lagassé, “Northern Command and the Evolution of U.S-Canada Defence Relations,” *Canadian Military Journal*, Vol. 4, No. 1, Spring 2003, <<http://www.journal.forces.gc.ca/vo4/no1/policy-police-01-eng.asp>>, accessed on December 23, 2015.
- 24 Joseph T. Jockel, *Canada in NORAD, 1957-2007: A History*, McGill-Queen’s University Press, Montreal, p. 35.
- 25 Grant, p. 160.
- 26 Donald Barry and Duane Bratt, “Defense against Help: Explaining Canada-U.S. Security Relations,” *American Review of Canadian Studies*, Vol. 38, No. 1, March 1, 2008, pp. 63–89, <<http://dx.doi.org/10.1080/02722010809481821>> accessed on December 14, 2015.
- 27 Ibid.
- 28 Dzuiban, p. 26.

- 29 Canadian Armed Forces, “ARCHIVED—The Permanent Joint Board on Defence,” October 11, 2001, <<http://www.forces.gc.ca/en/news/article.page?doc= the-permanent-joint-board-on-defence/hnmx19nf>>, accessed on February 20, 2016.
- 30 Dzuiban, p. 338.
- 31 Ibid., pp. 338–339.
- 32 Lagassé.
- 33 Jockel, p. 20.
- 34 Shannon K. O’Neil, “U.S.-Mexico Initiative,” Council on Foreign Relations, <<http://www.cfr.org/projects/world/us-mexico-initiative/pr1487>>, accessed on August 29, 2015.
- 35 Ana Gonzalez-Barrera and Mark Hugo Lopez, “A Demographic Portrait of Mexican-Origin Hispanics in the United States,” Pew Research Center’s Hispanic Trends Project, May 1, 2013, <<http://www.pewhispanic.org/2013/05/01/a-demographic-portrait-of-mexican-origin-hispanics-in-the-united-states/>>, accessed on August 28, 2015.
- 36 Christopher E. Wilson, *Working Together: Economic Ties between the United States and Mexico*, Mexico Institute, Woodrow Wilson International Center for Scholars, Washington, 2011, pp. 9–17.
- 37 Alberto Díaz-Cayeros and Andrew Selee, “Mexico and the United States: The Possibilities of Partnership,” *Academia*, April 21, 2010, <https://www.academia.edu/2562506/The_Dynamics_of_U.S.-Mexico_Relations>, accessed on January 18, 2016.
- 38 “Mexico Drug War Fast Facts,” CNN.com, January 26, 2016, <<http://www.cnn.com/2013/09/02/world/americas/mexico-drug-war-fast-facts/>>, accessed on February 2, 2016.
- 39 Daniel C. Levy and Kathleen Bruhn, *Mexico: The Struggle for Democratic Development*, 2nd ed., University of California Press, Berkley, 2006, p. 181.
- 40 Kilroy et al., p. 54.
- 41 Ibid.
- 42 David A. Shirk, *An Overview of U.S.-Mexico Border Relations*, Mexico Institute, Woodrow Wilson International Center for Scholars, Washington, 2015, p. 5; Tim L. Merrill and Ramón Miró, (eds.), *Mexico: A Country Study*, Government Printing Office, Washington, 1997, pp. 34–35, <<https://www.loc.gov/item/97013481/>>, accessed on December 15, 2015.
- 43 Kilroy et al., p. 54.
- 44 Ibid.
- 45 Díaz-Cayeros and Selee.
- 46 Kilroy et al., p. 56.
- 47 U.S. Department of State Office of the Historian, “Good Neighbor Policy, 1933,” <<https://history.state.gov/milestones/1921-1936/good-neighbor>>, accessed on January 3, 2016; Jorge I. Domínguez, “U.S.-Latin American Relations during the Cold War and Its Aftermath,” in Victor Bulmer-Thomas and James Dunkerley (eds.), *The United States and Latin America: The New Agenda*, Harvard University Press, Cambridge, MA, 1999, p. 39.

48 Kilroy et al., p. 59.

49 Council on Foreign Relations, “Timeline: U.S.-Mexico Relations, Revolution, and Migration (1810–1994),” <<http://www.cfr.org/mexico/us-mexico-relations-1810-present/p19092>>, accessed on January 3, 2016.

50 Kilroy et al., p. 59.

51 Ibid; U.S. Department of State Office of the Historian, “Mexican Expropriation of Foreign Oil, 1938,” <<https://history.state.gov/milestones/1937-1945/mexican-oil>>, accessed on January 4, 2016.

52 Stetson Conn and Byron Fairchild, *United States Army in World War II: The Western Hemisphere. The Framework of Hemisphere Defense*, Government Printing Office, Washington, 1960, p. 337; “Padilla Out,” *Time*, July 23, 1945, p. 52.

53 Ibid., p. 347.

54 Allen Wells, “Latin America during the Cold War,” Primary Source, May 27, 2015, <<http://resources.primarysource.org/content.php?pid=86804&sid=645699>>, accessed on January 31, 2016.

55 Jonathan Agustín González Torres, “U.S.-Mexico Military Cooperation: From World War II to the Mérida Initiative,” Americas Program, October 12, 2010, <<http://www.cipamericas.org/archives/3365>>, accessed on January 31, 2016.

56 Brian Woolworth, “Enhancing North American Security through Military to Military Relationships,” in Robert J. Bunker (ed.), *Mexican Cartel Essays and Notes: Strategic, Operational, and Tactical*, iUniverse, Inc., Bloomington, IN, 2013, pp. 173–175.

57 Lawrence Douglas Taylor Hansen, “The Origins of the Maquila Industry in Mexico,” *Comercio Exterior*, Vol. 53, No. 11, November 2003.

58 Ibid.

59 Ibid.

60 Council on Foreign Relations, “Timeline: U.S.-Mexico Relations, Revolution, and Migration (1810–1994).”

61 Ibid.

62 Shannon K. O’Neil, “Mexico Makes It,” *Foreign Affairs*, March 2013, pp. 52–63.

63 Levy and Bruhn, p. 194.

64 Luis Rubio, *Mexico Matters: Change in Mexico and Its Impact upon the United States*, Mexico Institute, Woodrow Wilson International Center for Scholars, Washington, April 12, 2013, p. v.

65 Ibid.

66 Christopher E. Wilson, *Working Together: Economic Ties between the United States and Mexico*, Mexico Institute, Woodrow Wilson International Center for Scholars, Washington, 2011, pp. 9–17.

67 Steven Dudley, *Transnational Crime in Mexico and Central America: Its Evolution and Role in International Migration*, Migration Policy Institute, Washington, 2012, p. 4.

68 Ibid., p. 4.

69 Ibid., p. 5.

70 U.S. Office of National Drug Control Policy, *National Southwest Border Counternarcotics Strategy*, Government Printing Office, Washington, 2013.

71 Hal Brands, *Mexico's Narco-Insurgency and U.S. Counterdrug Policy*, Strategic Studies Institute, Carlisle, PA, 2009, p. 20. More than 73,600 weapons seized in Mexico and traced from 2009 to 2014 originated in the U.S. This number represents 70 percent of the total traced; 17 percent of weapons were of non-U.S. origin, and the remaining 13 percent were of undetermined origin. See U.S. Government Accountability Office, *U.S. Efforts to Combat Firearms Trafficking to Mexico Have Improved, but Some Collaboration Challenges Remain*, Government Printing Office, Washington, 2016, <<http://www.gao.gov/assets/680/674570.pdf>>, accessed on March 4, 2016.

72 Evelyn Krache Morris, "Think Again: Mexican Drug Cartels: They Aren't Just About Mexico or Drugs Anymore," *Foreign Policy*, December 4, 2013, p. 1, <<http://foreignpolicy.com/2013/12/04/think-again-mexican-drug-cartels/>>, accessed on November 13, 2015.

73 Gretchen Peters, "Trans-Atlantic Dialogue: Combating Crime-Terror Pipelines," remarks presented during the "Prevention: Combating Corruption and Denying Safe Haven" panel during the Trans-Atlantic Dialogue, Washington, June 26, 2012, p. 1, <http://cco.ndu.edu/Portals/96/Documents/Articles/Trans-Atlantic_Dialogue_Gretchen-Peters-CTP-NDU-talk.pdf>, accessed on December 28, 2015.

74 "Mexico Drug War Fast Facts."

75 U.S. Office of the President, *Strategy to Combat Transnational Organized Crime: Addressing Converging Threats to National Security*, Government Printing Office, Washington, 2011, p. 5.

76 Kristin L. Finklea, *Southwest Border Violence: Issues in Identifying and Measuring Spillover Violence*, Congressional Research Service, Washington, February 29, 2013. Anecdotal reports of spillover violence exist, but U.S. federal officials refute claims of increased violent crime spilling over the border. However, they say they remain concerned about the prospect.

77 *Strategy to Combat Transnational Organized Crime: Addressing Converging Threats to National Security*, p. 3.

78 Ibid.

79 Ibid., p. 6.

80 Arthur Brice, "Iran, Hezbollah Mine Latin America for Revenue, Recruits, Analysts Say," CNN.com, June 3, 2013, <<http://www.cnn.com/2013/06/03/world/americas/iran-latin-america/>>, accessed on September 26, 2015; Stephen D'Alfonso, "Why Organized Crime and Terror Groups Are Converging," Security Intelligence, September 4, 2014, <<https://securityintelligence.com/why-organized-crime-and-terror-groups-are-converging/>>, accessed on September 3, 2015.

81 U.S. Department of State, "U.S. Relations with Mexico Fact Sheet," May 8, 2015, <<http://www.state.gov/r/pa/ei/bgn/35749.htm>>, accessed on November 12, 2015.

82 Enrique Peña Nieto, "Why the U.S.-Mexico Relationship Matters," Politico, January 6, 2015, p. 1, <<http://www.politico.com/magazine/story/2015/01/us-mexico-relationship-enrique-pea-nieto-113980>>, accessed on November 1, 2015.

83 Jude Webber et al., "Latin America Hails TPP Trade Opening," *Financial Times*, October 6, 2015, <<http://www.ft.com/intl/cms/s/0/e01c1fe0-6bb0-11e5-8608-a0853fb4e1fe.html>>, accessed on December 26, 2015.

- 84 “The Road to the High Level Consultative Group Meeting,” U.S. Embassy, Mexico City, <http://www.usembassy-mexico.gov/eng/merida/emerida_factsheet_roadtothehighleveltroupeeting.html>, accessed on February 6, 2016; “Mérida Initiative Bilateral Implementation Office Opens,” U.S. Department of State, August 31, 2010, <<http://m.state.gov/md146528>>, accessed on February 6, 2016.
- 85 Clare Ribando-Seelke and Kristin Finklea, *U.S.-Mexican Security Cooperation: The Mérida Initiative and Beyond*, Congressional Research Service, Washington, 2016, p. 10.
- 86 Roderic Ai Camp, “Armed Forces and Drugs: Public Perceptions and Institutional Challenges,” in Eric L. Olson, David A. Shirk, and Andrew Selee (eds.), *Shared Responsibility: U.S.-Mexico Policy Options for Confronting Organized Crime*, Woodrow Wilson International Center for Scholars, Washington, 2010, pp. 291–325.
- 87 Admiral William E. Gortney, Statement before the Senate Armed Services Committee, North American Aerospace Defense Command and United States Northern Command, Colorado Springs, CO, March 12, 2015, <http://www.norad.mil/Portals/29/Documents/Gortney_03-12-15_posture%20statement.pdf>, accessed on March 4, 2016.
- 88 Curt A. Klun, *War on Drugs: Lessons Learned from 35 Years of Fighting Asymmetric Threats*, Project on National Security Reform, Washington, 2010, p. 6.
- 89 *Ibid.*, p. 11.
- 90 *Ibid.*, p. 6.
- 91 U.S. Government Accountability Office, *Better Coordination with the Department of Homeland Security and an Updated Accountability Framework Can Further Enhance DEA’s Efforts to Meet Post-9/11 Responsibilities*, Government Printing Office, Washington, 2009.
- 92 Jockel, p. 35.
- 93 *Ibid.*, p. 36.
- 94 Jerome P. Bjelopera and Kristin M. Finklea, *Organized Crime: An Evolving Challenge for U.S. Law Enforcement*, Congressional Research Service, Washington, 2012, p. 1.
- 95 *Ibid.*, p. 23.
- 96 Craig A. Deare, *U.S.-Mexico Defense Relations: An Incompatible Interface*, National Defense University Press, Washington, July 2009, p. 9.
- 97 “The Mexican-American Boom: Births Overtake Immigration,” Pew Research Center Hispanic Trends, July 14, 2011, <<http://www.pewhispanic.org/2011/07/14/the-mexican-american-boom-brbirths-overtake-immigration/>>, accessed on February 4, 2016.
- 98 Juliana Menasce Horowitz, “How Mexicans See America,” Pew Research Center Global Attitudes and Trends, May 1, 2013, <<http://www.pewglobal.org/2013/05/01/how-mexicans-see-america/>>, accessed on March 5, 2016.

The Tumultuous Recent History of U.S. Stabilization and Reconstruction Efforts: The Way Ahead?

by David A. Anderson

The U.S. has been directly involved in some level of foreign stabilization and reconstruction effort since the end of World War II (WWII): from the occupation and reconstruction of post-WWII Japan/Germany, the European Recovery Program (Marshall Plan), to civil operations and revolutionary development support (CORDS) in Vietnam, to recent efforts in Iraq and Afghanistan. The one common denominator that resonates is that the U.S. military and U.S. interagency required varying degrees of direct involvement to be successful—with notable reliance on the military to support/execute these efforts regardless of who was directly responsible.

Another commonality is that both entities almost unilaterally dissolved most of their capabilities and capacities to conduct these activities once their efforts were completed. This proved problematic in supporting the Iraq and Afghanistan wars, where the military was held directly responsible for stabilization and reconstruction activities at the onset of both wars. What follows are the efforts put forward by the Department of State (State) and United States Agency for International Development (USAID) to rectify the situation for both in the short-run and long-run, to avoid the ultimate inertia that led to the failings of such efforts.¹ Finally, a way ahead is provided that requires unremitting mutual cooperation at multiple levels between State, USAID, and the military to ensure enduring success in future stabilization and reconstruction operations.

The Office of the Coordinator for Reconstruction and Stabilization

The Office of the Coordinator for Reconstruction and Stabilization (S/CRS) was established in 2004 to enhance U.S. security “through improved coordination, planning and implementation for Reconstruction and Stabilization assistance for foreign states and regions at risk of, in transition

David A. Anderson is a retired U.S. Marine Corps officer. He is currently a Supervisory Professor and the William E. Odom Chair of Joint, Interagency, and Multinational Operations at the U.S. Army Command and General Staff College, Fort Leavenworth, Kansas. He holds a doctorate degree in business administration with emphasis in international business and development economics. He has published over sixty articles on military, economics, international relations, and interagency related topics.

from, conflict or civil strife.”² S/CRS was created for filling a coordination void between the Military, its planning and execution of operations, and its interagency counterparts who play an essential role in orchestrating stabilization and reconstruction efforts. This principally meant coordination with State and USAID who have the greatest vested interest in seeing to the social, political, and economic well-being in states of consequence to the U.S. and its allies. The inherent vacuum was made readily apparent throughout stabilization and reconstruction efforts during the Afghanistan and Iraq wars.

S/CRS faced much more bureaucratic resistance along the way, particularly within State and USAID.

S/CRS purpose was officially outlined in National Security Presidential Directive 44 (NSPD-44) signed by President Bush in December 2005. NSPD-44 replaced NSPD-24 which had been in effect since January 2003. NSPD-24 directly placed the handling of post-conflict responsibilities on the Department of Defense (DoD). NSPD-44 ended the militarization of stabilization and reconstruction activities, activities the military was assessed as performing poorly.³

The DoD lauded NSPD-44 and was more than happy to steer stabilization and reconstruction requirements toward the interagency. The Secretary of Defense even put out a DoD Instruction (DoDI 3000.05) making stability operations equally as important as combat operations, noting the importance of and necessity for military and interagency cooperation.⁴ Interagency synergies were gained with the DoD through such things as planning and coordination activities, military academic institutional collaboration, training

and exercises, and Geographic Combatant Commander supported operations.

NSPD-44 also directed S/CRS to coordinate budget requirements with other appropriate Stabilization and reconstruction interagency organizations. S/CRS started with an initial budget of \$17 million dollars, enough only to hire 37 of the 80 personnel Ambassador Carlos Pascual, the Coordinator for S/CRS, thought necessary.⁵ DoD subsequently transferred \$100 million dollars through Section 1207 of the National Security Authorization Act for 2006 to S/CRS to aggressively start their efforts.⁶

S/CRS faced much more bureaucratic resistance along the way, particularly within State and USAID. To begin with, neither the Secretary of State, Colin Powell nor his Deputy Secretary Richard Armitage endorsed its creation. Not surprisingly, funding and staffing issues ensued.⁷ There was even a lack of agreement between agencies on what constituted reconstruction and stabilization.⁸ Many existing State Bureaus claimed S/CRS was redundant relative to their own responsibilities. Specific examples include State’s Bureau of Security, Democracy and Human Rights, its offices of Political-Military Affairs, and numerous regional Political Affairs Offices.⁹ USAID’s Bureau for Democracy, Conflict and Humanitarian Assistance, and its Offices of Foreign Disaster Assistance, Conflict Mitigation and Management, Civilian-Military Cooperation, and geographically focused bureaus, inherently had most of the capabilities and competing responsibilities prescribed to S/CRS in NSPD-44.¹⁰ The Director of U.S. Foreign Assistance (DFA) and S/CRS fought over monies because of perceived role redundancies and responsibilities.¹¹ Furthermore, embassies in countries targeted by S/CRS felt little need for and/or had little confidence in the fledgling organization. Eventually, differences in planning capacity, processes, collaboration, and resources between S/CRS and the interagency as a whole, resulted in insignificant synergistic achievements

with the military.¹²

In 2008, Congress finally codified S/CRS and appropriated \$140 million dollars to expand its capacity and capabilities. The preponderance of which was toward advancing the concept of a Civilian Response Corps (CRC), a core competency mission to be manned by applicable government agencies in order to rapidly deploy to conflict areas.¹³ The deployable pool of qualified personnel was to fit within a three tier system. The first tier consisted of the Active Response Corps (ARC). These personnel were assigned by their respective U.S. government agency to be readily deployable to respond to an international crisis. The second tier consisted of a Standby Response Corps (SRC), a cadre of personnel consisting of civilian government volunteers possessing critical skillsets necessary to augment that of the ARC. The third tier of personnel, the Civilian Reserve Corps, was to consist of U.S. civilian volunteers with special skills sets (e.g. engineers and public administrators) that could deploy for up to a year.¹⁴ Getting personnel committed to the ARC and SRC proved problematic. Agencies committing people did not receive personnel backfills to replace those that were supporting CRC.

It took until 2010, five years from its inception, for S/CRS to get a formal budget line. By this time only one CRC member had made it to Iraq and only 130 had made it to Afghanistan. Of the \$140 million dollars appropriated by Congress for S/CRS for 2010, \$70 million dollars was ultimately rescinded.¹⁵ S/CRS requested \$184 million dollars for fiscal year 2011 to make-up ground lost in 2010, but received just \$40 million dollars.¹⁶ Over the next five years CRC struggled building its ARC/SRC force, sending merely 235 personnel on approximately 400 engagements to forty countries.¹⁷ Development of the Reserve Corps became even more problematic because of training, compensation, competitive hiring, and legal issues, to name just a few. Ultimately, Congress never authorized the

Reserve Component of the force, even though both the Bush and Obama administrations endorsed the funding requirement.

S/CRS eventually failed to win over State/USAID¹⁸ agencies and U.S. embassies who saw no real need for S/CRS, believing existing systems worked just fine.¹⁹ The fate of S/CRS was sealed when it was overlooked as an option in addressing the 2010 Haiti earthquake disaster. Subsequently, the 2010 State-USAID Quadrennial Diplomacy and Development Review (QDDR) eventually moved S/CRS out from the Office of Secretary of State, relegating it to Bureau status and renaming it the Bureau of Conflict and Stabilization Operations (CSO). CSO became one of eight organizations falling beneath the Under Secretary for Civilian Security, Democracy, and Human Rights.²⁰

The fate of S/CRS was sealed when it was overlooked as an option in addressing the 2010 Haiti earthquake disaster.

The Bureau of Conflict and Stabilization Operations

CSO was to be the new “institutional locus for policy and operational solutions for crisis, conflict, and instability” and the nexus for a coordinated whole-of-government effort.²¹ The 2010 QDDR mandated that CSO enhance CRC capabilities and capacity over that initiated by S/CRS so the U.S. could better respond judiciously to conflict. Seeking a better approach for effective engagement, CSO struggles with its identity and sense of worth within State and throughout the interagency. It has not fared any better than its predecessor. This struggle is exacerbated by a precipitous decline in budget. Its budget went from \$43.5 million dollars in FY 2012²² down to \$21.6 million dollars for FY 2017.²³ Beginning in 2012, under Ambassador

Rick Barton, CSO dramatically deviated from CSO's mandate due to budgetary and relative value issues.²⁴ By 2013 the CRC was down to 68 personnel due to repeated budget cuts.²⁵ The CRC was eventually disbanded, essentially ending direct collaboration with other stabilization and reconstruction efforts in a whole-of-government manner.²⁶ Conflict prevention now became the priority.²⁷

USAID's Office of Transition Initiatives is almost exactly that of CSO.

The fallout from this turbulence led to a scathing, March 2014, U.S. Inspection General Report (OIG). The report identified forty-three formal operational organization deficiencies and five informal deficiencies, accompanied by recommendations for corrective action. Some of the identified problems follow; The OIG reported that it has no evidence that CSO "plays any interagency coordination role" with other national security government agencies whose purpose is related to conflict resolution. CSO has not had an interagency coordination meeting in Washington, DC since 2012.²⁸ In fact, CSO has done a poor job communicating its purpose internally and externally, let alone establish itself as "the locus for policy and operational solutions for conflict and instability."²⁹ Those bureaus and agency offices that do understand CSO's role do not accept it and see much of its mandate as redundant to the missions of their organizations.³⁰ Similar to that of S/CRS, numerous interagency organizations work identical issues to that of CSO. Additional redundant capabilities are found in the State Bureaus of Democracy, Human Rights and Labor. It promotes democracy and rule of law, including free and fair elections; the Bureau of Near East Affairs' Middle East Partnership Initiative manages programs that

support democratic transition in the region; and the Bureau of International Narcotics and Law Enforcement trains police.

USAID has experience, infrastructure, and programs in place in most nations facing conflict.³¹ These programs include overseas development offices that produce five-year country development strategies. Complex Crises Fund monies are available for conflict prevention purposes and to react to unanticipated complex crisis situations. The funds focus on countries or regions that have a propensity for conflict, crisis, volatility, or atrocities. They may also be utilized for unforeseen occasions that arise in supporting democratization of historically insecure states.³² USAID's Office of Transition Initiatives is almost exactly that of CSO.³³ Transition Initiative funding favors plans that address "political crisis, preventing and mitigating conflict, and stabilization needs in countries important to U.S. foreign policy."³⁴

Further hindering its effective functioning, OIG notes that CSO is not structurally organized well, which often creates situations where individuals find themselves reporting to multiple supervisors.³⁵ It is administratively inept, lacking fundamental standard operating procedures for securing and managing a wide array administrative functions. CSO is riddled with the mismanagement of personnel and financial resources. In 2013, CSO spent some \$450,000 of a two million dollar budget on the travel of twenty-eight staff members, over the course of a year, to Honduras in executing its non-violence campaign. Whereas, USAID's Office of Transition Initiatives had three staff members orchestrating a \$12 million dollar budget for a similar program in Honduras—two in country and one back in Washington, DC.³⁶

In conducting engagements in foreign countries, CSO advertises quick results, activities requiring less than eighteen months. However, it has no exit transition planning procedures and often goes beyond the eighteen month

threshold.³⁷ CSO “has diminished, rather than enhanced, a whole-of-government approach, with few exceptions, most notable Syria has not engaged in recognized high-priority conflicts of national security interest.”³⁸ Other CSO actions replicated what USAID bureaus were already doing (e.g. in Kenya and Burma). CSO has merely been effective in supporting U.S. embassy country teams, as needed.³⁹ Finally, morale is poor and it suffers from a high turnover rate among its employees. For example, from February 2012 to August 2013, CSO lost 54 percent of its staff.⁴⁰ CSO has also had a number of Equal Employment Opportunity harassment and hostile work environment complaints waged against it.⁴¹

Exacerbating CSO’s situation is that stabilization and reconstruction activities are now competing with other U.S. foreign policy and security priorities within the interagency (e.g. preventing/combating terrorism, violent extremism, international crime, cyber-attacks, extreme poverty, human atrocities, human trafficking). Beginning with the Congressional Appropriations Act for 2014, CSO is no longer provided dedicated funding.⁴² It lives off Section 1207 money provided by the DoD.⁴³ As with its predecessor S/CRS, CSO has failed as a lead planner and coordination agent for stabilization and reconstruction activities.

Assessment

S/CRS was a commendable but ill-conceived and ill-fated idea. It was born out of the struggles and shortcomings of the military’s efforts in conducting stability and reconstruction operations in the early years of the Iraq and Afghanistan wars; missions the military was not prepared or equipped to do to the extent needed. The interagency institutions best suited to either orchestrate, lead, and/or execute these affairs were completely under resourced. Collectively, they were not manned, equipped, nor had the necessary funding to execute their steady state

mission, while conducting stabilization and reconstruction endeavors of such scale and intensity. S/CRS tried to work around this circumstance by establishing the CRC, but never received the necessary State, USAID, and Congressional support to effectively implement the plan. Even with the extensive funding support provided by the DoD to shore up its efforts, the interagency lack of capacity and appetite for committing large numbers of personnel for major stabilization and reconstruction missions meant the military was largely left in charge of organizing and conducting the stabilization and reconstruction phase of these wars.

...the establishment of CSO as a replacement to S/CRS now appears a superficial gap for State...

The Department of State certainly finds value in supporting as well as conducting stabilization and reconstruction activities. It does have a deeply rooted institutional investment in this realm recognizing the important diplomatic linkage stabilization and reconstruction has in executing its foreign policy mission. To this end, State does oversee U.S. embassies and their diplomatic efforts around the world. Each U.S. embassy possesses some semblance of a country specific integrated strategic plan and overarching policy goal that advocates such things as stable and secure partners. However, the establishment of CSO as a replacement to S/CRS now appears a superficial gap for State to keep its proverbial foot directly in the door of influence for the conduct of future stabilization and reconstruction operations. Not as a direct means to an end, but maybe even a power play of sorts between departments.

USAID with its dual-hatted Director of Foreign Assistance (DFA) is best positioned

to coordinate planning and executing efforts among interagency entities needed in conducting stabilization and reconstruction type activities. The DFA position provides an important authority that can bridge State and USAID focus of effort between their differences in operating time horizons while conducting stabilization and reconstruction. This cohesion is important beyond the obvious. It will ensure that State's fundamental shorter-term mission focus is appropriately aligned or nested with

USAID with its dual-hatted Director of Foreign Assistance (DFA) is best positioned to coordinate planning and executing efforts among interagency entities needed in conducting stabilization and reconstruction type activities.

USAID's innate longer-term mission focus. Additionally, "DFA provides strategic direction and guidance to all other foreign assistance programs delivered through various agencies and entities of the U.S. government."⁴⁴ DFA is also best postured to collaborate with other liked-minded countries such as Canada, UK, and Australia. The added advantage is that USAID has with its core economic assistance and innate conflict prevention components, forged in the Foreign Assistance Act of 1961,⁴⁵ an inherent organization that collectively performs most of CSO's mission. Further solidifying its importance in leading the interagency effort.

Faced with so many competing priorities and a small operational footprint relative to its military counterpart, the interagency is not likely to be able to do much beyond providing applicable department planning expertise, a number of practitioners to perform department specific activities, and execution oversight in support of post-conflict stabilization and

reconstruction operations. This means many actionable stabilization and reconstruction functions will inevitably be performed by the military, supplemented by an array of contracted agents representing interagency entities, the military, non-governmental organizations, international partners and institutions, as was the case in Iraq and Afghanistan. This experience must be collectively leveraged for future planning.

A common ground of understanding and expectation management for participation in stabilization and reconstruction activities must be advanced. Regular structured means of collaborative dialog must become the norm between all parties with a vested interest in stabilization and reconstruction efforts. All entities must be prepared to make role and responsibility compromises for the collective good. The military must embrace a permanent, expanded stabilization and reconstruction role, including crisis prevention capability that is naturally interwoven as it is within State and USAID, yet with greater capacity. The military also must leverage its Geographic Combatant Commanders theater security cooperation programs in developing and advancing coordination of the building of necessary skillsets in preventing hostilities. It must include leveraging the Joint Interagency Coordination Group resident in each Geographic Combatant Command and the embassy country teams of those countries located in the area of operation of Geographic Combatant Commands. This will nest nicely with the defaulted role of "conflict prevention" CSO assumed as its capabilities and budget eroded.

Conclusion

The bottom line is that fragile states of vital national security interest to the U.S. and its allies reside all around the world. At risk states range from those on the verge of imminent collapse to those with warning indicators signaling a high

probability of internal conflict/crisis. The Fund for Peace 2015 Fragile State Index classifies 65 of 178 countries it tracks as ranging in fragility from “very high alert” to “high warning” countries.⁴⁶ The U.S. needs a comprehensive, responsive, flexible, and agile means to respond proactively to prevent situations from evolving into conflict, while maintaining a capacity to conduct post-conflict stabilization and reconstruction. This must emerge from the impending ashes of CSO and be led by DFA in conjunction with its military counterparts, the primary actionable executors of stabilization and reconstruction activities. With certainty, the U.S. military will be called upon to conduct stabilization and reconstruction in future operations. This is a capability the military must readily embrace. By leaning forward the U.S. military will be much better postured to handle these activities when invariably called to do so. **IAJ**

Notes

1 Other interagency entities as a whole are involved in these activities, such as the Department of Justice and the Department of the Treasury. Their involvement, interests, and positions regarding stabilization and reconstruction is understood to be captured in general terms with that of State and USAID.

2 U.S. State Department. “Office of the Coordinator for Reconstruction and Stabilization,” <http://2001-2009.state.gov/s/crs/c12936.htm>. (accessed 16 November 2016).

3 Price, Heather. “The Future of S/CRS-What’s in a Name?” (Article excerpt) *Stability Operations*, <http://www.questia.com/magazine/1P3-2304323001/the-future-of-s-crs-what-s-in-a-name...> (accessed 25 November 2016).

4 McCannell, Ryan S., “The Fate of the Civilian Surge in a Changing Environment,” United States Army War College Press, PKSOI Paper, 2016: 4.

5 Buss, John C. “The State Department Office of Reconstruction and Stabilization and Its Interaction with the Department of Defense,” Issue Paper, *Center for Strategic Leadership*, U.S. Army War College, Volume 09-05 (July 2005): 2.

6 McCannell, 4.

7 Price, 3.

8 United States Government Accounting Office (GAO), Report to Congressional Requesters, “Stabilization and Reconstruction: Actions are Needed to Develop a Planning and Coordination Framework and Establish the Civilian Reserve Corps,” GAO-08-39. <http://gao.gov/assets/270/269092.html> (accessed 25 November 2016): 8.

9 USAID, “Bureau For Democracy, Conflict and Humanitarian Assistance,” <https://www.usaid.gov/who-we-are/organization/bureaus/burea-democracy-conflict-and-...> (accessed 27 December 2016).

10 USAID. “Who we are...,” <https://www.usaid.gov/who-we-are/organization...> (accessed 27 December 2016).

11 GAO, 15.

12 GAO, 2, 14-16.

13 McCannell, 7.

- 14 GAO, 2 and 19.
- 15 Prevention and Protection Working Group (PPWG): (Friends Committee on National Legislation), “Bureau of Conflict and Stabilization Operations,” Fact Sheet.
- 16 PPWG, 1.
- 17 Ibid, 1.
- 18 GAO, 13.
- 19 McCannell, 9.
- 20 Department of State and U.S. Agency for International Development, “The First Quadrennial Diplomacy and Development Review: Leading Through Civilian Power,” 2010.
- 21 Ibid.
- 22 PPWG, 1.
- 23 114th Congress. House of Representatives, 2d Session, “State, Foreign Operations and Related Programs Appropriations Bill, 2017,” Report 114:18.
- 24 McConnell, 10.
- 25 PPWG, 1.
- 26 McCannell, 10.
- 27 Miles, Renanah. “The Foreign Policy Essay: The (Many) Hurdles to U.S. Stabilization Operations,” *Lawfare*, 5 February 2014, <http://www.lawfareblog.com/foreign-policy-essay-many-hurdles-us-stabilization-operations...> (accessed 16 November 2016):5.
- 28 United States Department of State and the Broadcasting Board of Governors (Office of Inspector General), “*Inspection of the Bureau of Conflict and Stabilization Operations*,” ISP-I-14-06 (March 2014):5.
- 29 Ibid, 3.
- 30 Ibid, 6.
- 31 Speroin, Domani. “QDDR II Walks Into a Bar and Asks, What Happened to the Bureau of Conflict and Stabilization Operations?” *Diplo pundit*, 6 May 2015: 9-10.
- 32 Department of State, “Congressional Budget Justification: Foreign Operations, and Related Programs,” Fiscal Year 2017. <http://www.usaid.gov/sites/default/files/documents/9276/252179.pdf> (accessed 23 December 2016): 151.
- 33 OIG, 13.
- 34 Department of State, 86
- 35 OIG, 7.
- 36 Ibid, 13.
- 37 Ibid, 12.

38 Ibid, 3.

39 Ibid.

40 Ibid, 8.

41 Ibid, 9.

42 Miles, 2.

43 OIG, 17.

44 Agency for International Development, "A Brief History of U.S. Diplomacy," <http://www.usdiplomacy.org/state/abroad/udaid.php> (accessed 9 December 2016).

45 University of Colorado, Geography Department, "USAID History," www.colorado.edu/geography/class_homepages/.../History%20of%20USAID.doc (accessed 18 January 2017): 3-4.

46 The Fund for Peace, "Fragile States Index 2015," <http://fsi.fundforpeace.org/rankings-2015> (accessed 13 January 2017).

GET YOUR COMMAND AND GENERAL STAFF COLLEGE CLASS RING AT THE CGSC FOUNDATION GIFT SHOP



Prices start at \$305 for metal alloy. 10K Gold & White Gold, 14K Gold & White Gold and 18K Gold & White gold available • 13 stone colors to choose from • Initials engraved free; full name \$15 extra
Allow 6-8 weeks for delivery • Visit the gift shop for more information and to place your order

Visit the CGSC Foundation Gift Shop in Room 1149 (next to the barber shop) in the Lewis and Clark Center to order your ring today.

Stay connected with your U.S. and International classmates... Sign up for the free alumni outreach website at <http://alumnioutreach.cgscfoundation.org> or just click on Alumni Outreach from www.cgscfoundation.org to get started.

Call 913.651.0624 to order TODAY!

Or come by the CGSC Foundation in The Lewis and Clark Center, Suite 1149 during normal business hours.

100 Stimson Ave., Suite 1149 • Fort Leavenworth, KS 66027 • ph: 913-651-0624 • fax: 913-651-4519 • email: office@cgscf.org • www.cgscfoundation.org
facebook.com/CGSCFoundation • LinkedIn.com/CGSCFoundation

Civil Affairs History and Doctrine:

From Military Government to Interagency Partner

by **Thomas R. Geisinger**

Our military is postured globally to protect our citizens and interests, preserve regional stability, render humanitarian assistance and disaster relief, and build the capacity of our partners to join with us in meeting security challenges. U.S. forces will continue to... conduct global counterterrorism operations, assure allies, and deter aggression through forward presence and engagement.

—The White House, National Security Strategy

The 2014 Army Operating Concept (AOC), “Win in a Complex World,” stresses the need for American military power to prevent conflict and shape future wars as much as win them.¹ To do this, U.S. forces must take advantage of joint and interagency capabilities across multiple domains and create unprecedented levels of coordination among its instruments of national power. The AOC, therefore, emphasizes the need to develop “foundational capabilities that permit effective integration of military, interorganizational, and multinational efforts.”²

While peer and near-peer threats remain the most dangerous considerations in preparing for future warfare, a lower-intensity conflict, such as the one against the Islamic State of Iraq and the Levant (ISIL), is historically more likely. Such conflicts tend to be population-centric and rely on a mixture of “hard” and “soft” power as well as the cooperation of the Department of State (State) and Department of Defense (DoD).

The U.S. Army Civil Affairs (CA) regiment is a key asset in this series of low-intensity conflicts. CA teams provide a supported U.S. country team or military commander with the ability to stabilize threatened areas, develop productive relationships with key leaders in the civil society in a host nation, and positively impact the perception of U.S. forces and partnered governments.

Major Tom Geisinger is a Civil Affairs officer assigned to the 96th Civil Affairs Battalion and currently deployed in support of Operation Inherent Resolve. He has deployed throughout the U.S. Central Command area of responsibility and was an instructor at the Civil Affairs Qualification Course.

CA is a vital tool in a modern interagency effort to develop relationships with local leaders, act as an implementer for development projects, and further U.S. diplomatic objectives. Unfortunately, the CA regiment still maintains vestigial structures and doctrines from its historical mission that render it less effective in the modern security environment. CA reserve component (RC) forces are primarily designed to execute military government missions with a heavy-force mix of specialists in functional roles such as rule of law and public education. Active component (AC) CA forces are generalists who support special operations missions and receive a much lengthier regimen of language, culture, and tactical training.

This paper will illustrate that military philosophy regarding civilians on the battlefield, martial law, and stability operations has undergone significant changes throughout recent American history, and that CA and military government doctrine has not traditionally fit within the prevailing concept and doctrine of U.S. Army warfighting.

Civil military engagement (CME) is the primary mission of the AC CA force. Though this is the most prudent application, given the present national security strategy, CME is a significant departure from historical CA missions. Traditionally, civil considerations fell under the purview of a combat commander and staff alone. This state of affairs only officially changed after World War II when the U.S. Army foresaw the mission of governing millions of people in liberated and occupied territories. Though civil affairs operations (CAO) are now seen as a natural component of military operations (particularly during Phase IV, stability operations), the Army came only reluctantly to that conclusion.

The mobilization required for victory in World Wars I and II and the size of the occupied and liberated populations in Europe and Asia compelled the Army to create a military

government apparatus of unprecedented size and capability. A smaller military government mission in Korea receives much less popular attention but was still successful in bringing a successful transition from Japanese Imperial occupation to democratic rule, however short-lived.³

In the periods after each of the World Wars, the Army lost interest in the details of governing occupied territory and attempted to distance itself from the subject.

In the periods after each of the World Wars, the Army lost interest in the details of governing occupied territory and attempted to distance itself from the subject. The postwar edition of the *Field Services Regulations* (FSR) removed the few paragraphs dedicated to military government, leaving only some excerpts of the Laws of War and Geneva Convention of 1906.⁴ The changes may have been a deliberate attempt not to acknowledge the fact that U.S. troops were committed to the postwar occupation of the German Rhineland. After the Korean military government (and CA operations during the Korean War from 1950–1953), the Army began to doctrinally divest itself of the term “military government” and placed it under the CA mission. Though the force would retain a CA capability within the reserves after Korea (the first time the Army would maintain CA Soldiers during peacetime), their training and readiness levels would not allow them to contribute meaningfully to the 1965 intervention in the Dominican Republic and left them severely understaffed and underprepared for the conflict in Vietnam.

Since the establishment of the AC CA branch in 2006, CA teams have found a new utility, augmenting U.S. diplomatic efforts through CME, with the aim of helping to prevent

and deter conflict in failed and threatened states. Unfortunately, the history of CA doctrine and training do not correlate with its new means of peacetime employment.

Civil affairs and military government usually fall to the Army when the need inevitably emerges after conflict.

Title X U.S. Code enumerates ten core Special Operation Forces (SOF) activities. Though the CA regiment plays a supporting role in several core SOF activities, CAO, specifically, encompasses those operations conducted by CA forces that:

- Enhance the relationship between military forces and civil authorities in localities where military forces are present.
- Require coordination [with] other interagency, intergovernmental, and nongovernmental organizations; indigenous populations and institutions; and the private sector.
- Involve application of functional specialty skills that normally [are] the responsibility of civil government to enhance the conduct of civil-military operations.

These duties involve employment of CA forces during all phases of conflict and throughout the range of military operations and require highly-flexible and rapidly-deployable forces.

Historically, a lack of peacetime emphasis on CA training and a disconnect with the Army's prevailing operating concepts have translated into an unprepared CA capability at the outset of conflict and at the beginning of post-conflict stability operations. This paper outlines the history of CA training and doctrine and analyzes its effects after the outbreak of conflict.

The Problem

Civil affairs and military government usually fall to the Army when the need inevitably emerges after conflict. In the beginning, administration of occupied areas and their populations fell to commanders as an additional duty. Even after the Army realized that CA and military government specialists were required in the aftermath of World War I, it was indifferent toward the field. Because of this lack of foresight, Army CA forces are usually inadequately trained and equipped at the outset of conflict and at the beginning of stability operations, when the importance of CAO/CMO is greatest. In addition, CA training and doctrine has not historically been sufficient to meet wartime needs. This reluctance to commit resources to CA forces in advance of conflict has proven costly. Deep cuts to CA training and readiness budgets in the 1970s through the 2000s rendered the Army's CA force unprepared to assist with the vast responsibilities in governing and stabilizing Iraq. After major combat operations in Iraq ended in 2003, the Army was ill-equipped to address the problems associated with military government, despite having a large number of units supposedly dedicated to the purpose.

The present-day CA regiment is employed in a worldwide engagement mission which, while needed, represents a departure from its traditional role. The 2008 establishment of CME as a U.S. Special Operations Command (USSOCOM) program of record presaged a transition for the regiment to assume primarily Title XXII missions to support defense, development, and diplomatic (3D) objectives aligned with national security guidance and the Army's current operating concept. While new CA doctrine, Army Techniques Publication (ATP) 3-57.80, *Civil-Military Engagement*, has accounted for this shift, the regiment, particularly the RC, is not properly structured and trained for CME. Peacetime indifference to CA capabilities and

unpreparedness for stability operations will continue into the future unless the Army takes proactive measures to support its CA forces.

Doctrinal Foundations of Civil Affairs

In order to assess whether Army CA has historically been prepared in peace to fulfill its wartime missions, it is essential to assess how well Army officers and leaders understand the human dimension of their operational environment.

Civil affairs capabilities have developed steadily over time to provide commanders with more options; however, the relatively recent change in the Army's operating concept lends the CA regiment to a larger role in persistent engagement. The modern CA force has evolved in a way that emphasizes military government missions and specialty functions within Military Occupational Specialty (MOS) 38, Civil Affairs. Most of the current force is, therefore, not optimized to conform to current national security guidance, which stresses functions such as security forces assistance, foreign internal defense, and persistent low-intensity engagement. Developing both staff officers and tactical teams that specialize in local population engagement is essential to a modern expeditionary army.

When assessing value in CME, there are useful lessons to draw from the history of the U.S. Army's doctrinal approach to CA and military government. The term military government, first appearing in the Army's 1905 FSR, was defined as the "suspension, by the occupying military authority, of the domestic administration and government in the place or territory occupied; in the substitution of military rule and for the same; and in the dictation of general laws, as far as military necessity requires this suspension, substitution, and dictation."⁵ The term is carefully distinguished in the text from martial law and military oppression and recommends less stringent rule in "fully

occupied and passive" areas.⁶

The 1910 version of the FSR focused almost exclusively on the rights of inhabitants in occupied territory. Commanders were to minimize damage to the population "as far as possible," but discretion for occupational governance was entirely in the hands of the commander and his staff. The Army also recognized the International Red Cross as a humanitarian entity with rights and privileges resembling a modern nongovernmental organization (NGO).

Developing both staff officers and tactical teams that specialize in local population engagement is essential to a modern expeditionary army.

The 1914 version noted that military police were responsible to "maintain order throughout the area or areas occupied by the organizations to which they have been assigned [and to] protect the inhabitants of the country and their property against violence and prevent excesses of all kinds."⁷

The final 1923 FSR made no substantive changes to the Army's official view of civilians on the battlefield or the lawful occupation of enemy territory.

In 1925, the Army's Command and General Staff College produced *Military Aid to the Civil Authority*, which includes a detailed history of Army support to civil administration and recommended techniques for tactical-level leaders in establishing martial law and dealing with domestic disturbances within the laws of war. Its case studies and scenarios place the entire responsibility for military government at the commander and his staff's discretion.

In 1939, the Army began to seriously consider the possibility of another general war

on the European continent and published FM 100-5, *Tentative Field Service Regulations, Operations*. The manual did not address what are now called stability operations, but it did begin to consider the importance of local populations on warfighting. A section was devoted to the implications of guerilla warfare in rear areas, mostly from the perspective of lawful and organized combatants, and was framed to prepare Army officers to lead guerilla operations as well as oppose them.⁸

In 1943, the first purely CA doctrine in Army history was published. Field Manual (FM) 41-10, *Military Government and Civil Affairs*, advised prospective CA staff officers on basic functions such as protection of cultural monuments and artifacts, lawful use of force in occupied areas, and other administrative duties. In 1949, some of this language changed to advise leaders to actively enlist the support of “native elements to form small constabulary-type units,” although no mention was made of governing or pacifying liberated or occupied zones.⁹

In 1943, the first purely CA doctrine in Army history was published. Field Manual (FM) 41-10, *Military Government and Civil Affairs*, advised prospective CA staff officers...

After the Korean conflict, the Army issued an update of FM 41-10, which remained focused on the responsibilities of a staff officer participating in large-scale, military government operations. Its stated primary objectives are to help the CA officer and his parent unit support military objectives, fulfill obligations arising from treaties, support and implement national policy, and provide for the transfer of responsibility from a military commander to a designated civil agency or government.

In 1962, CA finally appears in Army capstone doctrine, FM 100-5, *Field Service Regulations, Operations*, as an augmentation to unconventional warfare operations. The manual introduced two concepts. The first was the “spectrum of conflict”—cold war on one end and general war on the other. The center portion, limited war, came to characterize most of the conflict in the Cold War era and significantly affects the way commanders view CA and military government forces:

In military operations against irregular forces the civilian support rendered to either our own or allied forces and the irregular forces is often of such importance as to mean the difference between success and failure. Success is dependent upon a definite program of civil affairs and psychological warfare activities to create proper attitudes and relationships with the people in the area both as individuals and as members of the community. The acceptance and understanding of this program by the civilian population are vital to its success. The commander must be provided with the full capability of conducting the civil affairs activities required to accomplish his objective.¹⁰

This iteration of FM 100-5 discusses unconventional warfare and its implications, and CA factors prominently in a commander’s ability to influence local populations, control and recruit from refugee groups, counter an adversary’s attempt at unconventional warfare operations, and defeat adversary irregular forces. CA forces also support a conventional commander with counterintelligence screening and populace and resource control measures. Additionally, the text coined the term “civic action” as any action performed by the military forces utilizing available human and material resources for the well-being and improvement of the community.¹¹

“Situations short of war,” the second concept, was an admission that the Cold War had

artificially suppressed the tendency of conflict to escalate in relation to the means available. U.S. participation in such situations included new doctrinal roles for commanders, such as encouraging and stabilizing weak governments, deterring and thwarting aggression, and maintaining and restoring order to threatened areas.¹²

Expanding on its new approach, the 1968 update to FM 100-5 added support to commanders from other government agencies, such as staff representatives from State, the U.S. Agency for International Development (USAID), and the Central Intelligence Agency (CIA). Instructions for dealing with U.S. diplomats acknowledged the chief of diplomatic mission as the head of any given country team with the advice and assistance of the chief of the military assistance advisory group.

After Vietnam, U.S. Army Training and Doctrine Command took on a new approach under its first commanding general, William DePuy. Believing that a Soviet direct approach and the potential for high-intensity conflict in Germany was the greatest threat, DePuy's new Field Manual 100-5 focused almost exclusively on combined arms maneuver. The words "special forces" and "civil affairs" are conspicuously absent from the text. Subsequent manuals in 1982 and 1986 carried a similar emphasis on high-intensity, conventional conflict in Europe against a peer adversary as part of the AirLand Battle doctrine.

Two key factors influenced the 1993 iteration of FM 100-5, which reintroduced irregular warfare in the form of operations other than war. First, the breakup of the Soviet Union eliminated the monolithic threat the U.S. had faced for over forty years of Cold War. The resulting diffusion of threats and the lack of a true peer threat widened the possible mission set for the Army. It could now be expected to deploy anywhere in the world to meet a diverse range of requirements. Missions

making their first appearance in Army doctrine included noncombatant evacuation operations, humanitarian assistance and disaster relief, and support to domestic civil authorities (now called defense support to civil authorities).¹³

The second factor influencing the 1993 update was the passage of Goldwater-Nichols Act of 1986, which among other sweeping reforms, required American military forces to fight under a joint model instead of as separate services. The 2001 FM 3-0, *Operations*, was intended as a transitional document to transform the Cold War Army, a heavy force intended to defeat a numerically superior Soviet peer, into a lighter, more versatile force.¹⁴ FM 3-0 was in some ways an intellectual return to the 1962 FM 100-5, which focused on a more diverse range of missions. For the first time, support and stability operations were linked directly with offensive and defensive operations, and at least doctrinally, placed on par. The CA regiment, already experiencing a high deployment tempo in the ongoing Balkans conflict, was primed to become a more significant factor in the Army's force employment strategy.

FM 3-0 was in some ways an intellectual return to the 1962 FM 100-5, which focused on a more diverse range of missions.

The Modern Civil Affairs Regiment

The events of September 11, 2001, and the ensuing conflicts in Afghanistan, Iraq, and around the world as part of Operation Enduring Freedom fundamentally changed the way CA forces were viewed by supported commanders and policymakers. Early in the war, Secretary of Defense Donald Rumsfeld questioned whether CA forces needed to belong to the special operations community. Eventually, Army Chief of Staff Peter Schoomaker dictated that all

active-duty CA units would fall under U.S. Army Special Operations Command (USASOC), while all reserve units would fall under U.S. Army Civil Affairs and Psychological Command (USACAPOC). Known in the community as “the divorce,” the split was largely responsible for the divergent training requirements and capabilities of the two components’ CA forces in the coming years.¹⁵

CA teams employed in a CME role are capable of gaining access to areas too dangerous for State and USAID representatives.

Civil-military engagement became a USSOCOM program of record in 2008. By this time, support of Operation Enduring Freedom and the Global War on Terrorism had created a demand for long-term presence, most including a CA team, in dozens of countries around the developing world. The CME program was a way to ensure the long-term health of these missions by providing a funding stream. At the core of the concept is the provision of a low-cost, high value option to military and interagency leaders in threatened and failed states. CA teams employed in a CME role are capable of gaining access to areas too dangerous for State and USAID representatives. Though the program has been active for less than a decade, it has become a cornerstone of the AC CA mission. The 85th CA Brigade, established to support U.S. Forces Command (FORSCOM), has begun to employ its teams in a similar fashion, especially in South America under the Civil Affairs Engagement Program. In the next two years, the 85th CA Brigade will furl its colors as part of Army force structure drawdowns; however, its one surviving battalion, the 83rd, is expected to continue such engagement in support of FORSCOM.

Demands are increasing for RC units to

participate in Title XXII engagement missions as well. There is already a growing body of research and literature on the activities and effects of CA teams operating in direct support of interagency objectives, partially because for several years such missions were driven less by doctrine and more by necessity and informal practice.

In 2013, official CA doctrine for the program, ATP 3-57.80, *Civil Military Engagement*, clarified how existing concepts such as CA core tasks and planning methodology fit into CME. In 2011 and 2012, *Special Warfare* magazine published two articles on CMSE missions. The first, written by John Wishart, discusses his company’s deployment to sub-Saharan Africa and introduces the concept of CMSE missions to a general, special operations audience.¹⁶ Wishart explains how effective CAO/CMO can disrupt the influence of violent extremist organizations (VEOs). The second article by Jeffrey Han and Brion Youtz discusses a company deployment to the U.S. Pacific Command (USPACOM) area of responsibility. Han and Youtz address how the civil-military operations center supported individual teams, how the company approached training for deployment, and how the mission was framed within the greater scope of the theater security cooperation plan, to include direct support to country team objectives.¹⁷ Both articles articulate the short-term value of a CA team to a SOF commander in a Title XXII zone. In addition, the articles spark discussion in the CA community about best practices for training and preparing a CA company for deployment to multiple countries simultaneously.

Civil affairs operates with other U.S. government agencies in a unique way. Most DoD elements operate in Title X zones, where the DoD is the lead agency and other agencies support a primarily military effort. Civil affairs units, especially those employed as a CMSE, normally operate in Title XXII zones, where State is the lead agency. This is an important distinction because CMSEs operating in a Title

XXII zone are still subject to normal command relationships with their parent units, as well as the geographic combatant commander who exercises operational control over them. Specific structures differ in missions around the world, but a CMSE in a Title XXII zone is often under the tactical control of a Special Operations Command (Forward) or commander. Still others are placed under Chief of Mission authority, meaning a CMSE is directly answerable to the U.S. embassy through the country team. A CMSE operating in a Title XXII zone normally has several “masters” who may or may not have convergent priorities.

Chris Carr, in his thesis “Civil Military Engagement Program: A Special Operations Solution to Threats Derived from Undergoverned Areas,” discusses the critical role of CME teams supporting State and USAID efforts in semi-permissive and undergoverned areas.¹⁸ He concludes that CME teams are most effective when they are closely aligned with interagency partners in support of a country team’s mission statement, and they sometimes experience limited success because of a lack of synchronization with existing State objectives.

In his thesis “The United States Special Operations Command Civil Military Engagement Program—A Model for Military-Interagency, Low Cost/Small Footprint Activities,” Brent Bartos promotes CME as a cost effective means of maintaining a global SOF presence in possible areas of conflict, drawing conclusions from case studies on the Viet Cong in Vietnam and CMSE missions in Jordan and Bangladesh.¹⁹

In his monograph “Preventing War: Special Operations Engagement in Support of Security Sector Reform” for the School of Advanced Military Studies, Charles Moores extols the value of persistent special operations engagement in lieu of more traditional “episodic” engagements. He focuses these recommendations around the idea that special operations units “can’t surge trust,” and that relationships cannot be built with

host nation military leaders after a crisis occurs.²⁰

In a 2013 essay “Has the U.S. Military in the Horn of Africa Been a Force that Embraces Strategic Knowledge and Perspective in Countering Violent Extremism and Assisting with Sustainable Development,” Stephen Burgess takes a long-term view of Joint Task Force-Horn of Africa’s (JTF-HOA) contributions to State efforts. He is critical of CA efforts, which make up a majority of JTF-HOAs activities in the human domain. He notes that CA teams did not always understand the operational importance of their projects and programs, and that the targeting of their effects was often imprecise. To date, the CA community has not embarked on any internal analyses of its own contributions to U.S. diplomatic objectives and special operations objectives over time in a given country or region.

...special operations units “can’t surge trust,” and that relationships cannot be built with host nation military leaders after a crisis occurs.

The RAND Corporation defines ungoverned areas as “an area in which a state faces significant challenges in establishing control.”²¹ Certainly, many “hot spots” of insurgent activity have become so precisely because there is a governmental vacuum. Yemen is a prime example of this concept. Even before the “Arab Spring” of 2010, the regime led by President Ali Abdullah Saleh was unable to effectively govern or control any region outside of its capital in Sana’a and its primary economic zone, the ancient port of Aden. Government facilities outside these two zones were chronically under-supported by the central government and depended on the largesse of local tribal leadership. These tribal leaders, particularly in

the less-populated, eastern part of the country, tended to be more tolerant of extremist groups who preached violent reform. In fact, when Al Qaeda was pushed out of Iraq following the “Sunni Awakening,” the group reconstituted in Yemen under the Al Qaeda in the Arabian Peninsula brand. The Somalia-based Al Shebaab organization began sending fighters across the Bab al Mandeb into Yemen for training. Thus Yemen became one of the most welcoming places in the world for jihadist groups.²² A similar dynamic plays out in a multitude of other undergoverned areas throughout the world.

While early conventional engagements in Afghanistan in 2001 and Iraq in 2003 showcased American dominance in major combat operations, the irregular warfare that followed exposed serious deficiencies...

The VEO has proved to be an effective and disruptive challenge to both global security and U.S. national security interests. In 2001, the U.S. was not prepared for a population-centric war. While early conventional engagements in Afghanistan in 2001 and Iraq in 2003 showcased American dominance in major combat operations, the irregular warfare that followed exposed serious deficiencies in U.S. military capabilities (especially in stability operations) and involved massive, long-term commitments of troops. One of the lasting hallmarks of this unpreparedness was the U.S. government’s widespread use of Commander’s Emergency Response Program (CERP) funds, which by 2010 accounted for fully 10 percent of the gross domestic product of Afghanistan.²³ Compounding the problem, CERP funds were often spent in shortsighted ways that undermined other U.S. or Afghan government efforts. Other scholars have correctly attributed the lack of

Soldiers with appropriate cultural training as one of the core causes of the International Security Assistance Force’s inability to defeat the Taliban and other insurgent groups in Afghanistan.

The Pre-Modern Era of Civil Affairs

Mexican American War

The CA Qualification Course (CAQC) at the John F. Kennedy Special Warfare Center and School (SWCS) teaches its students that the first true military government mission occurred in Mexico City under the leadership of Winfield Scott in the aftermath of the successful Mexican-American War of 1846–1848. In CA heraldry, Scott is credited as the “Father of U.S. Army Civil Affairs,” largely for the relative peace and stability of the city under his martial law and his administrative skill.²⁴ Scott’s provisional military government was established under the doctrine of military necessity under a combination of customary law and the 1806 Articles of War, by which he felt obligated to safeguard civilians to the best of his ability.²⁵ The Army in Mexico received no guidance on the subject of maintaining order after successful conclusion of the conflict; Secretary of War William Marcy merely cautioned Scott that, “It is foreseen that what relates to civil government will be a difficult and unpleasant part of your duty.”²⁶ As part of his program of martial law, Scott established military commissions and “councils of war” to settle criminal matters involving both U.S. and Mexican citizens. Such commissions were the first established outside the U.S. and issued legal judgments to more than 400 individuals, mostly American soldiers. Scott’s practices came under intense legal scrutiny after the war, and the U.S. Supreme Court denounced his actions in the 1851 *Jecker vs. Montgomery* decision.²⁷ The court ruled that “every court of the United States must derive its jurisdiction and judicial authority from the Constitution and laws of the United States. And neither the President

nor any military officer can establish a court in a conquered country and authorize it to decide on the rights of the United States or of individuals... nor administer the laws of nations.”²⁸ Though the Court softened the blow by acknowledging Scott had acted from military necessity “to assist [in] preserving order in the conquered territory and to protect the inhabitants in their persons and property while it was occupied by the American arms,” clearly the Court felt Scott had overstepped his bounds. Although Scott could have cited his lack of political guidance with reference to post-conflict actions to excuse his actions, there is no evidence he did so.

The American Civil War and the Frontier Army

The U.S. could not have been prepared for the prospect of fighting a war with its own southern states. The Army faced the twin challenges of raising a citizen army to defeat the Confederacy and, eventually, the governance and rule of some 9 million citizens of the rebelling 13 states. To face the latter task, the Army again had to rely on the concept of military necessity and the best judgment of its commanders and staffs. The linchpin of the Army’s administration of civil affairs was the provost marshal. The Army established provosts in every district under martial law, and in many areas they represented the only governmental authority. They maintained order and monitored the activities of the disloyal, administered loyalty oaths, collected fines, arrested rebels, prosecuted criminals, and distributed food to the needy. By and large, the provosts operated fairly, although there were cases of corruption and abuse, especially when they were local men who bore grudges against their secessionist neighbors.²⁹

As the war progressed, the need for centralized control of military government activities became clear. As with previous military operations, treatment of local populations appears to have followed only the guidance

and direction of individual commanders unless driven by negotiated agreements. Even in the case of negotiated treaties such as the 1835 Treaty of New Echota, the Army had considerable latitude in implementing policy guidance. Despite its prime role in “taming the west,” it appears clear the Army as an institution did not ever seriously weigh civil considerations in its campaign planning. Its soldiers were poorly trained for combat, let alone modern CMO. The lack of staff or individual soldier training in CMO throughout this era was lamentable, but was beyond the capability of an underfunded and undertrained frontier army.

The American Expeditionary Force (AEF)...managed to maintain a high degree of peace and order...

World War I

After World War I, the victorious Allied Powers set up a military government to oversee post-war Germany. The American military government in the Rhineland was unexpectedly forced to rule a defeated German population suffering from near-famine conditions. The American Expeditionary Force (AEF), latecomers to the war and inexperienced with foreign military engagement, managed to maintain a high degree of peace and order, especially in contrast to its British and French counterparts. Although the story of American involvement in post-Great War Germany is a successful one and worthy of inclusion in the overall history of the CA regiment, it was not without shortcomings. First, the Army’s military government could not have succeeded without a content German population, given its unpreparedness for the task. The AEF was doubtless helped by factors outside its immediate control. The Americans had not participated

in the war long enough to develop the animus shared between the Germans and the allied British and French forces. German officials and American officers generally dealt fairly and honestly with each other, and their mutual respect prevented the violent protests, disobedience, and reprisals seen in the British and French zones. Because of this trust and relative stability, 90 percent of all governmental functions remained under German control during the American occupation.³⁰ Areas recovering from the strains of war become more stable if their own social and governmental norms are preserved, and local leaders continue to perform as much of the business of government as possible.

The CA regiment, as it was now officially designated in 1949, was still unprepared for the Korean War.

World War II

After its entry into World War II, the U.S. Army was still reluctant to see logical parallels between the Rhineland Government and the planned post-war occupation of Germany. Instead of relying on relatively recent Army experience, the Civil Affairs Division (CAD) recruited academics from around the country to lecture, host seminars at their home universities, and in many cases, put on a uniform and serve as an officer in a specialist role. The University of Virginia's School of Military Government (SMG) curriculum took advantage of the surge in scholarly manpower, using leading academics to instruct officers in the Japanese and German systems of government, economic policy, and history. For the first time, the Army was teaching officers to develop a true understanding of the enemy's culture.

In all, the SMG delivered seven graduating classes in 1943 and 1944, contributing several

hundred graduates to become military governors or CA staff officers. Ten additional universities in the Civil Affairs Training Program (CATP) contributed about 2,000 more, although with a shorter training curriculum. The education and training they received represented the best prepared military government apparatus ever assembled. Applicants almost universally possessed qualifications that made them suitable for CA and military government work; the CAD had a wealth of applicants from which to draw. In 1943, 2,000 military officers were selected for training out of 25,000 nominees. By the time "off the street" civilian recruitment stopped in late 1943, only 960 were selected out of 50,000 applicants.³¹

Korea

American CA and military government operations were enormous in scale. The rule of liberated and occupied populations numbering well over 100 million fell to the Army on three continents. Military leaders finally understood the need for standing forces who specialized in dealing with civilian populations. The CA regiment, as it was now officially designated in 1949, was still unprepared for the Korean War. Post-war personnel and budget struggles hit CA especially hard, leaving CA units with low levels of readiness at the outset of war. Henry Kissinger's review of CA in Korea from 1950-1951 listed four primary deficiencies:

- The need to negotiate CA agreements during the early stages of conflict.
- The importance a single focus of responsibility within the Army for all CA functions, and a single point of contact within the Army for relationships with governments in operational areas.
- The need for CA officers with language capability.
- The need for military commanders and

soldiers to know the importance of civil affairs in attaining military and political objectives.³²

Vietnam

Operating under the 1962 FM 100-5, Army CA entered 1965 with a new approach—civic action—to use available resources to legitimize and strengthen a host nation government, not to perform governmental duties in its place. CA forces deployed to Vietnam in small numbers. Most CA forces at this time were in the reserves, but they were never called to Vietnam. This is in response to lessons learned from the Korean War, where reserve CA officers were thought to be overly politically connected.³³ The details of this decision are ultimately irrelevant; reserve CA did not deploy to Vietnam in any significant numbers. The three active companies that did serve in Vietnam were parceled out to three of the four combatant corps areas, beginning in 1965. They did not go as decision makers and staff officers but as action teams. Their major concern was in assisting the large numbers of internally displaced persons resulting from U.S. combat action.

The training members of the three CA companies received was seriously outdated and focused on the lessons of WWII-era military governance. When deployed, they had to adjust “on the fly” to the tactical CA mission. By all available accounts, CA companies did an extraordinary job of working with local leaders to improve health standards and quality of life in the villages in which they worked, usually doing so with scarce resources. Ultimately, however, they were too scattered to significantly affect the overall strategic effort. The primary contribution would be made by a military and State partnership.

Vietnam was an exceptionally complex conflict fought against a determined enemy able to shift its tactics based on the situation. The Civil Operations and Revolutionary

Development Support (CORDS) program was an acknowledgement of the difficulty of massing friendly forces without the ability to pacify large areas and free them of Communist activity, and the necessity of both civilian and military expertise to do so. CORDS was “bold and innovative attempt to build and operate a truly effective interagency headquarters for pacification even while a more conventional war was being fought by major U.S. and South Vietnamese units.”³⁴ Though CORDS remained under military control within the Military Advisory Command-Vietnam, it retained civilian leadership in key positions. CORDS was not active for very long but was generally effective, largely because it was able to achieve a unity of effort between USAID and military leaders in pacification activities. With CORDS regarded as a successful failure (it did not, after all, succeed in preserving the existence of the government of South Vietnam), the days of a military government operation in the mold of Germany and Japan after WWII seemed to be over.³⁵ Support of friendly governments would henceforth be interagency matters, usually under State leadership with military support.

...CA did not deploy to Vietnam in any significant numbers.

Current Civil Affairs Training

Civil Affairs became an active duty branch of the Army in 2006. Prior to the branch’s full activation, there was only one active duty CA battalion, the 96th, which exclusively supported special operations missions and requirements as a part of USASOC. Officers for the 96th were selected for Functional Area 38, and enlisted CA specialists were Special Forces (SF) Soldiers. The training program for AC officers was to attend the CAQC for reservists, at that time a two-week program. Noncommissioned officers

(NCOs) received no additional formal training in moving from an SF position to CA. With the opening of the branch, the John F. Kennedy SWCS designed a new and longer program of instruction, implemented in 2008. Civil Affairs officers would be accessed at the grade of first lieutenant (promotable) and NCOs at the grade of specialist (promotable). They would attend a 43-week course consisting of special operations language training; regional studies training; an enhanced, eight-week, three-day CAQC; and a three-week culmination exercise, Operation Sluss-Tiller, designed to parallel the complex environments and challenging interpersonal dilemmas of “Robin Sage” (the exercise at the end of the Special Forces Qualification Course). With only minor modifications, this 43-week program is still the mechanism by which selected officers and NCOs receive CA training.

Despite an identical branch designation, RC CA officers train to different standards than their AC counterparts.

Reserve CA make up approximately 95 percent of the Army’s inventory. Despite an identical branch designation, RC CA officers train to different standards than their AC counterparts. Special operations language training and regional training are not included. Officers attending CA training at the SWCS integrate with active-duty students near the end of the 43-week CA pathway, during the CAQC. The course consists of 29 consecutive days of training in order to keep all training in temporary duty status. Budget constraints limit the number of days that CA reservists can attend training at the CAQC. In addition to limited training days, the USACAPOC budget also limits the number of officers that can attend training. As a result of these limitations, RC CA units historically maintain a low level of military occupational

specialty qualification.

CA assessment and selection (CAAS) began operating in 2010 to identify active-duty Soldiers for training and assignment in the branch. Designed to test the candidate’s interpersonal skills, intellect, and stamina, the 10-day CAAS regimen replaced the “paper board” used to screen applicants for CA branch transfer assignments from the active Army inventory. Students are placed under physical and mental stress to identify suitability for the demands of special operations missions.

In military government doctrine, U.S. military officers may rule by fiat and edict if they must, as they have legal authority over an occupied zone. As a result, many of the lessons of the past do not apply directly to modern CME activities. A CMSE operating in a Title XXII zone has neither the authority nor the ability to rule or govern and must accomplish its mission by befriending and influencing key leaders. As a result, the special operations CA community must evaluate the effectiveness of its mission sets through the lens of its more recent engagement activities around the world. Though a modern CA Soldier would recognize many of the principles of military government, such as knowledge of and respect for the host nation’s culture, the mechanisms and authorities to accomplish the mission have changed considerably.

Transition, the final step in the CA methodology, becomes especially important in CME missions because most programs cannot be planned, approved, funded, executed and completed without at least one turnover in personnel. The short-term nature of military deployments in proportion to State postings causes a high turnover rate among military personnel, making continuity of effort a critical principle. While this problem is familiar to any CA Soldier experienced with CME, it remains an understudied aspect of the program.

An Interagency Perspective on CME

State and USAID representatives from the Latin America and Asian regional bureaus interviewed for this paper are generally pleased with the quality of the special operations CA personnel they have worked with in the past. CMSEs in Guatemala have proven over several years of engagement to be adept at developing relationships with local leaders, leading one career diplomat to remark that they were “amazed at how generative those conversations [with local leaders] are.”³⁶ At times, however, State and USAID officers perceive the CMSE as acting as members of the intelligence community:

There can be a lack of trust sometimes with USAID officers, who can see CA as an intelligence collection activity. They [State and USAID] wonder why the military is in a country with no war, in civilian clothes, handing out business cards with a gmail.com address...we get in a lot of trouble for using personal emails.³⁷

A CMSE’s interest in small villages as it relates to known “zones of facilitation” is legitimate, as the non-state actors in such zones frequently undermine the legitimacy and stability of the host nation’s government. CMSE projects prioritized toward these zones therefore support USAID and DoD objectives, and the CMSE is not acting as an active intelligence collector. The problem does not originate with the activity itself, but with the presentation. CA Soldiers must be forthcoming to interagency personnel about their missions and objectives and clearly highlight their whole-of-government approach. It is unlikely that defense and development objectives will align perfectly, but when they do, CA teams must seize upon the opportunities presented.

Another barrier to interagency cooperation for the CMSE is preparation. There is often a

stark contrast in education and foreign experience between CMSE and State/USAID personnel. CMSE members are, individually, capable of building and maintaining relationships, but they are not always on the same page when asked why they are in country. One career diplomat with USAID recounted an incident during an in-brief with a CA team. When he asked members about the mission, he received two simultaneous answers—to support Theater Special Operations Command objectives and to provide humanitarian aid to underserved local populations.³⁸

There can be a lack of trust sometimes with USAID officers, who can see CA as an intelligence collection activity.

Transparency is a valuable asset for a special operations CA team seeking to develop access to denied areas. Research suggests that interagency partners, such as USAID, are more likely to develop trust with a CMSE if the team is clear and forthcoming about its role supporting special operations objectives.

The Army Is Not Well Prepared for Civil Affairs and Military Government Responsibilities

Successful military government episodes, such as the Mexican War and the Rhineland, were more a result of adaptive commanders proving they were capable of handling stability operations, than of effective administrative systems and doctrine.

The successes of World War II were attributable to the mobilization of large numbers of academics and professionals to serve as both CA officers and advisors, more than a triumph of existing CA doctrine or the Army’s foresight. Doctrine on the subject of CA and military government, for that matter, did not formally

exist before 1940.

The Korean War found the Army unprepared for the scope of its responsibilities. Though Army CA can claim success in managing the flow of civilians from the battlefield, it failed utterly in working with the Korean government. The U.S. Army Government in Korea (USAMGIK), a bloated headquarters with more than fifty general officers, was unable to effectively coordinate aid during the war. CA suffered a poor reputation, and USAMGIK was seen as both a “general’s graveyard” and “a dumping ground for incompetents”; many CA officers in Korea had no formal training in the discipline.³⁹ Worse, CA officers did not forge productive working relationships with either UN or U.S. civilian development specialists.

Research suggests that effective CA operations have always been key to post-conflict stability...

CA also failed to make a meaningful difference in the Vietnam. Less than 1 percent of CA forces (now almost exclusively in the reserves, as Kissinger had recommended) were ever deployed to Vietnam. Only three understrength companies (the 29th, 41st, and 42nd) saw any action. State and USAID took on a much more prominent role and generally did not seek the help of uniformed CA personnel. CORDS was executed with virtually no participation by CA officers.

The changes in the CA community springing from the passage of Goldwater-Nichols should have resulted in a much more robust capability for influencing local populations and working with non-military organizations such as USAID and various NGOs. Its presence in SOF should have presaged a shift from military government structures and responsibilities to more effectively support for unconventional warfare and foreign internal defense roles. Instead, CA training and

readiness within USACAPOC remained as low as it was during the Korean War. Training courses became steadily shorter as well. At present, only a fraction of CA officers assigned to reserve units have attended the 29-day course to qualify for the MOS.

Research suggests that effective CA operations have always been key to post-conflict stability, but the Army has consistently undervalued (or completely unconsidered) them in the peacetime military. Until fairly recently, civil considerations were not a significant part of Army operational concepts, institutional learning, or doctrine. Finally, the Army has never adequately integrated professional expertise from interagency partners and has rarely recruited such expertise from civilian academia. The Army has consistently found itself unprepared to meet challenges in governing and administering occupied territory and securing conditions for conflict termination. A review of relevant history and doctrine suggests that the Army approach to CA evolved in five general movements:

1. A “pre-modern” era, where control of an occupied civilian population was the purview of the commanding general and his personal view of chivalry or “military necessity.” Coordination with other government agencies was usually minimal. This state of affairs persisted until the Lieber Code placed uniform federal restrictions on northern commanders in the American Civil War and protected occupied populations under the rule of law.
2. A “hard war” era, influenced by the American experience in the Civil War. The increasing violence of the conflict drove harsher methods of population control and governance during the latter half of the war, such as during Sherman’s March to the Sea. The post-war Reconstruction period was a lengthy and bitter experience in martial law in many areas of the southern states. Later

American involvement in the Philippines from 1898–1902 was characterized by harsh control of “uncivilized” local populations as well.

3. A brief period of large-scale military governance and reconstruction following total warfare. This period began with the unexpected American occupation of the Rhineland following World War I. After ignoring the lessons of the occupation, large-scale military government resumed with post-war governance of liberated Europe and South Asia and occupied Germany and Japan, stretching into the early 1950s. American presence during this time was characterized by a comprehensive interagency effort, generally led by the military.
4. A shift in focus to tactical-level CA teams supporting a host-nation government, heralded in large part by major changes to the 1962 FM 100-5, *Operations*. Beginning with U.S. involvement in Vietnam, CA units doctrinally conducted operations to stabilize or pacify rear areas, often in support of unconventional operations. When military government was employed, usually at village level under the auspices of the CORDS program, the leading official was usually a civilian member of the State Department.
5. The passage of Goldwater-Nichols in 1986 included the CA Regiment in SOF and spurred sweeping changes in training, doctrine, and organization. Soon after the overall mission approach of Army CA changed from support of host-nation governments to support of assigned U.S. military commanders. Stability operations in Afghanistan and Iraq, which before may have been military government functions, were now used in support of a sovereign

host nation government, with only short periods of unilateral authority. The Global War on Terrorism and the resultant growth of the AC CA force led to an expansion of special operations CA teams operating in Title XXII zones in “persistent engagement” missions, later known as CME, and a focus on the prevention and deterrence of future conflict by working with partner nations. Such engagement is compatible with the current AOC and figures to continue into the future.

The 2006 creation of an active duty CA branch expanded SOF CA strength from a single battalion to a brigade (the 95th). The change also allowed for more strenuous selection, assessment, and training practices.

...it is imperative that CA practitioners have both a broad base of knowledge in development, as well as a firm grasp of strategic and operational goals.

As Kissinger noted in his study of civil-military activities in Korea, it is imperative that CA practitioners have both a broad base of knowledge in development, as well as a firm grasp of strategic and operational goals. Until very recently, CA has been an unwanted supplementary obligation of military commanders or the unlucky draft of individuals or units into such work. Without trained and dedicated professionals aware of the operational as well as humanitarian implications of their actions, CA work can quickly become “a game of Battleship—random strikes across a blank board with minimal hope of success.”⁴⁰ For this reason, CA Soldiers must undergo lengthy and challenging training, and leadership must select individuals with the intellect and character required to deal effectively with career diplomats

and career fishermen alike.

The current model for the selection, accession, and training of CA officers and NCOs is probably sustainable but will probably exacerbate the divide between the active and reserve CA communities and damage the mission effectiveness of the branch. The 38A (Civil Affairs Officer) MOS training pathway, for example, invests 55.6 weeks in its active-duty officers, including a two-week competitive assessment and selection process at the SWCS. Reserve officers, who are not assessed and selected through the same means, receive 29 days of training and an additional 75 hours of

The current model for the selection, accession, and training of CA officers and NCOs is probably sustainable but will probably exacerbate the divide between the active and reserve CA communities and damage the mission effectiveness of the branch.

distance learning. The significant disparity between training standards for active and reserve CA Soldiers is largely a fiscal issue. USACAPOC does not have the available training funds to match the active-duty standard. As a result, training time for CA reservists is limited to temporary duty status, which obligates the CAQC to train officers to two standards to award the same MOS code. Despite this cost-saving measure, USACAPOC maintains a low level of readiness with regards to MOS qualification; just 312 of its 1,118 authorized 38A positions hold the MOS. The remainder hold a different MOS while training as a member of a CA battalion and receive “on-the-job training.” All of this renders USACAPOC much less capable of supporting CA engagement in Title XXII zones and working effectively with members of the U.S. diplomatic

community and NGOs.

Perhaps more telling, the “training gap” between active and reserve CA officers that share the same MOS is actually widening. Units fed by the active-duty pathway, the 95th and 85th CA Brigades, are requesting additional capability from graduates. In February 2016, Colonel Scot Storey, then commander of the 95th CA Brigade, requested more advanced tactical skills from CAQC graduates.⁴¹ While basic rifle marksmanship is a foundation of Soldier training throughout the Army, SOF CA teams require advanced skills to integrate effectively with Special Forces units. SWCS is currently considering lengthening the CA pathway further to include more tactical training and advanced marksmanship.

SWCS has begun to expand its capabilities to train advanced CA capabilities as well. The Special Warfare Advanced Analytics and Targeting Course (SWAATC) will train CA operational planners to more accurately identify root causes of conflict and instability, integrate CA operations (CAO) into the joint targeting cycle, and better understand regulations that govern the intelligence community.⁴² Available to all SOF MOS codes, SWAATC and future CA advanced skills courses will further widen the training gap between active and reserve CA.

Recommendations

The CA branch can take several actions to address the capability gap between components and posture itself more effectively for engagement. Currently, only active CA Soldiers, concentrated in the 95th and 85th CA Brigades, are trained in conducting engagement missions well. First, the Army should retain the current SOF CA training pathway for generalists and establish a new CA MOS for functional specialists. It is not reasonable to expect that the interagency and joint force will always be able to differentiate between active and reserve CA training standards—a 38A is a 38A where a

supported unit is concerned. Reserve CA Soldiers who receive the shorter training courses should be coded into a new and different MOS, with identifiers to denote functional specialty. Ideally, USACAPOC should be provided the funds to ensure its Soldiers receive full-length training at SWCS; this has been the practice in the National Guard component of the SF Regiment for some time. Barring the available funds to do this, a new MOS to mark the difference in training is necessary.

Second, SWCS should continue investment in the Institute for Military Support to Governance (IMSG). This research has provided evidence, especially from Korea, that a reserve-based CA capability, filled with large numbers of poorly-trained functional specialists, is not effective. The most meaningful development work, beginning from World War II, has been done by civilians from organizations other than the military or by civilians brought into military services for their skills. If husbanded correctly, IMSG has a chance to recreate the latter by recruiting high-end civilian talent to take an Army commission via their Military Government Specialist program.⁴³

Third, all Army CA Soldiers need additional opportunities to interact with interagency partners, most especially USAID. The competitive advantage of CA teams working in Title XXII zones is understanding country team priorities, how CA activities fit into them, and gaining access to semi-permissive or denied areas using that knowledge. CA Soldiers, especially junior officers in leadership and planner roles, must learn to work closely with partners such as USAID from the beginning of their training at SWCS. Many CA units have adopted the practice of pushing junior leaders into the Joint Humanitarian Operations Course (JHOC). This is a good start. SWCS should investigate the possibility of a formal partnership with the Foreign Service Institute (FSI) to create a closer relationship between the two organizations.

SOF CA elements, particularly those conducting missions under the auspices of the CME program, have a unique position within the DoD. No other element is as capable of furthering defense, diplomatic, and development objectives at the tactical and operational levels as the CMSE. Accompanying this unique and valuable role is the requirement to develop individuals and small teams capable of interacting with a wide range of people and organizations and building networks of influence to accomplish their mission.

CA Soldiers, especially junior officers in leadership and planner roles, must learn to work closely with partners such as USAID from the beginning of their training...

As Kissinger noted, a broad base of knowledge is important for CA practitioners. This mission, people-oriented and subjective by nature, defies most efforts to measure its effects. Contrary to a historical CA role, contemporary CMSE missions are not high-volume managers of projects and programs, nor does the DoD intend them to be. Combined with the short deployments of CA Soldiers through individual CME missions, effects become nearly impossible to measure quantitatively. “The agency [USAID] has struggled with this for years. How do you measure a moving target?”⁴⁴ This ambiguity makes it more important that CA teams understand the effects they have on the local population. Instead of acting out of a desire to “do good,” or acting against the first civil vulnerability they come across. SWCS offerings such as the “Operational Design Course” and “Network Development Course” allow tactical-level CA leaders to more effectively target their efforts in support of both interagency and military objectives.

Conclusion

Americans are very competent at fighting, but they are much less successful at fighting in such a way that they secure the strategic and, hence, political rewards they seek. The United States continues to have difficulty regarding war and politics as a unity, with war needing to be permeated by political considerations.

- Colin Gray, “Irregular Enemies and the Essence of Strategy; Can The American Way of War Adapt?”

This paper set out to analyze how the Army (and later its CA branch) has prepared for its obligations in stabilizing occupied regions and treating with local populations. Research analysis suggests that Army CA has undergone significant transformation in its history. Preparing for a full-scale military government, as in historical examples such as Germany, Japan, and Korea, is not in line with current national security or the Army AOC. It is extremely unlikely the Army will ever again take such a prominent role, as the State-led Iraqi Provisional Government in 2003 suggests. In any event, such occupations made heavy use of civilian aid agencies and military officers pulled directly from academia; career military officers do not have a strong track record as military government specialists. Individual commanders have found success as military governors; the institution has not. Instead of assuming unilateral control of a government, U.S. policy for the past fifty years has been to work with and through sovereign host nations. Engagement in the form of security forces assistance, foreign internal defense, and nation assistance are the most valuable uses for Army CA in the twenty-first century.

The active component of the CA branch is prepared for such engagement. But a growing capability gap exists between the active and reserve components. There is a serious issue

with active 38A captains receiving more than 55 weeks of training, compared to less than 9 for a reserve captain in the same MOS. A lack of effective training will hinder reserve CA from answering present and future mission requirements effectively. Worse, the disparity will continue to make interoperability difficult between CA personnel in different components.

The “American Way of War” prefers a quick victory. It is impatient and profoundly regular. Perhaps above all, it is apolitical; Americans tend to think in binary terms of war and peace.⁴⁵ Westphalian states are in a constant state of conflict, armed or otherwise. The Army has not traditionally understood this. Instead, its behavior in the twenty-first century has been more generally consistent with the Prussian way of war—excellent firepower, discipline, maneuver, and logistics (particularly at the tactical level), but strategically deficient. If the Army is to succeed in meeting the AOC’s goal of preventing conflict as well as winning wars and setting favorable conditions for peace, it must understand two important points. First, an expeditionary army of decisive action must have standing CA forces specialized in stability operations, and conventional forces who are capable of shifting from major combat to stability operations. Second, those CA forces must be carefully selected, intensively trained, and ready before the need arises for them.

“Civil affairs” and “military government” are terms that have carried many definitions throughout the Army’s history. Neither, in their original definitions, are applicable to today’s CA role. The current mission set, aligned with the National Security Strategy, is the result of a long evolution in civil-military engagement wherein the U.S. government no longer seeks to take a leading role in the development of a foreign power, but acts “by, with and through” security partners while respecting their sovereignty. The focus of CA teams must change as well. Skill in functional areas is less valuable in an

engagement role than in a military government operation. The ability to operate in semi-permissive environments and open them to State and USAID experts for further aid is the new currency of the realm for CA.

The Army is poised to make its first-ever peacetime investment in a highly trained and deployable CA capability. For most of American history, the Army has willfully ignored the need to stabilize occupied areas until the problem was upon it. Culturally sensitive, linguistically capable, and survivable CA teams are a valuable asset for U.S. SOF and for country teams in failed or failing states. The investment appears to have paid off. Since the 2006 creation of a full active-duty branch, USASOC has built a foundation of highly motivated and intelligent CA Soldiers, capable of working in a variety of roles. The assessment and selection program appears to have had a positive effect as well. In 2015, selection rates were as low as 52 percent. Candidates with poor fitness, oral and written communication skills, or issues working in small teams are screened out during selection. The average GT score of a candidate selected from active duty to attend CA training is 117.⁴⁶ They are trained to conduct all CA core tasks in high-intensity combat, counterinsurgency, CME missions through U.S. country teams, and other missions.

The importance of developing such versatile Soldiers cannot be overstated, given the history of Army CA forces and the current AOC. The demands of the Army SOF community, combined with increasing engagement by the general purpose force in roles such as Operation United Assistance, mean that CA forces can be asked to provide a wide range of capabilities for the nation. The incoming commander of the 95th CA Brigade shared his philosophy on the subject and summarized his views on the long-standing disconnect between CA doctrine and practice in a recent talk given to students at CGSC: “We put a lot of effort into making sure that commanders ‘use’ us correctly. What we need to do is make sure we are well positioned to solve problems for the Army, and success will follow.”⁴⁷ **IAJ**

NOTES

- 1 U.S. Army, Training and Doctrine Command, Pamphlet 525-3-1, “Win in a Complex World—The U.S. Army Operating Concept, 2020-2040,” October 31, 2014, Foreword.
- 2 Ibid.
- 3 Stanley Sandler, “Glad to See Them Come and Sorry to See Them Go: A History of U.S. Army Tactical Civil Affairs/Military Government, 1775–1991,” United States Army Special Operations Command History and Archives Division, 1994, p. 308.
- 4 U.S. Army, *Field Service Regulations*, Government Printing Office, Washington, 1923.
- 5 Chief of Staff, U.S. Army, *Field Service Regulations*, Government Printing Office, Washington, 1905, p. 195.
- 6 Ibid.
- 7 Chief of Staff, U.S. Army, *Field Service Regulations*, Government Printing Office, Washington, 1914, p. 152.
- 8 Chief of Staff, U.S. Army, *Tentative Field Service Regulations, Operations*, Government Printing

Office, Washington, 1939, pp. 228–229.

9 Chief of Staff, U.S. Army, *Field Service Regulations, Operations*, Government Printing Office, Washington, August 1949, p. 231.

10 Chief of Staff, U.S. Army, *Field Service Regulations, Operations*, Government Printing Office, February 1962, p. 152.

11 Ibid.

12 Ibid.

13 Chief of Staff, U.S. Army, Field Manual 100-5, *Operations*, Headquarters, Department of the Army, Washington, June 1993, p. 13-14.

14 Walter Kretchik, “U.S. Army Doctrine from the American Revolution to the War on Terror,” University Press of Kansas, Lawrence, KS, 2011, p. 248.

15 Kathleen Hicks and Christine Wormuth, *The Future of U.S. Army Civil Affairs*, Center for Strategic & International Studies, Washington, February 2009, p. 36.

16 John Wishart, “Out of Africa,” *Special Warfare Magazine*, U.S. Army Special Warfare Center and School, 2011.

17 Jeffrey Han and Brion Youtz, “Grains of Truth: The Role of Civil-Military Support Elements in Special Operations,” *Special Warfare Magazine*, U.S. Army Special Warfare Center and School, 2012.

18 Christopher Carr, “Civil Military Engagements Program: A Special Operations Solution to Threats Derived from Undergoverned Areas,” thesis, Command and General Staff College, Fort Leavenworth, KS, June 2015.

19 Brent M. Bartos, “The United States Special Operations Command Civil Military Engagement Program—A Model for Military-Interagency Low Cost/Small Footprint Activities,” thesis, National Defense University, Joint Forces Staff College, Norfolk, VA, April 2014.

20 Charles C. Moores, “Preventing War: Special Operations Engagement in Support of Security Sector Reform,” monograph, School of Advanced Military Studies, Fort Leavenworth, KS, 2014.

21 Angel Rabasa et al., *Undergoverned Territories: Understanding and Mitigating Terrorism Risks*, Rand Corporation, Santa Monica, CA, 2007.

22 Victoria Clark, *Yemen: Dancing on the Heads of Snakes*, Yale University Press, New Haven, CT, 2010, p. 234.

23 Gregory Johnson et al., “The Commander’s Emergency Response Program in Afghanistan and Refining U.S. Military Capabilities in Stability and In-Conflict Development,” Center for Global Development, Working Paper 265, Washington, p. 6, <<http://www.cgdev.org/content/publications/detail/1425397US>>, accessed on July 19, 2016.

24 U.S. Army Special Operations Command, U.S. Army Civil Affairs Regimental Honors, <<http://www.soc.mil/SWCS/RegimentalHonors/CivilAffairs.htm>>, accessed on March 14, 2016.

25 United States Congress, “U.S. Army Articles of War: An Act for Establishing Rules and Articles for the Government of the Armies of the United States,” Washington, April 10, 1806, <<http://suvew.org/education/documents/articles.htm>>, accessed on March 15, 2016.

- 26 Sandler, p. 1.
- 27 U.S. Supreme Court, 54 U.S.498, “Jecker vs. Montgomery,” 1851, <<https://supreme.justia.com/cases/federal/us/54/498/case.html>>, accessed on March 15, 2016.
- 28 Ibid.
- 29 Andrew Birtle, “U.S. Army Counterinsurgency and Contingency Operations Doctrine, 1860–1941,” U.S. Army Center of Military History, Washington, 1998.
- 30 Sandler, p. 147.
- 31 Earl Frederick Ziemke, *The U.S. Army in the Occupation of Germany: 1944–1946*, U.S. Army Center of Military History, Washington, 2003, p. 20.
- 32 In this context, “civil affairs” describes the full range of Army activities dealing with local authorities, not just those conducted by CA units. It is more akin to the modern term “civil-military operations.”
- 33 Sandler, p. 357. See William Berkman, “Civil Affairs in Vietnam,” unpublished paper, U.S. Army War College, Carlisle Barracks, PA, December 28, 1973, p. 4.
- 34 Richard Stewart, “CORDS and the Vietnam Experience: An Interagency Organization for Counterinsurgency and Pacification,” National War College, Fort McNair, DC, 2006, p. 8.
- 35 Stewart, p. 103.
- 36 USAID Deputy Director, Guatemala, personal interview, Washington, January 21, 2016.
- 37 Ibid.
- 38 Member of USAID Civil-Military Cooperation Bureau, personal interview, Washington, January 20, 2016.
- 39 Sandler, p. 314.
- 40 Carr, p. 60.
- 41 Memorandum from Commander, 95th Civil Affairs Brigade to Commandant, Civil Affairs Regiment, 95th CA Brigade, U.S. Army Special Operations Command, February 2016, p. 18.
- 42 Academic Handbook, U.S. Army John F. Kennedy Special Warfare Center and School, 2016, p. 41.
- 43 Bill Mandrick, “Military Government Specialist Information and Recruiting Brief,” U.S. Army John F. Kennedy Special Warfare Center and School, January 6, 2016.
- 44 Member of USAID Civil-Military Cooperation Bureau, personal interview.
- 45 Colin Gray, “Irregular Enemies and the Essence of Strategy; Can The American Way of War Adapt?” Strategic Studies Institute, 2006, p. 30, <<http://www.strategicstudiesinstitute.army.mil/pdffiles/pub650.pdf>>, accessed on April 16, 2016.
- 46 Records of 3rd Battalion, 1st Special Warfare Training Group (Airborne), Fort Bragg, NC, accessed on April 15, 2016.
- 47 Jason Slider, lecture, Command and General Staff College, Special Operations Forces, January 8, 2016, Fort Leavenworth, KS.

Moral Courage and Intelligent Disobedience

by Ted Thomas and Ira Chaleff

The military needs men and women who have courage—the physical courage to go into battle, to overcome fear in the face of bodily injury or death, mental pain, and lifelong disabilities. Militaries run on physical courage. Without it, they run from a fight and surrender. Many sources quote Aristotle as saying, “Courage is the first of human qualities because it is the quality which guarantees the others.”¹ Courage is a primary virtue, as all other virtues require it.

There is another type of courage the military needs, but it is hard to measure or even define—moral courage. The following words of Robert F. Kennedy are as salient today as they were in June of 1966 when he spoke them in Cape Town, South Africa. “Few men are willing to brave the disapproval of their fellows, the censure of their colleagues, the wrath of their society. Moral courage is a rarer commodity than bravery in battle or great intelligence. Yet it is the one essential, vital quality of those who seek to change a world which yields most painfully to change.”² Bravery in battle is needed, but so is the courage to stand up for what is right and against what is immoral, unethical, or illegal.

A critical application of moral courage is knowing when and how to disobey—which can be thought of as intelligent disobedience. This involves an ability to work within the system to maintain standards and uphold moral values. Organizational culture and operational pressures can sometimes cause the values of people to become blurred when the mission becomes more important than virtues. These can take us down the slippery slope of ends justifying means. Good people and good Soldiers can do bad things in these situations. An organizational emphasis on personal accountability for our

Ted Thomas is Director of the Department of Command and Leadership in the U.S. Army Command and General Staff College at Fort Leavenworth, Kansas. Thomas graduated from the United States Military Academy and served in various command and staff positions before retiring. He received a master’s from the University of Illinois, and a Ph.D. from Missouri University of Science and Technology.

Ira Chaleff is president of Executive Coaching & Consulting Associates in Washington, DC. He is the author of *The Courageous Follower*, now in its third edition, and co-editor of *The Art of Followership*, part of the Warren Bennis Leadership Series. His latest book, *Intelligent Disobedience: Doing Right When What You’re Told to Do Is Wrong*, was named the best leadership book of 2015 by the University of San Diego.

actions, regardless of situational pressures, will support the courage needed to do what is morally and ethically right. This article will make the case that moral courage, including intelligent disobedience when warranted, should be taught and encouraged to ensure those in the follower role have the disciplined initiative to disobey orders when appropriate and to recommend alternatives that uphold professional military core values. First, we need to define the terms we are using to understand their importance.

Obedience

Society and culture place a large amount of pressure on people to obey orders. It starts with children as they are taught to obey their parents and other adults such as teachers or people in uniform like policemen or firemen. Stanley Milgram, a psychologist at Yale University, conducted a classic experiment in the early 1960s on obedience to authority. Two thirds of those in the experiment followed the orders of someone who looked like an authority figure due to a lab coat and a clipboard. The experiment used predominantly males between 20 and 50 years old who were ordered to administer electrical shocks to another person. This individual was a confederate in the experiment who purposely answered questions incorrectly. The recruited subjects obeyed orders by administering shocks of up to 450 volts. These people believed and were disturbed that they may be injuring or even killing another innocent human being (who was a part of the experiment, although this was unknown to the person administering the shocks).³

People in the military have a legal obligation to obey lawful orders. Military order and discipline, as well as mission accomplishment, are built on obedience to orders. Failure to do so is punishable under the Uniform Code of Military Justice in Articles 90, 91, and 92. Article 90 makes it a crime to willfully disobey a superior commissioned officer; Article 91

makes it a crime to willfully disobey a superior noncommissioned officer or warrant officer; and Article 92 makes it a crime to disobey any lawful order. Punishment can range anywhere from loss of pay to imprisonment to loss of life in wartime.⁴

...there is a concurrent obligation in the U.S. military to disobey orders if an order is illegal.

Intelligent Disobedience

However, there is a concurrent obligation in the U.S. military to disobey orders if an order is illegal. The Uniform Code of Military Justice articles listed above apply only to lawful orders. The service member can be prosecuted for executing the illegal order. In the war criminal trials that followed World War II, Nuremberg Principle IV was established. The fact that a person acted pursuant to an order of his government or of a superior does not relieve him from responsibility under international law, provided a moral choice was in fact possible to him. Many Nazi defendants were executed or received life sentences despite their defense that they were “following orders.” In U.S. military history, First Lieutenant William Calley used that defense in his slaughter of innocent civilians at My Lai in Vietnam in 1968. He was found guilty and sentenced to life in prison (which was later remitted when President Nixon pardoned him).⁵

Even more recently, four Soldiers in Iraq from the 101st Airborne Division claimed their commander ordered them to “kill all military-age males” in a raid during May of 2006. They captured three Iraqis in the raid, let them loose, told them to run, and then shot them in the back. The defense of following orders did not work for them either, since the order was unlawful. They were convicted and sentenced to prison.⁶

Intelligent disobedience requires refusing

to follow orders that are either unlawful or will produce harm. While this often takes courage to do so, failure to find and act on that courage often does more damage to a career and life than the risk that would be taken by disobeying.

...“moral courage is lonely courage.”... It risks being isolated and singled out for painful personal consequences...

Moral Courage

William Miller, in his book *The Mystery of Courage*, defines moral courage as “the capacity to overcome the fear of shame and humiliation in order to admit one’s mistakes, to confess a wrong, to reject evil conformity, to denounce injustice, and to defy immoral or imprudent orders.” Miller makes the case that “moral courage is lonely courage.”⁷ It risks being isolated and singled out for painful personal consequences such as ridicule, rejection, and loss of job and social standing. Given this, moral courage might seem like it would be a rare occurrence, but when it is displayed it is of real value in preventing and righting wrongs. However, *knowing* what is right is not enough. *Acting* on one’s obligations, morals and convictions is necessary for moral courage.⁸ The following examples will help illustrate moral courage, as well as illustrate the subjectivity and the difficulty in defining it.

Did the 9/11 hijackers demonstrate moral courage? The question seems outrageous to us, but it provides an extreme example to analyze. The hijackers are considered evil and cowardly by most of us in the U.S. but are considered courageous heroes and martyrs by others in the world. We find it abhorrent to call anyone who kills innocent men, women, and children courageous, and that it is misplaced to call those who commit suicide martyrs.

Nevertheless, cowards do not usually willingly kill themselves and these hijackers died for a cause they apparently believed in. Therefore, objectively it is hard to label them cowards since they knowingly took actions leading to their own certain death. Yet, maybe the label is still correct. Why?

These attackers must have had the courage of their convictions but did they have moral courage? They did not brave the disapproval of their fellow jihadists, the censure of their colleagues, or the wrath of their social group. In fact, they conformed to its prevailing thinking. They did not have moral courage since the subset of society from which they came approved of their actions and gave them praise instead of wrath. They planned and schemed as a group, so there was no loneliness involved. If courage is a morally neutral virtue and not defined by the values of the specific group, the attackers could be said to have had physical courage in order to act in the face of grave bodily harm and death, and perhaps spiritual courage to sacrifice themselves for their extreme religious beliefs, but they cannot claim moral courage; it was not needed or evidenced in their actions.⁹ Only individual resistance to the group’s destructive plan would have been an act of moral courage.

Moral Courage and Civil Disobedience

The case of Edward Snowden further illustrates the difficulty in defining moral courage. Edward Snowden is considered a villain and traitor by some and a brave individual by others. Snowden was a contractor for the National Security Agency who leaked documents to the media concerning massive amounts of internet and phone surveillance by United States intelligence agencies.¹⁰ He committed several crimes by doing so, including communication of classified documents, stealing government property, and unauthorized disclosure of information vital to national defense. He stated,

“I do not want to live in a world where everything I do and say is recorded.”¹¹ Viewpoints depend on where one stands on certain issues. The question becomes, did Snowden display courage in what he did, and if so, what kind of courage?

When Snowden committed his crime, he knew that the government would prosecute him on criminal charges that would potentially result in a lengthy prison sentence. In this sense, Snowden’s act was one of civil disobedience, which is defined as knowingly breaking a rule or law that is considered unjust with the intention of bringing it to the light of public scrutiny to have it remediated. This is distinct from the concept of intelligent disobedience, which is working within the framework of an existing law to resist or refuse a harmful order. Nevertheless, we can use this as another extreme example to determine if his actions could be considered courageous.

To the best of our knowledge, Snowden was not working as part of a group of people trying to disclose government secrets, but acted on his own inner convictions. After he went public, there were many like-minded people who rallied around him, calling him a hero and whistleblower. Without approving of his methods, Congress even passed legislation correcting the abuses he brought to public light. However, before that, he felt very much alone and fearful of sharing what he was doing with any colleagues or even his girlfriend. In one author’s words, “he sounds like that most awkward and infuriating of creatures—a man of conscience.”¹²

In Edward Snowden’s mind, he took actions he thought were correct and did so in isolation at the expense of the disapproval of his fellows, the censure of his colleagues, the wrath of his society, and incurring the legal machinery of his government. This would meet the objective definition of moral courage. It also highlights the difficulty of an objective assessment, as many in our security apparatus view his acts as those of a traitor. It is the contention of this article,

that if we can create cultures that value acts of internal attempts to correct abuse, which we are characterizing as intelligent disobedience rather than civil disobedience, we will avoid morally fraught decisions such as those made by Snowden.

...intelligent disobedience...is working within the framework of an existing law to resist or refuse a harmful order.

Intelligent Disobedience

The Army is considered by many to be a culture of blind obedience. While this is not as true as many believe, General Mark Milley, the 39th Chief of Staff of the Army, is trying to break that paradigm. He recently described the need for intelligent disobedience when he discussed warfare in the near future. General Milley asserted that in the current asymmetric warfare of ill-defined front lines and fighting on land, sea, air, space, cyberspace, and electromagnetic spectrum, Soldiers need to disobey orders to accomplish the mission when battlefield realities have fundamentally changed and there is no ability or time to consult with superiors.¹³ This type of thinking is based on an assumption that the boss would do what the subordinate did if only the boss knew what the subordinate does.

Though General Milley did not use the term directly, he captured the essence of intelligent disobedience. Knowing when and how to disobey is a higher order skill than to just obey.¹⁴ It requires an atmosphere of trust and empowerment, and the ability of the leader to recognize the person closest to the action may have the best picture of what needs to be done. Army doctrine uses the term mission command (ADRP 6-0) to describe this idea. Mission command includes the ideas of disciplined initiative and commander’s intent.

Disciplined initiative allows subordinates the freedom of action to quickly adapt to changes in the environment as long as they stay within the leader's intent for the mission.¹⁵ Intelligent disobedience goes beyond disciplined initiative to address violations of values, asking tough and relevant questions to clarify orders, and looking beyond rationalizations and pressures to engage those giving orders.¹⁶

Intelligent disobedience can simply involve the professionalism to not execute an order that would clearly have negative operational consequences. It often also involves moral courage. The individual in the follower role will need moral courage both to disobey unethical, illegal, and immoral orders and to disobey orders that would inadvertently bring harm to the organization and its mission.

Intelligent disobedience can simply involve the professionalism to not execute an order that would clearly have negative operational consequences. It often also involves moral courage.

Obedience and disobedience are terms and concepts, which are neither inherently good nor bad. However, put in a context, they can gain either positive or negative connotations.¹⁷ We can intelligently disobey when no moral courage is needed, as in the case of the U.S. Army's concept of disciplined initiative where trust and empowerment are given. "Disciplined initiative is action in the absence of orders, when existing orders no longer fit the situation, or when unforeseen opportunities or threats arise. Commanders rely on subordinates to act."¹⁸ Leaders expect their followers to disobey in these instances.

We can be called upon to disobey when courage is clearly required to do so. A recent

example shows the convergence of moral courage and intelligent disobedience. Political pressure played a large role in coercing distorted intelligence reports in the U.S. military's Central Command. Over fifty intelligence analysts filed a complaint that their senior officials altered reports that effectively rose to the level of lying to fit a political narrative in line with President Obama's contention that the fight against ISIS and al Qaeda in Syria was going better than it actually was. The analysts claimed they worked in a hostile climate where they could not give an accurate picture of the situation because their commanders wanted to protect their careers. Some of those who complained were even encouraged to retire.¹⁹

It took moral courage and an act of intelligent disobedience to go around the hierarchy to the press to report the misuse of power coercing them to lie and alter reports. Compared to Snowden, though they blew the whistle, they did so largely within the system. Their actions were vindicated by society. At the time, it took moral courage to risk losing their job and status, and it took intelligent disobedience to get results in a moral and legal manner.

Organizational Culture

Military culture is replete with such terms as "make it happen," "that's NCO business," "check the block," "what happens in theater stays in theater," and "make your statistics." These mental models have the potential to encourage either immoral, unethical, or illegal behavior, yet Service doctrine and values stress ethical, moral, and legal behavior. The Uniform Code of Military Justice is written to enforce even higher standards of conduct on the military than those in the civilian world. Nevertheless, codes and laws still do not keep people from breaking them. The climate and culture of organizations are key predictors of the morality and ethics of those organizations.

Lord John Fletcher Moulton, an English

judge from about 100 years ago, wrote on the concept of “obedience to the unenforceable.” He envisioned this idea as a domain between law and pure personal preference. He stated this middle domain is the obedience a person enforces on himself to those things which he cannot be forced to obey. It includes concepts of moral duty, social responsibility and behavior, and doing what is right when there is no one to enforce it. He stated the true greatness of a nation is the extent to which a country can trust its citizens to act in appropriate ways without being forced to do so.²⁰ It requires virtuous citizens who act with civic responsibility. The culture in an organization reflects the attitude of its people in their conduct of obedience with or without force. Leaders set the standard in what they enforce, reward, punish, and how they act personally. Followers then reinforce the culture or develop a subculture counter to the espoused culture.

Leonard Wong and Stephen Gerras wrote a monograph asserting that many leaders in the Army lie in order to succeed. Their premise is that the military has “created an environment where it is literally impossible to execute to standard all that is required.”²¹ Their solution to changing the culture is to recognize the Army has a problem, exercise restraint, prioritize what can be done instead of lying about what was done, and lead truthfully.²² This requires moral courage of the leadership to step forward, risking loss of job and status by going against the culture. If everyone follows, then moral courage is no longer needed, but if only a few are doing what is right and risking their employment, reputation, and friendships, then moral courage is most definitely needed. Since the Wong and Gerras article was written over a year ago, not much has changed in the culture. As General Patton said, “Moral courage is the most valuable and usually the most absent characteristic in men.”²³

Of course, it is not just the military that is subject to these stresses. Pressure from superiors,

as well as self-interest and greed, can create an atmosphere of compliance and doing what one is told. Scandals at Wells Fargo Bank and Volkswagen are both indicative of cultures in desperate need of intelligent disobedience and moral courage. There was no one who visibly stood up and disobeyed in the face of lying, falsifying results, and illegally earning bonuses. At Wells Fargo, their employees created over two million fake accounts, incurring various customer expenses to include interest charges and overdraft protection fees. Wells Fargo fired 5,300 employees who made up PIN numbers and email addresses to enroll their existing customers in more accounts.²⁴ Volkswagen equipped 11 million of its cars with software designed to lie about emissions tests. This deception started over a decade ago when their leaders knew they could not meet United States clean air standards.²⁵ In both instances there was a culture driven by pressure from above and greed which encouraged cheating and fraud by involving thousands of people. Individuals with moral courage using intelligent disobedience could have prevented these scandals and the great costs their companies ultimately payed for lack of a culture embracing these virtues.

As General Patton said, “Moral courage is the most valuable and usually the most absent characteristic in men.”

Those who are just obeying orders and conforming to the culture are just as culpable as those giving the orders. More people need to come forward to decry and stand against immoral, unethical, or illegal behavior, or just plain wrong orders that will cause avoidable failures and harm. Corporate culture has a tremendous influence on corporate behavior. New employees to an organization quickly determine the business norms. The

organizational culture becomes the standard to which their behavior is held and whether they are retained, promoted, fired, or voluntarily leave. Thus, many employees will follow a separate set of ethical standards at work than they will at home, thereby living a form of corporate cultural ethical relativism.²⁶

There are at least four ways our moral standards and values are turned off at work. First, improper behavior is relabeled as good because it appears to achieve organizational goals. Second, we distance ourselves from wrongdoing by rationalizing that we are just doing our job and performing what we were hired to do. Third, we use euphemisms to reduce the impact of what we are doing; for instance, a boss might tell an employee to use “creative accounting” to make numbers for the quarter, implying they need to lie. Fourth, we dehumanize the victims of harmful or even evil acts through derogatory terms to make them seem less human and deserving of poor treatment.²⁷ All four of these instances are seen in both Volkswagen and Wells Fargo, as well as in many other crises. Oftentimes it just takes one person to take a stand and bring the voice of reason and light into a dark room.

Cultures that focus on short-term gain and stifle dissent will tend to damage long term growth and success.

Responsibility of Leaders and Followers to Change Culture

It is the responsibility of leadership to find and encourage people who are willing to take action and disobey when needed. President John Adams made the statement, “It is not true, in fact, that any people ever existed who loved the public better than themselves, their private friends, neighbors...”²⁸ If that is the

case, then where does the moral courage arise when one’s reputation, position, or influence is at stake? President John F. Kennedy made the case that love for self is at the root of one’s need to maintain respect for self over popularity with others; the desire to maintain one’s honor and integrity is more important than job or position; conscience and personal standards of ethics become stronger than public disapproval; and the conviction that the justification of the course chosen will then overcome the fear of reprisal.²⁹ Love of self, not in a narcissistic sense but in a sense of being true to one’s values, is then at the root of moral courage and intelligent disobedience.

Organizations that punish whistleblowers and others who attempt to do the right thing will maintain a culture where lying, cheating, and dishonesty are encouraged in the unwritten culture, outside of the corporate creed or posted values. Cultures that focus on short-term gain and stifle dissent will tend to damage long term growth and success.³⁰ Organizational values are put into place to encourage honorable long-term behavior. Policies that reward results, no matter how they are achieved, are ones which send a double message—we want employees to be honorable, but will look the other way if they bend the rules to get the results we want. Leadership starts at the top and leaders who stress ends or results over means or methods will breed dishonesty and reap the results of a culture which says one thing and does another.

Leaders have a moral obligation to lead ethically, and followers have a moral obligation to inform, and even confront their boss when ethical standards are ignored or when truth needs to be told. General Eric Shinseki, the 34th Chief of Staff of the Army, told Congress that it would take twice the number of troops in Iraq to win the peace. He was marginalized and vilified with the result of silencing other military critics precisely at the time when critical judgment was most needed.³¹

Conclusion

It takes moral courage and intelligent disobedience on the part of followers to know when not to obey and even to know when to go outside of the hierarchy and report any malfeasance and wrongdoing. It may cost a job, reputation, or other adverse consequence, but it is the right thing to do. The historic virtues of courage and obedience now require additional virtues of moral courage and intelligent disobedience with the capacity to disobey and innovate when morality or rapidly changing field conditions require doing so. Moral courage and intelligent disobedience are concepts that need to be taught in every organization. **IAJ**

Notes

- 1 Aristotle, Brainy Quote, accessed 14 December 2016, <https://www.brainyquote.com/quotes/quotes/a/aristotle121141.html>.
- 2 Kennedy, Robert F. speech in Cape Town, South Africa, 6 June 1966, accessed 23 Sep 2016, http://webcache.googleusercontent.com/search?q=cache:YICmyXW6SfwJ:rfkhumanrights.org/media/filer_public/6b/99/6b998238-0032-4607-a089-6f4432061fad/robert_f_kennedy.pdf+&cd=8&hl=en&ct=clnk&gl=us
- 3 McLeod, Sam. "The Milgram Experiment," Simply Psychology, published 2007, <http://www.simplypsychology.org/milgram.html>, accessed December 21, 2016.
- 4 Powers, Rod. "Military Orders: To Obey or not to Obey," US Military Careers, updated 16 October 2016, <https://www.thebalance.com/military-orders-3332819>, accessed 21 December 2016.
- 5 Ibid.
- 6 Emery, Theo, "An Army Murder Trial Begins," TIME, March 14, 2007, accessed 5 January 2017, <http://content.time.com/time/nation/article/0,8599,1599120,00.html>, and von Zilbauer, Paul, "Soldier Reaches Plea Deal in the Killing of 3 Iraqis," NY Times, January 4, 2007, accessed 5 January 2017, <http://www.nytimes.com/2007/01/04/washington/04plea.html>.
- 7 Miller, William I. *The Mystery of Courage*, Cambridge, MA; Harvard University Press, 2000, pg. 254-55.
- 8 Lachman, Vicki D. "Moral Courage: A Virtue in Need of Development?" MEDSURG Nursing, April 2007, Vol. 16/No. 2.
- 9 Sontag, Susan. "Tuesday, and After" in *The New Yorker*, September 24, 2001, accessed 14 December 2016, <http://www.newyorker.com/magazine/2001/09/24/tuesday-and-after-talk-of-the-town>.
- 10 BBC News, Edward Snowden: Leaks that exposed US spy programme, January 17, 2014, <http://www.bbc.com/news/world-us-canada-23123964>, Accessed 5 Oct 2016.
- 11 BBC News, Profile: Edward Snowden, December 16, 2013, <http://www.bbc.com/news/world-us-canada-22837100>, Accessed 5 Oct 2016.
- 12 Cassidy, John. Why Edward Snowden Is a Hero, Jun 10, 2013, <http://www.newyorker.com/news/john-cassidy/why-edward-snowden-is-a-hero>, Accessed 5 Oct 2016.
- 13 Freedburg, Sydney J. Jr., Breaking Defense, October 5, 2016, Miserable, Disobedient & Victorious: Gen. Milley's Future US Soldier, <<http://breakingdefense.com/2016/10/miserable-disobedient-victorious-gen-milleys-future-us-soldier/>>, accessed 6 October 2016.

- 14 Chaleff, I. *Intelligent Disobedience: Doing Right When What You're Told to do is Wrong*, Barrett-Koehler Publishers, Inc., 2015, pg. xi-xii.
- 15 Mission Command, ADRP 6-0. Headquarters, Department of the Army, Washington DC, 17 May 2012, pg. 2-1.
- 16 Chaleff, pg. 61.
- 17 Ibid., pg. 16.
- 18 ADRP 6-0 Mission Command, Headquarters Department of the Army, May 2012.
- 19 Youssef, Nancy and Harris, Shane. Exclusive: 50 Spies Say ISIS Intelligence Was Cooked, The Daily Beast, Sep 10, 2015, <http://www.thedailybeast.com/articles/2015/09/09/exclusive-50-spies-say-isis-intelligence-was-cooked.html>, accessed 2 Aug 2016.
- 20 Silber, John. Obedience to the unenforceable, The New Criterion, June 1995, <http://www.newcriterion.com/articleprint.cfm/Obedience-to-the-unenforcable-4378>, accessed 25 Oct 2016
- 21 Wong, Leonard and Gerras, Stephen J., Strategic Studies Institute and US Army War College Press, Lying to Ourselves: Dishonesty in the Army Profession, February 2015, pg. 2.
- 22 Ibid., pg. 29-32.
- 23 Military Quotes, General George Smith Patton Quotes, <http://www.military-quotes.com/Patton.htm>, accessed 6 October 2016.
- 24 Egan, Matt, CNN Money, 5,300 Wells Fargo employees fired over 2 million phony accounts, Sep 9, 2016, <http://money.cnn.com/2016/09/08/investing/wells-fargo-created-phony-accounts-bank-fees/>, accessed 21 Oct 2016.
- 25 Gates, Guilbert; Ewing, Jack; Russell, Karl; and Watkins, Derek. NY Times, Explaining Volkswagen's Emissions Scandal, 12 September 2016, http://www.nytimes.com/interactive/2015/business/international/vw-diesel-emissions-scandal-explained.html?_r=0, accessed 21 October 2016.
- 26 Brown, M. Neil; Kubasek, Nancy K.; Giampetro-Meyer, Andrea. "The seductive danger of craft ethics for business organizations," Review of Business, St John's University, College of Business Administration, Winter 1995, v17, issue n2, <http://www.freepatentsonline.com/article/Review-Business/18194391.html>, accessed 25 Oct 2016.
- 27 Adams, Guy B. and Balfour, Danny L. *Unmasking Administrative Evil*, M.E. Sharpe: New York, 2009, pg. 17.
- 28 Adams, John. Defence of the Constitutions of Government of the United States, 1787, reprinted in 1987 by The University of Chicago Press, http://press-pubs.uchicago.edu/founders/print_documents/v1ch18s17.html, accessed 24 October 2016.
- 29 Kennedy, John F. Profiles in Courage, Pocket Books, Inc.: New York, 1961, pg. 203.
- 30 Chaleff, Ira. VW's culture of blind obedience: What went wrong and how to fix it, 26 September 2015, <http://www.msnbc.com/msnbc/vws-culture-blind-obedience-what-went-wrong-and-how-fix-it>, accessed 24 October 2016.
- 31 Shanker, Thom. "New Strategy Vindicates Ex-Army Chief Shinseki," The New York Times, Jan 12, 2007, <http://www.nytimes.com/2007/01/12/washington/12shinseki.html>, accessed 28 October 2016.



Arthur D. Simons Center
for Interagency Cooperation



Search for:

Attention Interagency Practitioners!



Looking for a comprehensive website for news across the U.S. government? Look no further!

The Simons Center's website is a one-stop-shop for interagency news and publications. Our site is constantly updated to include the latest in interagency and U.S. government news. We also provide a variety of useful resources, including an annotated bibliography containing thousands of articles, papers, books and other sources of interagency knowledge.

Sign up for our weekly email alerts today!

www.TheSimonsCenter.org



Donate to the Simons Center

- InterAgency Journal
- InterAgency Paper
- InterAgency Essay
- InterAgency Study

Evaluation of Current Risk Assessment Models for Genocide and Mass Atrocity

by Kathryn Gillum

Genocide and other atrocity crimes (war crimes and crimes against humanity) are not only a curse to those directly involved, but also a burden on all of humanity. Under the United Nations' (UN) 2005 Responsibility to Protect (R2P), the international community has the moral obligation to intervene in atrocities and a duty to help protect victims.^{1,2} Recognizing atrocity in its early stages gives the international community greater capability and more response time to protect civilians. R2P and preemptive action could also reduce the risk of financial and diplomatic losses, while protecting human life. Therefore, it is in the international community's best interest to act in accordance with R2P.³ By acting before even a drop of blood is split, the U.S. and other world leaders will be better able to uphold international norms of protection and ensure that other nations do their part in protecting innocent lives.

Identifying genocide and atrocities before they occur can be difficult; however, risk assessments that evaluate a collection of risk factors can help. Risk factors are situations that normally have been identified as contributing to atrocities in the past. States that exhibit these factors have a higher risk of atrocities. Though these models vary in approach and factors, most of the risk factors can be grouped into three basic categories: political, economic, and social instabilities and/or inequalities. Political risk factors typically involve instabilities in governance, militarization, legislation, and national history. Economic risk factors can include a decline of a nation's gross national product, widening income inequality, or crumbling infrastructures. Examples of social factors can be aspects of increased hate speech or propaganda and active discriminations such as othering or purposeful alienation.

This article analyzes four influential atrocity/genocide risk assessments (the Fund for Peace's 2014 Conflict Assessment System Tool, Dr. Barbara Harff's 2005 Assessing Risks of Genocide and Politicide, the European Commission's 2008 Conflict Prevention, and the United Nations' 2014 Framework of Analysis for Atrocity Crimes). The specific models in this article were

Kathryn Gillum recently has graduated from Keene State College with a BA in Holocaust and Genocide Studies and a minor in International Relations, along with another BA in Biology. While at Keene State College, Gillum served as Vice President of Zeta Chi Rho, the Holocaust and Genocide Studies honors society.

selected to provide examples of how diverse authoring institutions, such as nongovernmental organizations (NGOs), scholars, and government bodies, outline risk assessments. Each analysis provides a model's overview, which evaluates the model's strengths and weaknesses and addresses the distinctions and commonalities among the models. Understanding and implementing these risk assessment models can help preemptively identify and prevent genocide and atrocity crimes. For a summarization and outline of the four assessments, please refer to the Appendix.

Fund for Peace's CAST (2014)⁴

The Fund for Peace is an educational and research-based, non-profit, NGO working toward the prevention of violence.⁵ In 2014 it published the *Conflict Assessment Framework Manual* containing a risk assessment model called the Conflict Assessment System Tool (CAST). CAST is composed of twelve risk factors that are used to measure whether or not a state may experience atrocity. These twelve factors are broken down into three main sub-categories, "social indicators," "economic indicators," and "political/military indicators."

Social indicator risk factors in CAST include aspects such as refugee populations. With the 4.6 million Syrians forced into a refugee population and 6.6 million that have become internally displaced persons (IDPs) since 2011, the plight of refugees is becoming a pressing global issue.⁶ Other risks include certain community demographics and a history of discriminatory tensions. In this assessment, economic risks are not just national economic decline or inequality or even perceived inequality. Instead they also refer to inequalities in education and hiring practices among different groups. These inequalities further divide groups, not just economically, but societally as well. CAST's political risk factors deal with aspects of the status of the regime in power, along with the nation's military and parts of the state's past.

One aspect that makes CAST unique is its quantitative severity scale that provides ten examples of events that a state might endure ranked by severity from ten to zero, ten being events that put states at the highest risk and zero being events that put states at the lowest risk. This assessment keeps jargon to a minimum and allows for quick comparatives. Furthermore, CAST was not written with any one body in mind; rather, it is an unbiased approach that allows for use by many varying groups. CAST is, however, lengthy, and some risk factors are hard to pinpoint. And while CAST is strong on political risks, it lacks depth in social and economic risk factors.

Understanding and implementing these risk assessment models can help preemptively identify and prevent genocide and atrocity crimes.

Harff's Assessing Risks of Genocide and Politicide (2005)⁷

In 2005, Dr. Barbara Harff, an advisor for the Genocide Prevention Advisory Network, updated her 2003 risk assessment in a piece titled, "Assessing Risks of Genocide and Politicide."⁸ This assessment, originally published in *Peace and Conflict 2005: A Global Survey of Armed Conflicts, Self-Determination Movements, and Democracy*, has since become an excellent tool in genocide/politicide identification and prevention and is continuously updated. According to Dr. Harff, this model when used correctly can be up to 76–90 percent accurate, and it is the only model with an accuracy percentage.

Harff's assessment has seven risk factors for genocide and politicide (defined as politically-based violence and killing). The majority of these risk factors are politically focused, with a strong emphasis on history. The first risk factor is if the

state has experienced a genocide or politicide since 1945; if it has, then it is more likely to experience another, as the state may have become more conditioned to outbreaks of violence. The next risk factor is political upheaval. If a country has experienced a regime change within the past fifteen years, the government may not yet be fully established, accepted, or stable. According to Harff, the most at risk regime is an autocracy, where there is a single person or party in control of the government. When a population is not properly represented in the government, the ethnic character of the rulers becomes another risk factor. The shared ideology of the ruling elite is also a hazard. If rulers have a belief system that enables them to justify elimination, persecution, or discrimination of a people, it puts the entire nation at higher risk for atrocity. This is the current situation with the Islamic State of Iraq and Syria, who rule as a theocracy with the religious justification for the elimination of outsiders through *jihād*.

According to Harff, the most at risk regime is an autocracy, where there is a single person or party in control of the government.

Dr. Harff's model is beneficial for many reasons, including the fact that she maintains the assessment as a living document adding current data to better her analysis. Also, she notes that while no person or analysis can accurately predict when violence will begin, being able to recognize the risks and precursors of genocide/politicide is beneficial in enacting preventative measures to stop the violence. Harff also provides examples of historical genocides and politicides to illustrate how the risk factors she suggests contributed to the violence. A drawback of this model is that economic and social risks are largely untouched.

The European Commission's Conflict Prevention (2008)⁸

In 2008, Ahlfors and Van wrote "Conflict Prevention," a risk assessment model for the European Commission (EC).⁸ The purpose of this assessment was to categorize and define when and how the European Union (EU) could get involved when faced with atrocity. While the report's main focus is on prevention, it also addresses post-conflict peace building. This model outlines eight risk factors of atrocity crimes that each has concrete examples or indicators of how the risk can manifest in real-time, along with examples on how to combat it.

The EC highlights a state's illegitimacy, judiciary weaknesses, and geopolitical climate as risks. Economic risks are factors such as a non-diversified economy, and economic inequities that are a threat as they can exacerbate social tensions. Examples of social factor risks are group tensions, human rights abuses, and biased civil media outlets.

Overall, the EC assessment focuses on prevention and rebuilding from atrocity through the local community, thus allowing people power over their own lives. It is a well-balanced evaluation of political, economic, and social factors; however, it is targeted for use by the EU, and it may not be completely suitable for a broader, non-parliamentary, global utilization, as in some cases it pushes European ideology.

The United Nations' Framework of Analysis for Atrocity Crimes (2014)⁹

In 2014, the UN Office of the Special Advisors on the Prevention of Genocide and the Responsibility to Protect published the "Framework of Analysis for Atrocity Crimes."⁹ This assessment model notes that while all risks are equally important, they may be subject to change over time and severity, depending on the situation. It stresses the consequences of not acting preemptively and also addresses

the historic importance of doing so. The UN identifies eight common risk factors for all atrocity crimes, then it further discusses two specialized risks for each of the three individual crimes, providing a total of fourteen risks, with many risk examples or indicators. The eight common risks share many different elements of the state, such as regime stability and stressor factors. But, they also include factors of violence, such as the ability to commit an atrocity, as well as motivations and triggering events that can bring about or justify atrocity crimes. However, the last six specialized risks focus on the individual and legal aspects and include factors of victimization, the intent of violent actions, and how attacks are perpetrated.

The UN’s framework is an internationally recognized risk assignment model. It is easy to read and offers legal definitions for all atrocity crimes, along with individual risk factors for each. No other risk assessment in this study addresses the issues of motivation and triggering events, which is important to note, as most atrocity crimes start with a triggering event, such as an act of terror or an election, and all violence starts with some form of motivation or intention. Another helpful aspect of this model is that the risks and their corresponding indicators act as real-time examples, making them easily

recognizable in current atrocities. However, this risk assessment may be confusing, as the risks are difficult to fit into the three sub-categories of political, economic, or social risks, but the indicators that they offer for the risks can fit into one of these three sub-categories.

Common Factors and Comparisons

While each of these four models has unique aspects that can make it better or worse in certain situations, each offers significant insight into atrocity. It is also important to understand the common themes and similarities of the four assessments, instead of assessing the individual models by themselves. The most prevalent overall risk factors should be examined in an unstable state. Out of all the analyzed risk assessments, only a few common risk factors can be thought of as universal, which means that if a nation has one or more of these universal risk factors, it may be more at risk than if it has experienced a less common risk. There are three common risks shared in each assessment—history of abuse, economic inequality, and social discrimination against specific groups. Though these are not the only prominent commonalities, these are the only ones found in all four models (for more shared risks please refer to Table 1 below).

| Risk Model | Past crimes/abuses | Economic inequalities | Patterns of discrimination | Use of media | Lack of civilian controlled security services | Corruption | Regime change | Fractionalization of elites | Lack of state legitimacy |
|------------|--------------------|-----------------------|----------------------------|--------------|---|------------|---------------|-----------------------------|--------------------------|
| CAST | X | X | X | X | X | X | X | X | X |
| Harff | X | X | X | | | | X | X | |
| EC | X | X | X | X | X | X | X | X | X |
| UN | X | X | X | X | X | X | | | |

Table 1: Compared Risk Factors for Assessment Models (X implies the model shares this risk)
Source: Kathryn Gillum 2016

The first common political risk factor is a history of atrocity crimes or human rights abuses. If a nation has experienced human rights abuses, which were uninterrupted by the international community, it is at risk of repeating actions in the future. Noninvolvement can justify a state's previous crimes, and states can further commit crimes because they believe they have impunity. When the international community does nothing to stop state-sponsored atrocities, the state has a sense that the international community will not stop them in the future. In many unstable nations, the entire culture is conditioned to accept a state of violence. This conditioning may have contributed to many German Jews not leaving Germany when Hitler took power, as the Jewish population was conditioned to accept violence against them as inevitable.

The next shared risk is economic inequalities along group lines. Economic inequalities play a role not only in the financial stability of a group, but also its social stability. Typically, those that have money have better access to healthcare, necessities, and protection than those who do not. Also, economic inequalities can cause social segregation with different material items, jobs, and education, furthering group divisions.

Perhaps one of the most important common social risks of atrocity is discrimination against specific groups. This particular risk is dangerous because it legitimizes othering. Social discrimination starts off with a dislike of one group, which then escalates into persecution of the group through laws and human rights abuses. Social othering and discrimination are factors that separate individuals from a once-united community. Without a hated group in a society, there would not be societal support of violence; therefore, without the supportive climate, potentially fewer atrocity crimes would be committed. Discrimination, like economic inequality, creates a hierarchy; however, the basis of that hierarchy is not who is rich and who is poor, but rather who is allowed to live in society and who is not.

Conclusion

These models offer systematic, qualitative, analysis tools to help proactively identify, assess, and address risk factors—typically social, political, and/or economic instabilities or inequalities—that can germinate in a nation and escalate into potential atrocity. While many important atrocity assessment models exist, there were only four models chosen for this comparative analysis. These assessments offer an excellent spectrum of atrocity recognition and preventive measures for citizens, NGOs, and world leaders to use to proactively address the probability of atrocity crimes globally. While all genocide risk assessment models are important and have their own unique strengths and weaknesses, some can be better than others for certain applications. A collection of assessments can be suitable to outline risks and aspects unique to certain situations.

As leaders in the international community, the U.S. and other powers, such as China, Russia, the United Kingdom, and France, have the responsibility to recognize and act to prevent atrocities that are escalating around the world. Our best hope for global security and stability likely depends on the collective and collaborative efforts of our leading world powers to identify and end atrocity crimes before they occur by adopting and applying these types of risk assessments. **IAJ**

NOTES

- 1 International Coalition for the Responsibility to Protect, “A Toolkit on the Responsibility to Protect,” <<http://responsibilitytoprotect.org/ICRtoP%20Toolkit%20on%20the%20Responsibility%20to%20Protect%20high%20res.pdf>>, accessed on February 1, 2016.
- 2 United Nations General Assembly, resolution, adopted September 16, 2005, <<https://documents-dds-ny.un.org/doc/UNDOC/GEN/N05/487/60/PDF/N0548760.pdf?OpenElement>>, accessed on December 12, 2015.
- 3 Dr. J. Waller, “Responsibility to Protect,” lecture, Keene State College, Keene, NH, March 2, 2015.
- 4 Fund for Peace, “Conflict Assessment System Tool,” *Conflict Assessment Framework Manual*, <<http://library.fundforpeace.org/library/cfsir1418-castmanual2014-english-03a.pdf>>, accessed on February 2, 2016.
- 5 “About The Fund for Peace,” <<http://global.fundforpeace.org/aboutus>>, accessed on February 3, 2016.
- 6 “Syria Crisis,” <<http://www.wvi.org/syria-crisis>>, accessed on March 21, 2016.
- 7 Dr. Barbara Harff, “Assessing Risks of Genocide and Politicide,” 2005, <http://www.genocidewatch.org/images/AboutGen_Assessing_Risks_of_Genocide_and_Politicide.pdf>, accessed on February 3, 2016.
- 8 “Programming Guide for Strategy Papers,” November 2008, <http://www.eplo.org/assets/files/3.%20Resources/EU%20Documents/European%20Commission_Programming%20Fiche_Conflict_Prevention.pdf>, accessed on February 3, 2016.
- 9 United Nations, “Framework of Analysis for Atrocity Crimes: A Tool for Prevention, 2014, <http://www.un.org/en/preventgenocide/adviser/pdf/framework%20of%20analysis%20for%20atrocity%20crimes_en.pdf>, accessed on February 1, 2016.

| | | | | |
|-----------------------------|---|--|---|---|
| | FFP's Conflict Assessment System Tool (2014) | Harrf's Assessing Risks of Genocide and Politicide (2005) | EC's Conflict Prevention (2008) | UN's Framework of Analysis for Atrocity Crime (2014) |
| Model Overview and Approach | A research tool and prevention mechanism to qualitatively and quantitatively assess 12 genocidal risk factors or indicators. | Structural living model of genocide and politicide with 7 main risks, and many examples of when and how risks were used. | Outline used for conflict prevention and peace building initiatives with 8 risk factors. | Prevention tool with 14 risks with multiple indicators for each risk, broken down into risks of genocide, crimes against humanity, and war crimes. |
| Champions and Affiliates | NGO established in 1957 with many political and business ties | Genocide Prevention Advisory Network: background with U.S. task force and Naval Academy | European Union | Special advisors on the prevention of genocide, UN |
| Primary Risk Factors | Social: demographic pressures; refugees and IDPs; group grievance; human flight and brain drain Economic: uneven economic development; economic decline Political: state legitimacy; public services; human rights and the rule of law; security apparatus; factionalized elites; external intervention | Social: little Economic: trade openness Political: prior genocides and policies; political upheaval; ethnic character of ruling elite; ideological character of the ruling elite; regime type All: severe political and economic discrimination among minorities (applies to all three) | Social: tensions among communities without resolution; violations of fundamental rights in the state; weak civil society or media Economic: poor economic management; socio-economic regional inequalities Political: legitimacy deficit; restrictions to the rule of law; geopolitical instabilities | Social: capacity to commit crimes; tensions or patterns of discrimination; enabling circumstances Economic: little Political: past violation of human rights; weak state structure; no mitigating factors All: instability; motivations; triggering factor (communal factors only) |
| Key Strengths | <ul style="list-style-type: none"> ➢ Quick quantitative assessment ➢ Strong comparative analysis ➢ Non-biased approach that includes examples and explanations applicable to most NGOs | <ul style="list-style-type: none"> ➢ Ties risks to history's atrocities ➢ "Living model" with continuous updates ➢ Short, concise, easy to understand ➢ Focuses on political analysis | <ul style="list-style-type: none"> ➢ Offers many possible solutions to the risks ➢ Focuses on community rebuilding ➢ Many examples of indicators to the risks | <ul style="list-style-type: none"> ➢ In-depth risk indicators ➢ Clearly defines and provides risk for all atrocity crimes, ➢ Addresses UN's faults ➢ Stresses trigger factors |
| Chief Weaknesses | <ul style="list-style-type: none"> ➢ Lengthy report ➢ Somewhat convoluted risk indicators ➢ Proactive response | <ul style="list-style-type: none"> ➢ Lacks depth ➢ Little on social and economic risk ➢ No indicators of risk | <ul style="list-style-type: none"> ➢ Limited to European intervention ➢ Less universal | <ul style="list-style-type: none"> ➢ Risks do not easily dovetail into social, economic, or political segments ➢ Crimes against humanity and war crimes poorly addressed |
| Distinguishing Features | Only model with quantifiable severity rating scale (10-most; 1-least) in each of 12 risk indicators | Assessment is continuously updated and provides concrete examples from history to illustrate accuracy ratings | Pro-active model that offers multiple possible solutions for each risk | Breaks down atrocity crimes and provides communal and separate risks for each crime; only model that stresses trigger factors |

Appendix: Leading Genocide Risk Assessment Models At-A-Glance
Source: Kathryn Gillum, April 2016



Fort Leavenworth Ethics Symposium

An intellectual forum co-sponsored
by the U.S. Army Command and General Staff College
and the CGSC Foundation, Inc.



The 2017 Fort Leavenworth Ethics Symposium is scheduled for April 24 - 25 at the Lewis and Clark Center.

This year's theme:

The Ethics of Future War



Featuring

Dr. Shannon E. French

*General Hugh Shelton Distinguished Visiting Chair of Ethics
U.S. Army Command and General Staff College*

Dr. Shannon E. French is the Inamori Professor in Ethics and director of the Inamori International Center for Ethics and Excellence at Case Western Reserve University. Previously, Dr. French taught philosophy at the United States Naval Academy and served as Associate Chair of the Department of Leadership, Ethics, and Law. She assumed her duties as the General Hugh Shelton Distinguished Visiting Chair of Ethics effective Feb. 1, 2017.



Dr. Jim Waller, the Cohen Professor of Holocaust and Genocide Studies at Keene State College in New Hampshire, provides the keynote remarks at the opening of the 2016 Fort Leavenworth Ethics Symposium. Kathryn Gillum, whose work is featured in this edition of the *InterAgency Journal*, also presented at last year's Ethics Symposium.

For more information contact the CGSC Foundation.

100 Stimson Ave., Suite 1149 | Ft. Leavenworth, KS 66027 | 913.651.0624 | office@cgscf.org

www.CGSCFoundation.org

www.facebook.com/CGSCFoundation | [linkedin.com](https://www.linkedin.com/company/CGSC-Foundation)>>CGSC Foundation | twitter.com/CGSCFoundation



U.S. Special Operations Forces and the Interagency in Phase Zero

To defeat this threat we must make use of every tool in our arsenal—military power, better homeland defenses, law enforcement, intelligence, and vigorous efforts to cut off terrorist financing. The war against terrorists of global reach is a global enterprise of uncertain duration. America will help nations that need our assistance in combating terror. And America will hold to account nations that are compromised by terror, including those who harbor terrorists—because the allies of terror are the enemies of civilization. The United States and countries cooperating with us must not allow the terrorists to develop new home bases. Together, we will seek to deny them sanctuary at every turn.

**— George W. Bush
*National Security Strategy of the United States***

by Kyle Johnston

The events of September 11, 2001, redefined the American model of security—no longer was the threat of American military power enough to deter large-scale attacks on the homeland. In the year that followed that historic day, President George W. Bush laid out a vision for ensuring American security that set a precedent for preemptive action unseen in modern foreign policy. The Bush Doctrine, as it became known, was codified in the 2002 *National Security Strategy of the United States*. In the introduction, the President stated that “the United States will use this moment of opportunity to extend the benefits of freedom across the globe. We will actively work to bring the hope of democracy, development, free markets, and free trade to every corner of the world.”¹ For the first time in American history, the foundation of securing the American people meant projecting power across the globe and creating free-market democracies to prevent attacks on the homeland. Pulitzer Prize winning author and Yale University professor John Lewis Gaddis reflecting on this change stated: “A nation that began with the belief that it could not be safe as long as pirates, marauders, and the agents of predatory empires remained active along its borders

Kyle M. Johnston is an active duty U.S. Army officer and recent graduate of the U.S. Army Command and General Staff College at Fort Leavenworth, Kansas.

has now taken the position that it cannot be safe as long as terrorists and tyrants remain active anywhere in the world.”² After September 11, 2001, every tool in the arsenal of American power was dedicated to achieving a democratic, liberal, world order.

The military actions in Afghanistan and Iraq that followed are well known to the public at large. Lesser known operations, but foundational to the President’s global counterterrorism (CT) and preemption efforts, were those executed by U.S. Special Operations Forces (SOF) and their interagency partners outside declared theaters of armed conflict. In places like the Philippines and Indonesia, U.S. diplomats and military commanders pursued one of the President’s top CT priorities to “strengthen alliances to defeat global terrorism and work to prevent attacks against us and our friends.”³ These operations began in the aftermath of 9/11 and endure today as a cornerstone of securing American interests abroad.

The national security strategy of the U.S. has evolved since Bush left office, but the legacy of the Bush Doctrine permeates the tenets of U.S. foreign policy. The U.S. continues to use its power, both hard and soft, to identify and preemptively interdict threats before a crisis occurs. The balance between diplomacy and force, between carrots and sticks, is what former Assistant Secretary of Defense and Harvard Kennedy School Professor Joseph Nye coined “smart power.”⁴ This term has come to define the approach to American foreign policy since 9/11, as the U.S. pursues its interests through a blend of coercion, payment, and attraction. In the 2015 *National Security Strategy of the United States*, President Barack Obama reiterates the projection of smart power to shape environments before conflict occurs:

American diplomacy and leadership, backed by a strong military, remain essential to deterring future acts of inter-state

aggression and provocation by reaffirming our security commitments to allies and partners, investing in their capabilities to withstand coercion, imposing costs on those who threaten their neighbors or violate fundamental international norms, and embedding our actions within wider regional strategies.⁵

In the SOF community, the integration of diplomacy and warfighting before the point of crisis is called phase zero.

In the SOF community, the integration of diplomacy and warfighting before the point of crisis is called phase zero. Phase zero is all activities that happen before the first phases of traditional military operations that serve to shape the environment and prevent or deter future conflicts from emerging or escalating.⁶ The term phase zero entered popular lexicon following the publication, “New Thinking at USEUCOM: The Phase Zero Campaign,” in the October 2006 edition of *Joint Forces Quarterly* (JFQ). In this article, USEUCOM Deputy Commander Charles Wald stated:

The U.S. European Command (USEUCOM), headquartered in Stuttgart, Germany, is fighting a new kind of campaign in the global war on terror.... These dangers require new thinking and a new understanding of the differences between theater security cooperation (TSC) and traditional warfighting. ...the command is fighting the war on terror using a new approach, focusing on terrorism’s longterm, underlying conditions. This deliberate strategy of engagement is called Phase Zero, but in truth it is much more than just a new phase of systematic campaign planning; it is a new form of campaign in and of itself.⁷

Following the publication of this JFQ article, the SOF community adopted the term phase zero as a relevant descriptor of regular operations, actions, and activities conducted by SOF during TSC events. These events are bi- and multi-lateral events that progress the objectives laid out in the geographic combatant commander's theater campaign plan (TCP) to enhance partner force capacity and interoperability, shape the operational environment, prevent the escalation of armed conflict, and promote U.S. interests. Successful phase zero operations also serve to develop infrastructure in order to offer a gambit of policy options if armed conflict does erupt and increased military intervention is required.

Phase zero operations, actions, and activities are the primary venues for SOF to expand their global network...

Phase zero operations, actions, and activities are the primary venues for SOF to expand their global network and develop the capacity of their partners to counter threats to U.S. interests. SOF is currently and will continue to execute the majority of these phase zero activities in sovereign nations under the auspices of the U.S. ambassador or chief of mission and the objectives of his or her diplomatic mission. In this environment, SOF and the interagency work hand and hand to achieve U.S. national and regional security interests. The integration of SOF and American diplomats is a new reality in the post 9/11 national security environment.

The nature of executing a blend of diplomacy and special operations outside a declared theater of armed conflict is complex. The contemporary operating environment involves not just transnational terrorist groups, such as Al Qaeda (AQ), but a dynamic range of actors that challenge existing international norms in pursuit of their own self interests. Established powers

such as China and Russia are turning more and more to legal, cyber, and political warfare and the use of proxy forces to avoid direct attribution and military confrontation with the U.S. Meanwhile, non-state actors take advantage of cheap, lethal technologies to empower resistance and insurgent movements and exploit regions with relative instability. Former Secretary of State Hillary Clinton observed that for this type of environment, “we need Special Operations Forces who are as comfortable drinking tea with tribal leaders as raiding a terrorist compound. We also need diplomats and development experts who understand modern warfare and are up to the job of being your partners.”⁸

The U.S. Special Operations Command (USSOCOM) describes the complex environment that requires smart power projection as the “gray zone.” U.S. Navy Captain Philip Kapusta of USSOCOM Directorate of Strategy, Plans, and Policy writes that the gray zone is “competitive interactions among and within state and non-state actors that fall between the traditional war and peace duality. They are characterized by ambiguity about the nature of the conflict, opacity of the parties involved, or uncertainty about the relevant policy and legal frameworks.”⁹ For SOF, the gray zone is an operational reality. By design, SOF “work in hostile, denied, or politically and/or diplomatically sensitive environments.”¹⁰ This doctrinal distinction as forces designed to work in sensitive environments is important; SOF are inherently the Department of Defense (DoD) forces of choice when operational or strategic effects are required in an environment that falls somewhere between diplomacy, law enforcement, and armed conflict—in the gray zone. In this environment, U.S. policymakers and those who execute that policy face difficult decisions: How do we respond appropriately? What are the right tools to deter or counter non-state and state sponsored naval, ground, air, cyber or terrorist militias? How do we employ

these tools without escalating the conflict or delegitimizing our regional partners?

Phase Zero in the Pacific Theater

The Pacific theater is an ideal venue to explore SOF and interagency phase zero operations. The strategic rebalance to the Pacific theater outlined by the Obama Administration in 2011 highlights the importance of the region and the relevance of the phase zero discussion in the United States Pacific Command (USPACOM).¹¹ Specifically in Southeast Asia and the South China Sea, Chinese aggression is threatening existing international norms and challenging U.S. prominence in the Pacific theater. Islamic extremist groups, pledged to AQ and the Islamic State, maneuver with some freedom in separatist and isolated islands across Southeast Asia. This complex environment, littered with gray zone ambiguities, is an ideal venue to explore the utilization and employment of SOF as tools for foreign policy. In this paper, I will analyze two vignettes to determine how SOF and the interagency can improve chiefs of mission and geographic combatant command (GCC) foreign assistance efforts.

The first case study will explore the U.S. military's CT and counterinsurgency (COIN) operations in the Philippines. Unlike operations with other Southeast Asian nations, a joint task force was established in the Philippines in 2002 as part of Operation Enduring Freedom–Philippines (OEF-P). This joint task force demarcated several southern Philippine islands as combat zones for U.S. troops. The U.S. combat mission in the Philippines focused on advise and assist operations against AQ-affiliated terrorist organizations such as the Abu Sayyaf Group (ASG).

The second case study will discuss the U.S. government campaign in Indonesia to counter the Islamic extremist group Jemaah Islamiyah (JI). JI is an AQ-affiliated terrorist organization that came to global prominence after the 2002

Bali night-club bombing that killed over 200 people. The group also has links to the attack on the USS Cole in 2000 and the attacks on 9/11.

[USSOCOM] describes the complex environment that requires smart power projection as the “gray zone.”

These vignettes are particularly relevant for several reasons. Due to differing operational environments, a stark contrast exists in how the U.S. government executed CT missions in the Philippines and Indonesia. This contrast provides an opportunity to juxtapose two campaigns that took place within one geographic combatant command. Just as importantly, as these countries addressed their internal terrorism threats, Chinese aggression in the South China Sea threatened the interests of both the Philippines and Indonesia. This geopolitical tension adds to the complexities of the gray zone in this region and creates a unique set of challenges for each chief of mission and geographic combatant commander. The nature of these conflicts raises the question of whether the structures built by SOF and the interagency are adequate to respond to the gray zone challenges faced by the U.S. and its partners in the region.

For several reasons, these two cases provide a unique lens through which to study how SOF and the interagency support chiefs of mission and geographic combatant commander objectives. First, these campaigns were executed within the borders of, sanctioned by, and conducted by, with, and through the host nation government. Additionally, these campaigns were initiated in response to an AQ-linked terrorist threat and embedded in the broader Global War on Terrorism (GWOT).

Because of the connection with the GWOT, these two campaigns are described as CT campaigns, even though they were executed

through foreign assistance programs. In the Philippines, SOF utilized a broad foreign internal defense (FID) and COIN approach to execute their CT missions, but it was a CT operation nonetheless. In Indonesia, the Department of State (State) utilized multiple funding authorities to build the capacity of the Indonesian government and the development of its CT capabilities. So, the U.S. waged a CT operation in Southeast Asia by building partner capacity in Indonesia and the Philippines through foreign assistance. Both these CT campaigns took place within a sovereign country, under the invitation of the host nation government, and at the discretion of the U.S. ambassador or chief of mission.

Although the Philippine-American War would officially end in 1902, small insurgencies would continue for more than a decade.

In addition to contributing to the existing literature on phase zero and the utilization of SOF in the spectrum of gray zone environments, this paper attempts to answer the following questions:

- How does SOF and the interagency work to achieve national security objectives at the country-team level in phase zero?
- What are the costs and benefits of a SOF-led CT campaign versus a State led CT campaign?
- Where are the tensions in executing phase zero operations and where can SOF and the interagency better complement each other to advance the geographic combatant commander and chief of mission objectives in the Pacific theater?

Counterterrorism in the Philippines, 2000–2014

Historical Landscape

To understand the operating environment of U.S. forces in the Philippines, it is essential to understand the historical landscape of the 118-year, U.S.-Filipino relationship. Following the U.S. declaration of war with Spain in 1898, the U.S. military sailed into Manila Bay, and with support of a local, anti-Spanish, insurgent force led by Philippine national Emilio Aguinaldo, ousted the Spanish occupation force. As the Spanish surrendered and sailed out of Manila, U.S. forces occupied and refused to hand the city over to Aguinaldo. Aguinaldo perceived this action as a betrayal of his agreement with the U.S., and it ignited an intense, three-year conflict that reverted to a COIN fight between the U.S. and Aguinaldo's forces. This conflict became known as the Philippine-American War, and it marked the beginning of a long, tenuous relationship between the U.S. and the Philippines.¹²

Although the Philippine-American War would officially end in 1902, small insurgencies would continue for more than a decade. The most notable of these insurgencies was the Muslim Moros in the Sulu Archipelago, who fought to preserve “their traditional practices of slavery, tribal warfare, and Islam.”¹³ Although pacified in 1915 when Moroland came under complete U.S. rule, the grievances and motivations of these southern Islamic separatist groups would endure throughout the twentieth and twenty-first centuries.

The three decades following the 1915 pacification in the Southern Philippines included some form of U.S. colonial rule during a slow transition to Philippine independence. This transition was interrupted by the Japanese invasion and occupation of the Philippines and the subsequent re-conquest of the islands at the end World War II. Following the war, the

U.S. granted the Philippines independence with the 1946 Treaty of Manila, which established the Philippine Republic. Shortly thereafter, the U.S. responded to a growing threat of communist insurgency in the Philippines with the Philippines Military Assistance Act, which authorizes U.S. forces to train, staff, and equip the Philippine armed forces. Among other things, this act ultimately led to the establishment of a joint U.S. military advisory group in the Philippines, a group that endures today in the capital of Manila.¹⁴ In 1952, the U.S. and the Philippines signed a mutual defense treaty, and the Government of the Republic of the Philippines approved the lease of major airbases and naval stations on the main island of Luzon for U.S. forces throughout the Cold War.

The U.S. maintained these strategic platforms until 1992 when the two countries failed to renegotiate the lease of the two major air and naval bases, Clark Air Base and Subic Bay Naval Station. The withdrawal of permanent U.S. basing in 1992 significantly curtailed military-to-military training, exchange opportunities and security assistance programs for the armed forces of the Philippines.¹⁵ According to the former command historian for the U.S. Army Special Operations Command (USASOC), Dr. C. H. Briscoe, the withdrawal of U.S. military forces had implications beyond the loss of a key strategic platform in the Asia-Pacific:

In the ensuing decade, without U.S. support and the benefits of a U.S.-Philippines professional military relationship, the operational capabilities of the Armed Forces of the Philippines, or AFP, declined rapidly. That military erosion allowed latent insurgencies, some of which had ties to international terrorism, to flare to the point that they posed a threat to the viability of the Philippine Government.¹⁶

During the 1990s, the threat of these budding insurgencies in the southern Philippines rose

concurrently with the growing reach of other global, Islamic, terror networks such as AQ.

...continued U.S. support to the Christian-dominated government exacerbates the perceived disenfranchisement of the Muslim population.

The Threat in the Philippines

The threat groups in the Philippines are diverse in both demographic composition and agenda. In addition to multiple Islamic separatist and terrorist groups, the Philippines is home to a persistent communist insurgency, the New People's Army that strikes out violently against the government and undermines the rule of law.¹⁷ The primary focus of the government's CT efforts over the past several decades, however, was focused on Islamic separatist groups in the southern islands of Mindanao and the Sulu archipelago. These islands are home to what the Spanish called the "Moros," Muslim ethnicities that maintain long-standing grievances based on political exclusion, a lack of economic development, and relative geographic isolation. The historic colonial presence in the Philippines and continued U.S. support to the Christian-dominated government exacerbates the perceived disenfranchisement of the Muslim population.

These symptoms manifested in armed conflict in the 1970s with the establishment of the Moro National Liberation Front (MNLF), whose stated goal was self-determination for the establishment of a future Bangsamoro Republic. For over two decades, the MNLF engaged in a protracted insurgency against the government, until a 1996 agreement allowed the establishment of the Autonomous Region of Muslim Mindanao. Under this agreement, the government established a special council

to oversee infrastructure development in the Autonomous Region of Muslim Mindanao, and the MNLF assumed governing control of the region.¹⁸

In 1984 after a rift with the MNLF, another Islamic separatist group, the Moro Islamic Liberation Front (MILF), emerged in the southern Philippines. The MILF rejected the idea of autonomy after the 1996 accord, seeking the creation of an independent, theocratic, Islamic state governed by *sharia* law.¹⁹ “The underlying difference between the MNLF and MILF...lay in ideology: Whereas the former was geared toward largely nationalist goals, the latter championed aspirations of a far more religious nature.”²⁰ Strategically, however, the MILF downplayed ideology over time and negotiated with the government for secession and increased autonomy for the southern provinces.²¹ Since the late 1990s, the government and MILF have signed various ceasefires to further Bangsamoro autonomy and address MILF relationships with other terrorist groups such as JI and ASG.²²

**September 11, 2001,
dramatically changed the legal
authorities and resources
available for USSOCPAC
operations in the Philippines.**

Another extremist group in the southern Philippines with links to the MNLF and MILF is the ASG. In 1991, Abdurajak Janjalani, a Philippine Muslim who fought in the international Islamist brigade in Afghanistan during the Soviet occupation, established ASG on Basilan Island.²³ ASG, or “father of the sword,” sought the creation of an Islamic State in the Southern Philippines and received funding from AQ throughout the 1990s.²⁴ Although it vacillated between an ideological, zealous, terrorist group and a criminal organization, the increased brutality of ASG in the 1990s

elevated the group’s stature in the region. Across the southern islands of Mindanao and Basilan, the group conducted ambushes, kidnappings, bombings, and executions that included dramatic beheadings.²⁵

This insurgent activity in the southern Philippines began to gain attention in USPACOM headquarters. By early 2000, ASG began kidnapping Westerners for ransom, and USPACOM leaders and staffs began developing strategies for helping the government with internal instability.²⁶ In August 2000, ASG kidnapped 30 hostages including American Joseph Schilling, sparking an urgent request for U.S. Special Operations Command Pacific (USSOCPAC) to deploy an advisory group to train and assist the Philippine armed forces’ CT efforts.²⁷ By March 2001, a company of U.S. Army Special Forces from 1st Battalion, 1st Special Forces Group (Airborne) began training the first Light Reaction Company (LRC).²⁸ Soldiers assessed and selected out of the ranks of the Philippine special forces and scout ranger organizations comprised the initial LRC and were trained as a national CT force. While U.S. Special Forces trained the LRC from September 2000 through April 2001, ASG militants kidnapped three more Americans, and in response, the LRC deployed to Basilan Island to free the hostages.²⁹ The first employment of the LRC did not end well. The force was deployed as a conventional, not a national, CT force and lacked effective coordination, command, and control at the operational level. This failure spurred enhanced USSOCPAC efforts to increase operational training resources.³⁰ As a result, key leaders from across USSOCPAC and 1st Special Forces Group (A) scheduled a meeting to incorporate increased CT training into an upcoming joint exercise named Balikatan 02-1. This meeting was scheduled for September 11, 2001.³¹

September 11, 2001, dramatically changed the legal authorities and resources available

for USSOCPAC operations in the Philippines. The U.S. Congress authorized the deployment of forces to assist the Philippine government to counter AQ-linked terrorist groups under an Authorization for the Use of Military Force. Philippine President Gloria Macapagal-Arroyo offered unequivocal support to the U.S. and immediately allowed military overflight rights and use of Philippine air and naval bases to support operations in Afghanistan as part of the GWOT.³² She defined the government's alliance with the U.S. as in the Philippine national interest, aligning the government fight against domestic terrorism with the GWOT.³³ In November 2001, after President Arroyo's visit to Washington, she and President George W. Bush affirmed their intent to cooperate closely in strengthening her government's CT capabilities.³⁴ In the shadow of the operations beginning in Afghanistan, the USPACOM commander approved plans to increase training to the LRC and other units to thwart the terrorist threat in the southern Philippines. By February 2002, hundreds of SOF and support personnel were deployed under USSOCPAC's deployable headquarters, Task Force 510 (TF510), to train, advise, and assist the armed forces of the Philippines under the auspices of bilateral training exercise known as Balikatan 02-1. This task force became known as Joint Special Operations Task Force-Philippines (JSOTF-P).³⁵

JSOTF-P grew to nearly 1,300 personnel by early 2002. Its mission was to conduct unconventional warfare operations by, with, and through the Philippine armed forces to isolate and destroy terrorist organizations as part of Operation Enduring Freedom-Philippines.³⁶ According to Colonel David Maxwell, Commander of JSOTF-P from 2006 to 2007, the end state of this operation was for the armed forces of the Philippines to "gain sufficient capability to locate and destroy the ASG, to recover hostages, and to enhance the legitimacy of the Philippine government."³⁷ JSOTF-P would

By February 2002, hundreds of SOF and support personnel were deployed...to train, advise, and assist the armed forces of the Philippines...

achieve this end state by accomplishing six key tasks:

- Denying the ASG sanctuary.
- Surveilling, controlling, and denying ASG routes.
- Surveilling supporting villages and key personnel.
- Conducting local training to overcome Philippine armed forces weaknesses and sustain their strengths.
- Supporting operations with the LRC "strike force" in the area of responsibility.
- Conducting and supporting civil affairs operations in the area of responsibility.³⁸

In the summer of 2002, Philippine forces deployed to rescue the U.S. hostages kidnapped the previous year. Although one hostage was killed, the overall operation was considered a success by military leaders: the ASG was driven from Basilan and the government gained legitimacy through the effective employment of its armed forces in a contested area.³⁹

From 2002 on, an average of five to six hundred SOF worked by, with, and through conventional and special operations Philippine military and police forces in close synchronization with the U.S. country team's defense, development, and diplomacy approach. Key to this campaign was embedding small, liaison-control elements into various armed forces and Philippine National Police-Special Action Force units across the battlespace. These liaison-control elements were comprised

primarily of Special Forces Operational Detachment Alphas or partial contingents of Special Forces Operational Detachment Alphas, and they developed intimate relationships with their Filipino counterparts. Throughout OEF-P, these liaison-control elements trained, advised, assisted, and coordinated U.S. support to the CT activities across the southern Philippines.⁴⁰

In addition to building the capacity of the armed forces to directly engage insurgent and terrorist fighters, the SOF campaign focused on isolating threat groups from the population with widespread humanitarian and economic development projects. These efforts were augmented by a SOF engineering task force dedicated to infrastructure development on the island of Basilan, a known safe-haven for ASG and other separatist militant groups.⁴¹ Extensive civil affairs operations were bolstered by targeted military information support operations to influence the local populace and legitimize the Philippines government.

By most discernible measures, the campaign in the Philippines between 2000 and 2014 was successful.

Most importantly, SOF in the Philippines were effectively integrated into the country team and focused on FID to support the capacity of the Philippines armed forces to execute COIN and CT operations. According to a former JSOTF-P Commander:

A corollary of JSOTF-P's mission is their support role as a component of the ambassador's "America-in-3D" initiative focusing on diplomacy, development, and defense. The JSOTF-P deputy commander and J9 work in the U.S. Embassy in Manila, maintaining effective relationships with all critical components of the U.S. country team. Similarly, the JSOTF-P leadership meets

weekly with the ambassador, deputy chief of mission, and senior embassy officials. Further, JSOTF-P personnel of all ranks meet on a weekly basis with representatives from the Departments of State, Justice, and Treasury and are collocated at their headquarters with FBI and Department of Justice representatives. At three locations in the southern Philippines, JSOTF-P forces are collocated with members of the Department of Justice's International Criminal Investigation Training Assistance Program, who train local law-enforcement officials.⁴²

This whole-of-government approach by SOF in the Philippines ensured the synchronization of U.S. efforts across the country.

Summary

By most discernible measures, the campaign in the Philippines between 2000 and 2014 was successful. In an extensive study published by the RAND Corporation in 2016, OEF-P succeeded in reducing transnational terrorist threats and conditions, increasing the capabilities of the Philippine security forces, and enhancing U.S.-Philippine relations. These conclusions are supported by a mixed methodology analysis that reflected a decrease in enemy attacks and in membership and support for ASG, an increased satisfaction with the Philippine security forces, and an improvement in the armed forces capabilities at the tactical, operational, and institutional levels.⁴³

The mission in the Philippines is also recognized by the U.S. Army as a model construct for planning and executing FID and is outlined in the Army Special Forces Foreign Internal Defense publication, *Army Techniques Publication 3-05.2*.⁴⁴ This publication claims that:

Operation Enduring Freedom-Philippines was successful because it maintained a small SOF U.S. Military footprint in a

politically-sensitive environment to be in agreement with the HN constitution. This operation applied interagency concepts because the operation was completely synchronized between the JSOTF-P Headquarters, U.S. country team, TSOC, and GCC. In addition, the JSOTF-P staff operated in close coordination with the military assistance advisory group to interact with Philippine national-level headquarters to facilitate nation assistance. This mutual effort enabled the JSOTF-P to assist its partner nation along four lines of operations that were balanced and executed simultaneously.⁴⁵

Some of the key lessons learned from the Philippines model include emphasizing the host nation's sovereignty; integrating SOF at all levels of command across the joint, interagency, intergovernmental, and multi-national (JIIM) hierarchy; and developing an extensive understanding of the operational environment through personal relationships and an enduring presence in the region. The limited budget and "light footprint" of U.S. military personnel in country, arguably, acted as a forcing mechanism to encourage the focus on Philippine-led initiatives and interagency cooperation. OEF-P cost only \$52 million annually, and on average only 500 to 600 U.S. military personnel were deployed as part of JSOTF-P.⁴⁶

The efforts of JSOTF-P assisted the Philippine armed force to attrit ASG's capabilities to conduct effective terrorist attacks and build the legitimacy of the government in the southern Philippines. In 2014, the MILF cut ties with the ASG and subsequently signed a cease fire with the government. The FID and unconventional warfare characteristics of the Philippines campaign lend credence to the use of SOF in phase zero operations before widespread conflict erupts. In the findings of one RAND Corporation study: "The intervention benefited from its proactive nature: The U.S. did not

wait until the Philippine Government was near collapse or ASG on the brink of overrunning the government. Because the situation was not dire, it was also relatively less costly to deal with."⁴⁷ In 2014, the combat mission in the Philippines officially ended when USSOCPAC dissolved JSOTF-P. However, the foreign assistance, phase zero campaign endures today as part of the chief of mission's country strategy through multiple SOF operations, actions, and activities that occur annually in the Philippines. This includes the bilateral exercise Balikatan, which in 2016 marks its 15th consecutive year.

The modern U.S.-Indonesian relationship was formally born in the aftermath of World War II.

Counterterrorism in Indonesia, 2004–2014

The History of U.S.-Indonesia Relations and the Strategic Environment

The modern U.S.-Indonesian relationship was formally born in the aftermath of World War II. In 1799, the Dutch colonized what is modern-day Indonesia as part of the Dutch East Indies. Until Japanese forces invaded and occupied Indonesia during World War II, the Netherlands successfully maintained its colonial rule by repressing and isolating nationalist or anti-colonial movements across the various Indonesian islands. Following the Japanese surrender in 1945, Indonesian nationalism took root under the absence of Dutch forces, and Indonesian nationalist leader Sukarno declared independence.⁴⁸ The Netherlands refused to relinquish its colonial possessions, however, and a four-year anti-colonial insurrection ensued. In 1949, Indonesia successfully gained independence from the Netherlands and established a parliamentary democracy under

Sukarno. The U.S. became one of the first nations to recognize Indonesian independence and established diplomatic relations with Indonesia in 1949.⁴⁹

Sukarno's government evolved over a 16-year period until a perceived crisis of communist insurgency set the conditions for the military, under command of General Suharto, to undermine Sukarno and take control of the government. After Suharto assumed the presidency in 1965, a brutal wave of violence swept the country resulting in an estimated 500,000 deaths, many characterized by the government as "anti-communist" purges.⁵⁰ Throughout the second half of the twentieth century, the U.S. maintained a strong relationship with the Indonesian government. Although not officially aligned with the U.S., Indonesian President Suharto was a strong supporter of U.S. anti-communist efforts in Asia. As a result, the U.S. aggressively supported the dictator from the beginning of his tenure in the late 1960s until his resignation in 1998.⁵¹

...Indonesian President Suharto was a strong supporter of U.S. anti-communist efforts in Asia.

Suharto ruled with an authoritarian hand, supported by his national armed forces, the Tentara Nasional Indonesia (TNI). The TNI ran its own governments at the local and national levels and deeply controlled all aspects of social and political life.⁵² Suharto and his generals brutally repressed dissent across the diverse archipelago in an attempt to maintain control over an expansive territory spanning over 17,000 islands.⁵³ The most infamous of the regime's authoritarian repression took place in East Timor, where some human rights groups estimate the TNI killed more than 200,000 people over a 25-year period.⁵⁴

Despite the brutality of the Suharto regime,

the U.S. government funded a generous international military and education training (IMET) program with the TNI and funded a foreign assistance program totaling nearly \$35 billion between 1965 and 1991.⁵⁵ When the TNI massacred nearly three hundred civilians in the East Timor capital of Dili in 1991, however, the U.S. Congress banned the U.S. military from training Indonesian forces under the IMET program. U.S. commanders in the Pacific theater challenged Congress on this ban, believing that this limitation greatly inhibited their access to Indonesian military leaders and ability to respond to a crisis. These leaders in USPACOM and USSOC PAC believed that access "was more important than making a point about human rights. Sanctions would do little more than antagonize the Indonesian military and leave the United States with no contacts in a critical Pacific theater country."⁵⁶ As a result, commanders in USPACOM searched for ways around the legislative barrier to continue training the TNI.

USPACOM found the route around the IMET ban with the Joint Combined Exchange Training (JCET) Program. The JCET was a vehicle to train SOF core competencies, including unconventional warfare (UW) and FID overseas. Part of that training for SOF required the training of a host nation or indigenous force. In the case of Indonesia, this meant the ability for SOF to train the TNI outside the scope of the IMET program, and "between 1991 and 1998, U.S. Special Operations Forces conducted forty-one training exercises with Indonesian troops, at least twenty-six of which were with the Kopassus [TNI special operations forces primarily indicated in the widespread human rights abuses in East Timor]."⁵⁷ USPACOM continued the JCET Program until instability within the Suharto regime led to reliable reports linking the Kopassus to political kidnappings in February 1998. Under mounting pressure from human rights groups and with the newly passed

Leahy Amendment, the Pentagon shut down the JCET Program in May 1998.

Meanwhile, the economic crisis of the late 1990s enflamed growing social and political tensions across Indonesia. The corruption and brutality of Suharto's regime was tolerated for decades by most Indonesians, in part due to the strong growth of the Indonesian economy throughout his rule. As the economy stagnated, however, the corruption and authoritarianism was seen more and more as the source of the country's problems. As living conditions worsened for wide swaths of the population, anti-Suharto demonstrations grew across the country, and after 30 years in power, Suharto resigned on May 21, 1998.⁵⁸

Geo-strategically, Indonesia is a critical U.S. ally in the Pacific theater. It has a population of 240 million, making it the largest country in Southeast Asia, and it is the largest Muslim-majority country in the world.⁵⁹ Indonesia also sits at the crossroads of the Indian and Pacific Oceans, linking energy and commercial trade routes between the Middle East and Africa to East Asia and the Americas. According to a Congressional Research Service Report, "the Malacca, Sunda, and Lombok straits are some of the world's most important strategic sea lanes."⁶⁰ Nearly half of all the world's ocean trade travels through the straits that border Indonesia, and the U.S. has significant economic and military interests in maintaining freedom of navigation in these strategic sea lanes of communication.⁶¹

This geography and demography also add a layer of complexity to the security environment in Indonesia. Indonesia is an archipelago of more than 17,000 islands, scattered across the equator and sharing maritime borders with the Philippines, Malaysia, Singapore, Timor, Palau, and Australia. Securing this diverse and expansive terrain is only one of many challenges facing Indonesia. Due to its vast Muslim population and many isolated regions, Indonesia is a potential recruiting ground for a

variety of Islamic extremist groups. In recent years, many Indonesian fighters have traveled to conflict zones in the Middle East and South Asia, and foreign fighter flow is a security concern of local, national, and regional governments across Southeast Asia.⁶²

The collapse of the Suharto regime in 1998 created a relative vacuum of governance that allowed many formerly restricted Islamic extremist groups to openly recruit, train, and expand their operational capacity.

The Threat in Indonesia

The collapse of the Suharto regime in 1998 created a relative vacuum of governance that allowed many formerly restricted Islamic extremist groups to openly recruit, train, and expand their operational capacity. Sectarian violence and major Christian-Muslim clashes erupted in several islands of Indonesia that fell outside the immediate control of the central government. By the early 2000s, the two major islands of Maluku and Sulawesi were immersed in full-scale, sectarian, civil wars, and JI, that grew out of cultural and religious opposition to foreign imperialism and secular Indonesian governments in the mid-twentieth century, came to prominence as a regional terrorist group.⁶³

In the 1940s, a group of Muslim militants organized a group named Darul Islam to propagate the establishment of an Indonesian Islamic state under *sharia* law. Following World War II and the four-year Indonesian National Revolution, the Indonesian government implemented democratic changes and aggressive military operations to thwart the expansion of the group. By the 1960s, the Indonesian government effectively dismantled Darul Islam as a coherent organization. Veterans of the group, however, splintered into factions and continued to spread

their extremist ideology underground.⁶⁴

Following the government repression of insurgents and separatists in the 1960s under Suharto, two radical clerics, Abu Bakar Baasyir and Abdullah Sungkar, took up the torch of Darul Islam and reignited the call for *sharia* law in Indonesia. In the following decades, these clerics preached a fiery brand of Wahhabi extremism, proselytizing and recruiting across Southeast Asia. The invasion of Russian forces into Afghanistan offered Baasyir and Sungkar the opportunity to build their organization, gain tactical experience, and network with the global *jihadi* network. They sent fighters to Afghanistan in support of the *mujahedeen*, many of whom would later train in AQ camps. In the early 1990s, Baasyir and Sungkar formally established JI at Camp Saddah, Afghanistan, a training camp set up by a close confidant of Usama bin Laden.⁶⁵ Following the collapse of the Suharto Regime, JI gained regional prominence as a notable militant Islamic group in Southeast Asia.⁶⁶ At its height, JI was described as AQ's operational wing in Southeast Asia and reportedly counted total membership around 2,000, with another 5,000 passive sympathizers.⁶⁷

In 2003, the Indonesian government passed significant antiterrorism regulations and legislation...

Jemaah Islamiyah garnered the attention of the intelligence and military communities after its members reportedly met with AQ operatives in Malaysia to discuss the 2000 USS Cole and September 11, 2001, attacks against the U.S.⁶⁸ Its international notoriety came, however, on October 12, 2002, when a massive car bomb exploded near a popular nightclub in Bali, Indonesia, killing 202 people and injuring more than 300 others. Less than one year later, on August 5, 2003, a suicide bomber detonated a

car bomb outside the JW Marriott in Bali, killing 12 and injuring another 150. In 2004, a suicide car bomb detonated outside the Australian Embassy in Jakarta, killing 3 and wounding more than 100. On October 1, 2005, another string of terrorist bombings across Bali killed 20 and injured over 100. Dozens of terrorist attacks in Indonesia claimed more than 600 killed and wounded in four consecutive years. Every one of these attacks was linked to the terrorist group JI.⁶⁹ On October 23, 2002, the U.S. officially declared JI a terrorist organization and included Indonesia as another front for the GWOT.⁷⁰

The Counterterrorism Campaign in Indonesia

Although the U.S.-led GWOT generated significant regional and international pressure on the Indonesian government to address domestic terrorism, it was not until the 2002 Bali attacks that the Indonesian government took deliberate actions to address the threat.⁷¹ In 2003, the Indonesian government passed significant antiterrorism regulations and legislation that provided law enforcement, prosecutors, and judges proactive authority to thwart domestic terrorist threats. The new CT laws “empowered the police to detain terrorism suspects for up to six months before indictment and gave prosecutors and judges the authority to block bank accounts belonging to individuals or organizations believed to be funding militant activities.”⁷² Additionally, the new legislation included the creation of several national-level CT departments and an overhaul of the domestic intelligence services.

In early 2003, the Indonesian government did not have the institutional capacity or necessary capabilities to effectively wage a CT campaign against JI. Yet, popular sentiment in Indonesia would not support a large U.S. military presence like that in the Philippines. As a predominately Muslim country, many Indonesians felt that the GWOT was a pretense for the U.S. to wage war on Islam.⁷³ Additionally, the Indonesian CT force

at the time, the Kopassus, retained a mandated national CT role.⁷⁴ The U.S. government, however, could not develop the capabilities of the Kopassus due to the enduring legislative ban dating back to 1991 and 1998 human rights abuses. In light of these allegations, the DoD and State were prevented from providing support to the Kopassus until 2010, when the Obama Administration lifted the ban.⁷⁵ Due to these constraints, SOF played a minimal role in the training of the Kopassus in the campaign against JI, and the foreign assistance mission in Indonesia remained a State-led operation.

While the Bush Administration and leaders in USSOCAP attempted to find creative ways of vetting and developing the Kopassus to take a role in the GWOT, the U.S. country team in Indonesia pursued the development of new capabilities to thwart the threat of JI and other Islamic terrorist groups. Specifically, the State Department developed the Indonesian police CT and rule of law capabilities through a variety of Title 22 funding mechanisms. The largest portion of U.S. funding to Indonesia came in the form of economic support funds, part of which were spent bolstering the country's police and security forces. These funds amounted to nearly \$80M between 2003 and 2007.⁷⁶ For funding directly toward Indonesian security forces, most assistance came through State's Anti-Terrorism Assistance Program, which provided \$40M to support Indonesian CT efforts between 2003 and 2007.⁷⁷

In 2003, State designated an initial \$8M of supplemental funding under the auspices of the Anti-Terrorism Assistance Program to develop a national CT police force, known as Detasemen Khusus (Densus) 88 (also known as Detachment 88). Densus 88 consisted of three police divisions focused on investigations, intelligence logistical support, and hostage rescue and raids.⁷⁸ The Indonesian government complemented Densus 88 and expanded its CT capabilities with a national bomb task force.⁷⁹

While developing Densus 88 capabilities, the U.S. country team, specifically the Federal Bureau of Investigation's legal attaché, worked with the Indonesian attorney general to develop the legal infrastructure to aggressively pursue terrorist suspects. The FBI and government of Indonesia built upon domestic legislative changes to establish a Terrorism and Transnational Crime Task Force in 2006. This task force included specially-trained terrorism prosecutors who could effectively address the growing number of domestic terrorism-related trials.⁸⁰ In conjunction with the establishment of Densus 88, the Terrorism and Transnational Crime Task Force was one of several initiatives developed by the Indonesian country team to enhance the capabilities of Indonesian security forces and address domestic terrorism.

...Indonesia developed de-radicalization and counter-radicalization programs to build popular resilience against Islamic extremism.

In conjunction with the aggressive CT activities of Densus 88 and the Terrorism and Transnational Crime Task Force, Indonesia developed de-radicalization and counter-radicalization programs to build popular resilience against Islamic extremism.⁸¹ These efforts included "prison reform, rehabilitation programs, and counterpropaganda. The purpose of these measures [was] to disengage terrorist convicts from future activities and prevent or disrupt the radicalization process of Indonesian society."⁸² The prison reforms undertaken by the Indonesian government were an important acknowledgement that poor living conditions and inhumane treatment by Indonesian officials created an environment conducive to radicalization and increased danger of terrorist recidivism.⁸³

In conjunction with these CT efforts, the Indonesian government instituted significant democratic reforms after the election of President Susilo Bambang Yudhoyono in 2004. These changes influenced the political, economic, and social dynamics in Indonesia and complemented the widespread CT and de-radicalization efforts in the country. Since the end of the Suharto Regime, democratic transparency and the development of a free and open media expanded civil society. Indonesian leaders removed the governing powers of military leaders and separated the roles of the armed forces and the domestic police forces.⁸⁴

These reforms in civil society resulted in significant changes to U.S. policies toward Indonesian security cooperation and foreign assistance. Specifically, these policies addressed the ban on military support to the TNI, resurrecting the IMET, restarting non-lethal foreign military sales, and waiving foreign military financing restrictions.⁸⁵ These policy changes built upon the momentum the State-led foreign assistance mission and created opportunities for SOF to engage and develop the CT capabilities of the Indonesian military.

...the campaign to counter terrorists in Indonesia between 2003 and 2014 is considered a success by contemporary analysts and policymakers.

Conclusion

Similar to the campaign in the Philippines, the campaign to counter terrorists in Indonesia between 2003 and 2014 is considered a success by contemporary analysts and policymakers. The investment by the U.S. and the development of Indonesia's CT capabilities had measurable impact, and many recognize that it has paid considerable dividends in the Southeast Asia CT fight.⁸⁶ This case study is a great example

of U.S. support to a host-nation-led, whole-of-government approach to an internal security problem with regional and global implications.

Indonesia's success is measured in part by the approximately 300 JI militants that were killed or captured between 2003 and 2014, including key organizational leaders.⁸⁷ According to The Jamestown Foundation, a global analysis and research foundation, Densus 88 has crippled JI:

In November 2005, Densus 88 turned the tide in Indonesia's war against JI. A Densus 88 sniper shot Dr. Azahari Husin, the JI mastermind behind the 2002 and 2005 Bali bombings and the JW Marriot and Australian Embassy bombings, during a raid on Husin's hideout in Batu, East Java. An accomplice set off a suicide explosive killing himself and a third man who had joined Husin in engaging the counterterrorism force in an intense gun battle. After Husin, Densus 88 eliminated JI's other top operatives in near succession.⁸⁸

This analysis is supported by numerous U.S. agencies and independent think tanks. The Congressional Research Service, for example, stated:

Since the Bali bombing in 2002, crackdowns by various governments in the region—encouraged and in some cases supported by the US government and military—are believed to have weakened JI to such an extent that it essentially is no longer a regional organization, but rather is one confined to Indonesia, with some individuals still operating in the southern Philippines.⁸⁹

This case study represents an effective State-led foreign assistance mission that enabled a whole-of-government approach to address both immediate threats and the root causes of terrorism.

Analysis

Success in the future demands unprecedented levels of trust, confidence, and understanding conditions that can't be surged.

— United States Special Operations Command, *SOCOM 2020: Forging the Tip of the Spear*

Review of the pertinent literature and the U.S. phase zero CT campaigns in the Philippines and Indonesia revealed four major themes. First, threat groups exploit instability, and voids in phase zero engagement prevent the U.S. from understanding that exploitation. Second, authorities can be mutually supportive for State and SOF, but they can also unintentionally narrow the scope of phase zero operations and create an “authorities trap.” Third, the contemporary operating environment is complex, and the U.S. lacks a strategy that synchronizes all the elements of national power to navigate that environment effectively. Finally, understanding the operational environment is paramount for SOF to effectively execute their phase zero tasks.

Before discussing these four themes in further depth, an important discovery should be discussed—phase zero is not a SOF-specific activity, and SOF is not required for phase zero in every environment. Phase zero must be conducted as a whole-of-government campaign, with SOF utilized as one tool among many in that campaign. Some environments, like the environment characterized by popular, anti-American sentiment in Indonesia during the first several years of the GWOT—are not conducive for SOF to shape the environment. Therefore, the definition of phase zero used throughout this paper should be amended to include all the elements of national power at the disposal of the geographic combatant commander and chief of mission.

Phase zero must be conducted as a whole-of-government campaign, with SOF utilized as one tool among many...

Theme #1: Threat groups exploit instability, and voids in phase zero engagement prevent the U.S. from understanding that exploitation.

For any casual student of history, foreign policy, or sociology, the first part of this statement may sound not only like a shallow observation of the obvious but a law of human nature and a fundamental rule of how societies interact. A nuanced reflection of this idea, however, is important in the context of how the U.S. secures its interests abroad. Based on the two case studies explored, this exploitation appears to have greater effects when the U.S. is not actively involved in a holistic, phase zero campaign in those regions.

In the context of U.S. foreign assistance abroad, understanding the nature of this exploitation is paramount. When national interests are at stake, the U.S. government has a plethora of established capabilities and authorities to pursue those interests. This is reflected by the multiple sources of foreign assistance programs under U.S.C. Title 22 and 10, among others, utilized to support the Philippines and Indonesia in their efforts to develop CT capabilities. These programs, however, were reactionary, employed coherently to target established terrorist threats only after the attacks on September 11, 2001. The U.S. employed its capabilities aggressively in the USPACOM theater only after a third party exploited relative instability in the region.

In the case of the Philippines, the rise in Islamic extremism correlated with the withdrawal of a largescale U.S. military presence in the country after 1992. In Indonesia, Islamic extremism rose during the collapse of the Suharto regime and the prohibition of U.S.

foreign assistance after the passing of the Leahy Amendment in 1997. While these events do not have a cause and effect relationship, the lack of a U.S. military presence did have tertiary effects. The geographic combatant commanders and chiefs of mission did not fully understand the magnitude or the nature of the Islamic extremist threat growing in Southeast Asia. It took the kidnappings of U.S. citizens in the Philippines, and then the tragedy of September 11 to focus phase zero activities in the Philippines and Indonesia.

Kidnappings, terrorism, and violence,

It took the kidnappings of U.S. citizens in the Philippines, and then the tragedy of September 11 to focus phase zero activities in the Philippines and Indonesia.

however, were only symptoms of wider sources of instability, such as economic insecurity and the relative deprivation felt by alienated populations. In this environment, JI and ASG built their international terrorist networks and developed tactical and operational capacity. The planners of the USS Cole attack met with JI leaders in Malaysia, and the 9/11 mastermind Khalid Sheik Mohammad developed his plan to use commercial airlines as weapons in the Philippines.⁹⁰ These threat groups exploited relative instability in the region prior to 9/11, and a void of a coherent U.S. phase zero campaign prevented the U.S. from understanding the extent of that exploitation.

This first theme about exploitation and engagement provides a premise for the next three themes involving authorities, complexity and strategy, and trust. These three themes are all predicated on understanding the environment and effectively addressing the root problems that threaten U.S. interests abroad. The first theme does not portend that phase zero operations

can mitigate every threat to the U.S. Instead, it reflects the complexity of the environment and the fact that a lack of phase zero engagement inhibits planners from avoiding an “authorities trap” that limits their view of the problem to the tools they have at their disposal, making strategic assessments of the operational environment and effectively shaping regional or national strategy, and building the global SOF network and requisite understanding of the operational environment to tackle local, nuanced problems.

Theme #2: Authorities can support interagency cooperation, but they can also bias phase zero planners with the “authorities trap.”

USSOCPAC initially deployed to the Philippines to train, advise, and assist the armed forces of the Philippines to counter terrorist groups and free kidnapped U.S. citizens. After September 11, 2001, this task evolved to advising and assisting the Philippines government to destroy terrorist networks, such as the ASG, linked to AQ. This mission was authorized by the U.S. Congress and President as part of the GWOT, and ultimately achieved its desired end state. These authorities, however, coupled with a decade-long void in phase zero engagement, fostered an environment for the chiefs of mission and geographic combatant commander to focus most of their foreign assistance efforts on CT in the southern Philippines. SOF commanders effectively executed that mission by integrating their commands across the JIIM structure and developing effective relationships and communications structures at the tactical, operational, and national levels. Due to its effectiveness and resource capacity, JSOTF-P, naturally, became the main effort for the development of capabilities for the Philippines armed forces under the country team’s internal defense and development programs. SOF effectively utilized their Title 10 authorities in the OEF-P campaign. In a complementary

nature, State used existing Title 22 authorities to support the JSOTF-P as the main effort for foreign assistance in the Philippines.

Developing host nation armed forces CT capabilities in the southern Philippines, however, did not translate to a whole-of-government approach to build enduring security and stability. One problem lay in that fact that the Islamic extremist groups targeted in OEF-P represented only one part of the multi-faceted security threats and sources of instability faced by the government. Because GWOT authorities existed, both the geographic combatant commanders and chiefs of mission narrowed the focus of their foreign assistance, or phase zero campaign, on Islamic extremism. This is an “authorities trap” for phase zero planners—both SOF and State. While the GWOT was arguably the most pressing national security concern to the U.S., the inherent value of a phase zero campaign is that it provides access for U.S. policymakers to understand and shape the environment. When a CT campaign becomes a replacement for an overarching phase zero campaign, as it did in the Philippines, other strategic threats can be overlooked. In the case of the Philippines, for example, political violence, communist insurgency, transnational criminal organizations, and rising aggression by China collectively posed a much greater threat to Philippines security than did Islamic extremism.

During the timeframe of this study, political violence was rampant in the Philippines, and it continues today as a significant threat to the country’s stability. During election cycles, violent attacks and assassinations of political leaders, their supporters, and their family members spike dramatically. Leading up to the 2009 presidential elections in the Philippines, 57 politicians, journalists, and political supporters were murdered.⁹¹ In April 2013, attackers ambushed a town mayor after a campaign rally, killing 10, including the mayor and his 15 year old daughter.⁹² Six months later, more than 20 people were killed and 27 injured in political

violence leading up to national elections, half of whom were incumbent politicians running for reelection.⁹³ In the fall of 2015, at least two mayors seeking reelection in 2016 were murdered.⁹⁴

Much of this violence is linked to the

When a CT campaign becomes a replacement for an overarching phase zero campaign, as it did in the Philippines, other strategic threats can be overlooked.

communist insurgency in the Philippines led by the New People’s Army, the militant wing of the Communist Party of the Philippines. The New People’s Army, a Maoist-based revolutionary movement, has waged the world’s longest communist insurgency and is considered the greatest threat to the country’s stability.⁹⁵ According to the Global Terrorism Index Report in 2014:

The largest individual group [for terrorist attacks] was the New People’s Army, a communist organisation, which claimed responsibility for 30 per cent of deaths in 2013.... In total, 103 people were killed by assassinations in 2013 which is more than five times higher than 2012. The use of these tactics and targets demonstrates that many of the terrorist groups in the Philippines are seeking to directly change the political system. Around 34 per cent of deaths from terrorist attacks were targeting the government, with business leaders, private citizens and police representing between ten and seventeen per cent of deaths.⁹⁶

Despite the threat posed by the New People’s Army and its designation as a terrorist organization by the U.S., the 2001 Authorization for the Use of Military Force for the Philippines limited JSOTF-P to targeting AQ-linked

terrorist organizations. As such, the U.S. foreign assistance mission from 2000 to 2014 did not address a terrorist organization credited with nearly one third of the terrorist attacks in the Philippines.

In addition to the political violence and insurgency outside the scope of Islamic extremism, transnational criminal organizations severely undermine the country's internal security and U.S. interests in Southeast Asia. Human trafficking for prostitution and child labor is wide spread in the Philippines and undermines the rule of law and the formal economy. The criminal networks that operate these human trafficking networks facilitate other criminal activity that allows the movement of illicit material in and out of the country. These internal security threats all exist in the shadow of China's maritime activities in the South China Sea that threaten the country's sovereignty and economic income from commercial fishing.

Due to the nature of SOF's CT mission in

The role of SOF is to provide chiefs of mission and geographic combatant commanders options.

the Philippines from 2000 to 2014, however, these dynamic threats were not inherently part of JSOTF-P's efforts to develop the capacity of the Philippines armed forces. The mission of JSOTF-P from 2002 to 2014 justifiably focused on the threat of Islamic extremism. The CT nature of the authorization for OEF-P, however, facilitated an environment for the chiefs of mission and geographic combatant commanders to focus on countering Islamic terrorism, and not necessarily addressing the widespread symptoms of instability in the Philippines that fostered the rise of Islamic extremism in the first place. The former was a CT campaign; the latter would have been a phase zero campaign: this is the "authorities trap."

The observation of the "authorities trap" is not a criticism of the holistic COIN and CT campaign waged by JSOTF-P from 2002 to 2014. JSOTF-P's activities during OEF-P are considered a great interagency success in countering the Islamic extremist threat in the southern Philippines. JSOTF-P effectively integrated intelligence activities, civil-military operations, humanitarian assistance, and military information support activities with effective military training, advising, and assisting to build the local infrastructure, win the support of the population, isolate the insurgency, and target bad actors. In the context of complex and bureaucratic JIIM relationships, these achievements cannot be overstated. The observation of the "authorities trap" simply states that when sent on a CT mission with specific Title 10 CT authorities, SOF should accomplish that mission. Additionally, the amount of resources tied to Title 10 authorities may hinder the overarching U.S. mission from a whole-of-government phase zero campaign that seeks to understand the root causes of instability and shape that environment accordingly. The lesson learned is that specific SOF missions should not replace an overarching phase zero campaign, and a CT campaign, such as OEF-P, should be one line of effort in a broad, whole-of-government approach to shaping the environment.

The "authorities trap" is simply an acknowledgement of potential bias in planning for phase zero. The role of SOF is to provide chiefs of mission and geographic combatant commanders options. To do that effectively, SOF planners must understand potential biases that may inhibit objective recommendations for the allocation of limited resources. Understanding this bias is also reflected in the third theme identified throughout the research, which involves the complexity of the environment and the need for a strategy to navigate that complexity effectively. Without a coherent strategy for the conduct of phase zero or the

implementation of SOF activities, planners will continue to fall victim to simply executing the mission they are authorized to do, instead of providing the chief of mission and geographic combatant commander with the best options for long-term, phase zero shaping operations that leverage all the instruments of national power.

Theme #3: The contemporary operating environment is complex, and the U.S. lacks an integrative strategy to effectively navigate that environment.

Most of the literature reviewed for this paper reflects a belief that the international security environment is increasingly complex. National security experts, academics, and military professionals define these challenges with a range of descriptors such as asymmetric, irregular, hybrid, unconventional, or gray. Adjectives aside, the common theme is that the complexity of the environment requires a flexible strategy that can address the spectrum of conflicts between war and peace. Contemporary authors are exploring what this strategy may look like, but there is no established consensus on what an asymmetric, irregular, hybrid, unconventional, or gray zone strategy looks like.

Colonel Brian Petit in his book, *Getting Big by Going Small: The Application of Operational Art by Special Operations in Phase Zero*, argues that the U.S. has replaced strategy with engagement.⁹⁷ Accepting that premise has some significant implications for phase zero campaign planning. Engagement in the phase zero environment is specifically susceptible to the “authorities trap” bias, as phase zero engagements for SOF are typically carried out as part of a JCET Program. The exercises are authorized as a means for SOF to train on their core capabilities. Although that authorization includes training partner forces for FID and UW, the geographic combatant commanders and chiefs of mission must understand that JCET engagements do not take the place of a

phase zero campaign. JCETs and other bilateral or multilateral training exercises are only one tool, and as Petit states they should be “tied to and in support of the overall strategy of the combatant commander and U.S. country team.”⁹⁸ All the elements of national power must be synchronized in a coherent strategy and campaign, using engagement tools such as JCET as a way to execute that strategy.

...JCET [Joint Combined Exchange Training] engagements do not take the place of a phase zero campaign.

If no strategy exists to marry engagements with the right partner, at the right place, at the right time in pursuit of regional or strategic objectives, those engagements are not part of a phase zero campaign; they are simply training exercises that offer SOF some exposure to the local environment. It is important for SOF planners to clearly articulate this to geographic combatant commanders and chiefs of mission. For example, a chief of mission may use SOF as an effective diplomatic tool to conduct bilateral training with one of the host nation’s elite forces. This can demonstrate the chief of mission’s commitment to the development of the host nation’s military capability and articulate the nature of the U.S. relationship with that country. If the chief of mission’s primary security issue in that country is CT, however, and SOF are conducting bilateral training with a military force that does not have domestic CT authorities in that country, that diplomatic tool is being utilized improperly. The same is true if SOF is training a domestic CT unit in a nation where the U.S.’s primary security concern is maritime aggression from a state actor like China. Yet, this misapplication of SOF is probably transparent to the chief of mission, as he or she met their diplomatic goal to demonstrate a

U.S. commitment to enhance the host nation's security capacity. Therefore, a coherent strategy must exist to outline the strategic objectives for phase zero planners and synchronize the efforts of the U.S. across the interagency.

According to military theorist and academic James D. Kiras of the United States Air Force's School of Advanced Air and Space Studies, strategy is "the bridge between policy and available means, including the use of military force."⁹⁹ In order for the U.S. to realize a strategy, it must have all the elements of national power working in concert toward a unified goal. When executive national security objectives conflict with legislation, as in the Indonesia case study, the chief of mission and geographic combatant commanders cannot develop a comprehensive operational approach that is synchronized across the JIIM environment to meet strategic objectives.

The lack of a strategy prohibits SOF

Country-level CT campaigns are not sufficient to address transnational terrorist and criminal organizations that exploit the seams and gaps between countries.

and interagency planners from effectively linking national objectives to the ends, ways, and means of tactical missions during phase zero. Petit's commentary on the challenges to operational design in phase zero reflect the nature of this disconnect. Both case studies reflect these tensions, as does the GWOT in the Pacific theater as a whole from 2001 to 2014. There was no regional, whole-of-government strategy to combat terrorism across Southeast Asia. USSOCPAC executed a campaign in the Philippines, and the Indonesian country team executed a campaign in Indonesia. The intersection of governed spaces, however, is

the environment most highly exploited by those threat groups phase zero campaigns intend to target.

In the case of Southeast Asia, the lack of a coherent national or regional strategy prevented the development of an effective campaign to address the border areas in the Celebes and Sulu seas. A 2007 *Asia Times* article succinctly summed up the threat from the maritime space between the Philippines, Indonesia, and Malaysia:

Decades of poor governance, economic and political marginalization, lack of state capacity, and separatist conflict have turned this area into an "ungoverned space" and hence a haven for transnational criminals, including terrorists. Addressing transnational threats in this area not only requires greater security cooperation among the three countries, but also increased assistance from external powers who have much to offer in terms of capacity building.¹⁰⁰

Country-level CT campaigns are not sufficient to address transnational terrorist and criminal organizations that exploit the seams and gaps between countries. A national and regional strategy is required to holistically approach these issues and synchronize the elements of U.S. national power with the interests of regional partners.

Theme #4: Understanding the operational environment is paramount in the development of effective phase zero operations.

The landscape in Southeast Asia is reflective of a larger struggle for identity in a globalizing world. What renowned author, teacher, and foreign policy expert Samuel Huntington described decades ago as the "Clash of Civilizations" is personified in places like Indonesia and the Philippines, where traditionalists seek to preserve a way of life in an environment that is rapidly changing.¹⁰¹

This “clash” is just one of the complexities of the environment that phase zero planners must understand when developing campaigns to achieve U.S. interests.

On the small island of Bali, Indonesia, for example, Westerners flock to the beaches for the exotic nightlife and world-class surfing. International companies develop the pristine landscape to cater to these tourists and to capitalize on their desire for luxury goods and first-class accommodations. This development is in sharp contrast to the rich cultural and religious landscape. Bali is home to over 80 percent of ethnic Balinese who practice a form of Hinduism that is shaped by the history of the native tribes, Buddhism, and centuries of traders and merchants traveling across the Indian Ocean. Time barely touches many of the small villages in the central jungles of the island, unmolested by travelers and development, owned by historic temples and irreverent, lounging monkeys. The past, the present, the primitive, and the developed first world co-exist in an island barely 2,200 square miles small. The result is an environment that Islamic extremists target as a reprehensible representation of the West perverting a traditional society.

The description of this environment is important because SOF identify the first of 12 “SOF Imperatives” as “understand the operational environment.”¹⁰² To be effective, SOF and diplomats must understand the nuances of the local culture, politics, and geography and the geopolitical implications of armed U.S. military in a foreign country. This is an incredibly high expectation and requires time in the region developing relationships and trust with host nation partners. In the Philippines case study, this trust was built upon small teams and liaison at all levels of the host nation’s military and the U.S. country team. The enduring, day-to-day presence facilitated the development of personal, not just organizational, relationships. In the Indonesia case study, understanding the

local perceptions and popular sentiment against U.S. military presence prompted a non-military approach to what appeared to a military security problem. According to USSOCOM:

Special operations are “special” because their success depends on long-term relationships with indigenous forces and populations and knowledge of the cultural, societal, economic, and political environments in which they occur.... The greater the environmental knowledge and extent of relationships, the more likely the outcome will be successful. This, more than any other single factor, defines the nature of special operations.¹⁰³

This articulation of special operations could be expanded to include all JIIM actors who are essential to the development and execution of phase zero operations. Relationships matter, and the executors of phase zero campaigns must be provided the time and flexibility to develop a nuanced, personal understanding of the operational environment.

To be effective, SOF and diplomats must understand the nuances...

Conclusion

The two case studies examined identify tensions in applying interagency authorities and capabilities in a coherent, national, and regional phase zero strategy. Those tensions beg the question: Are the current structures and organizations to execute foreign assistance and phase zero operations conducive to addressing the complexities of the threats in the current operating environment?

In undertaking this research, I sought to understand how SOF and the interagency achieve national security objectives during phase zero operations. The introduction of new

technologies in warfare and diplomacy always challenges existing tactics, strategies, and internal processes. The technologies emerging in the information age are no different, and just as industrial revolution and nuclear age required changes in U.S. strategy and tactics, technology today requires the U.S. to adapt. This is important for U.S. policymakers to embrace. Viewing the environment as increasingly complex externalizes the challenges to U.S. national security. Believing that conflict naturally and continuously evolves, on the other hand, mandates perpetual review and adaptation of internal processes, strategies, and tactics. The former allows complacency; the later demands action and change.

In the execution of phase zero and political warfare, the geographic combatant commander and chief of mission must employ all the elements of national power...

The current national security structure is built upon the 1947 National Security Act and must evolve. The first prominent change to this document occurred in 1986, with the Goldwater-Nichols Department of Defense Reorganization Act, after crisis drove policymakers to react to the reality that contemporary warfare required an integrated joint force. In the past 30 years, globalization and the information age has fundamentally altered how individuals and societies interact, yet the U.S. national security architecture has changed little since the reforms in 1986.

Secretary of Defense Ash Carter is proposing to update some provisions of the 1986 Goldwater-Nichols Act through what he calls the “Force of the Future” initiative. Among other things, his initiative seeks to reform the human resourcing and acquisition processes

and clarify some of the roles and functions of senior DoD officials. The chairman of the Senate Armed Services Committee, John McCain, has also mentioned recently that the U.S. Congress is working on a legislative update to Goldwater-Nichols.¹⁰⁴ The extent of these recommended changes is yet to be published, but this is an acknowledgement by the senior leaders in both the executive and legislative bodies that the current national security construct is outdated. The question remains how flexible will the “Force of the Future” be to react to the sort of gray zone challenges described in this paper.

Acknowledging antiquated legislative structures highlights a national security apparatus that lacks an effective agency to coordinate, synchronize, and execute effective phase zero strategy. Nearly 70 years ago, the father of the U.S. containment strategy during the Cold War, George Kennan, described the execution of U.S. policy in this environment as political warfare. He said, “Political warfare is the logical application of Clausewitz’s doctrine in time of peace. In broadest definition, political warfare is the employment of all the means at a nation’s command, short of war, to achieve its national objectives.”¹⁰⁵ A range of descriptors has emerged in the post-9/11 operating environment, but Kennan’s political warfare definition from 1948 most accurately depicts the challenges the U.S. faces by unconventional, irregular, asymmetric, and gray zone threats.

In the execution of phase zero and political warfare, the geographic combatant commander and chief of mission must employ all the elements of national power at his or her disposal, including SOF, to achieve national objectives. In adversarial states, this should include influencing, coercing, deterring, and resisting state aggression in conjunction with unconventional, hybrid, irregular, and asymmetric means. In friendly and allied states, this means supporting the existing regime with foreign assistance and FID. These efforts, however, must be synchronized across

the JIIM environment and regionally focused by a national-level agency.

The U.S. needs a National Security Council-level headquarters to develop strategy, synchronize the interagency, and execute political warfare in phase zero. In a 2016 *Joint Forces Quarterly* article, four senior ranking officers in the special operations community—including the former commanders of both USSOCOM and USASOC—make this very argument:

President Eisenhower once considered appointing a National Security Council (NSC)-level “director of unconventional or non-military warfare,” with responsibilities including such areas as ‘economic warfare, psychological warfare, political warfare, and foreign information.’ In other words, he saw the need for an NSC-level director of political warfare, someone to quarterback the habitually interagency effort. This need still exists to achieve unity of effort across all aspects of national power (diplomatic, information, military, and economic) across the continuum of international competition. As Max Boot has observed, political warfare has become a lost art which no department or agency of the U.S. Government views as a core mission.¹⁰⁶

The creation of such an organization would require significant political will. In the absence of a national directorate to develop and execute political and UW, however, the theater special operations commands should strive to shape national policy by developing focused regional phase zero campaigns. Communicating and integrating seamlessly with the country teams and geographic combatant commands is essential in this endeavor. Widespread use of liaison, decentralized interagency commands, and enduring presence by regional experts should be the standard, not an exception to the rule. Short, rotational training engagements cannot be misconstrued as a replacement for strategy,

and the Theater Special Operations Commands must effectively communicate their capabilities and regional security concerns across the interagency.

Currently, there is an academic discussion within the U.S. SOF community as to how to define, describe, and operate in the environment

The U.S. needs a National Security Council-level headquarters to develop strategy, synchronize the interagency, and execute political warfare in phase zero.

outside of declared, armed conflict. Several white papers from USSOCOM and USASOC concisely describe these challenges and potential responses. RAND corporation has also published extensively on these topics. With this paper, I hope to contribute to that discussion, and suggest that SOF be widely used in the phase zero environment across the spectrum of gray zone threats. As the nature of conflict between and among states evolves, the role of SOF must evolve as well, and geographic combatant commanders and chiefs of mission must view them as a dynamic tool that can operate across the spectrum of conflict between and among states.

Recommendations for Further Study

The interactions between SOF and the interagency during phase zero warrant further exploration. This study analyzed relationships only in the Pacific theater and primarily between State and SOF. Expanding this research to include several other case studies or vignettes from a variety of geographic combatant commands could provide further insight as to how SOF and the interagency interact at the country team and geographic combatant command levels. This research should include an examination of other

U.S. government agencies, such as the Central Intelligence Agency and Drug Enforcement Agency and interagency or multinational organizations that address regional transnational crime, drugs, and terrorism. Additionally, identifying quantitative measures to support the qualitative analysis in this study might provide more correlative support to the effectiveness of different phase zero approaches. Additional research into this topic may provide insight into the fog and frictions that hinder the achievement of national security objectives during phase zero, and may also illuminate innovative solutions to alleviating the tensions across the JIIM environment. **IAJ**

NOTES

- 1 Executive Office of the President of the United States, *National Security Strategy of the United States of America*, The White House, Washington, 2002.
- 2 John Lewis Gaddis, *Surprise, Security, and the American Experience*, Harvard University Press, Cambridge, MA, 2004.
- 3 *National Security Strategy of the United States of America*, 2002, p. 5.
- 4 Joseph S. Nye, Jr., “Get Smart: Combining Hard and Soft Power,” *Foreign Affairs*, Vol. 88, No. 4, July/August 2009, pp. 160–163.
- 5 Executive Office of the President of the United States. *National Security Strategy of the United States of America*, The White House, Washington, DC, 2015, p. 10.
- 6 Charles Wald, “New Thinking at EUCOM: The Phase Zero Campaign,” *Joint Forces Quarterly*, 4th Quarter, October 2006, pp. 72–73.
- 7 *Ibid.*, p. 72.
- 8 Hillary Clinton, “Remarks at the Special Operations Command Gala Dinner,” U.S. Department of State, May 23, 2012, <<http://www.state.gov/secretary/20092013clinton/rm/2012/05/190805.htm>>, accessed on May 4, 2016.
- 9 Philip Kapusta, USSOCOM White Paper, “The Gray Zone,” MacDill Air Force Base, 2015, p. 1.
- 10 Department of Defense. Joint Publication (JP) 3-05, *Special Operations*, Washington, 2014, p. ix.
- 11 White House, “Resourcing the Rebalance toward the Asia-Pacific Region,” April 12, 2013, <<https://www.whitehouse.gov/blog/2013/04/12/resourcing-rebalance-toward-asia-pacific-region>>, accessed on November 15, 2013.
- 12 Cheryl A. Walley, “A Century of Turmoil: America’s Relationship with the Philippines,” *Special Warfare Magazine*, Vol. 17, No. 1, September 2004, pp. 4–11.
- 13 *Ibid.*, p. 6.
- 14 *Ibid.*, p. 8.
- 15 *Ibid.*, p. 10.
- 16 C. H. Briscoe, “Why the Philippines? ARSOF’s Expanded Mission in the War on Terror,” *Special Warfare Magazine*, Vol. 17, No. 1, September 2004, p. 2.

- 17 Peter Chalk et al., *The Evolving Terrorist Threat in Southeast Asia: A Net Assessment*, Rand Corporation, Santa Monica, CA, 2009, p. 33.
- 18 Ibid., p. 34. The term Bangsamoro refers to the Bangsamoro people of the Southern Philippines who represent a variety Muslim ethnic groups.
- 19 Ibid., p. 37.
- 20 Ibid.
- 21 Ibid., p. 38.
- 22 Bruce Vaughn et al., “Terrorism in Southeast Asia,” Congressional Research Service, Washington, 2009, p. 18.
- 23 Ibid., p. 49; Council on Foreign Relations, “Abu Sayyaf Group (Philippines, Islamist Separatists),” updated May 27, 2009, pp. 1–2, <<http://www.cfr.org/philippines/abu-sayyaf-group-philippines-islamist-separatists/p9235>>, accessed on February 15, 2016.
- 24 Larry Nicksch, “Abu Sayyaf: Target of US-Philippine Anti-Terror Cooperation,” Congressional Research Service, Washington, January 2002, p. 4.
- 25 Ibid.
- 26 Briscoe, “Why the Philippines?” p. 16.
- 27 Ibid.
- 28 Ibid., p. 17; David Maxwell, “Operation Enduring Philippines: What Would Sun Tzu Say?” *Military Review*, Vol. 82, No. 3, May-June 2004, p. 20. There are five active duty special forces groups that are aligned with each of the five geographic combatant commands and theater special operations commands. 1st Special Forces Group (Airborne) is aligned with U.S. Pacific Command and U.S. Special Operations Command Pacific.
- 29 David Johnston, “U.S. Indicts 5 Filipino Men in Kidnapping of Americans,” *The New York Times*, July 24, 2002, <<http://www.nytimes.com/2002/07/24/international/asia/24INDI.html>>, accessed on February 3, 2016; Maxwell, p. 20.
- 30 C.H. Briscoe, “Balikatan Exercise Spearheaded ARSOF Operations in the Philippines,” *Special Warfare Magazine*, Vol. 17, No. 1, September 2004, pp. 16–25.
- 31 Ibid.
- 32 Nicksch.
- 33 Ibid., p. 1.
- 34 Briscoe, “Balikatan Exercise,” p. 17.
- 35 Maxwell, p. 20.
- 36 Ibid.; Vaughn et al., p. 19.
- 37 Maxwell, p. 21.
- 38 Ibid., pp. 20–21.
- 39 Ibid., p. 21.

- 40 Richard Oakley, "Operation Enduring Freedom-Philippines: FID Success and the Way Forward," *Special Warfare Magazine*, Vol. 27, No.1, January-March 2014, p. 48.
- 41 Richard Swain, "Case Study: Operation Enduring Freedom-Philippines," Booz Allen Hamilton and the U.S. Army Counterinsurgency Center, October 2010, pp. 2–3, <www.dtic.mil/cgi-bin/GetTRDoc?AD=ada532988>, accessed on January 20, 2016.
- 42 Fran Beaudette, "JSOTF-P Uses Whole-of-Nation Approach to Bring Stability to the Philippines," *Special Warfare Magazine*, Vol. 25, No. 3, July-September 2012, p. 11.
- 43 Linda Robinson et al., "U.S. Special Operations Forces in the Philippines," 2001-2014, Rand Corporation, Santa Monica, CA, 2016, pp. 112–124.
- 44 U.S. Department of the Army, ATP 3-05.2, *Foreign Internal Defense*, Washington, 2015, pp. 2–19.
- 45 Ibid.
- 46 Robinson et al., p. 112
- 47 Ibid., pp. 74–75.
- 48 Bruce Vaughn, "Indonesia: Domestic Politics, Strategic Dynamics, and U.S. Interests," Congressional Research Service, Washington, January 2011, pp. 6–7.
- 49 Ibid.
- 50 Ibid., p. 7.
- 51 Dana Priest, *The Mission: Waging War and Keeping Peace with America's Military*, W. W. Norton and Co., New York, 2003, p. 216.
- 52 Ibid.
- 53 Ibid., pp. 216–217.
- 54 Ibid., p. 217.
- 55 Ibid., p. 216.
- 56 Ibid., p. 218.
- 57 Ibid., p. 222.
- 58 Ibid., pp. 224–225.
- 59 Vaughn, summary.
- 60 Ibid., p. 33.
- 61 Ibid., pp. 33–34.
- 62 Sarah Khederian, "Indonesia's Returning Foreign Fighter Threat," *Georgetown Security Studies Review*, November 14, 2014, <<http://georgetownsecuritystudiesreview.org/2014/11/14/indonesias-returning-foreign-fighter-threat/>>, accessed on January 22, 2016.
- 63 Ibid., p. 89.
- 64 Vaughn, p. 5.

- 65 Chalk et al., p. 87.
- 66 Vaughn, p. 5; Chalk et al., p. 89.
- 67 Chalk et al., pp. 92–93.
- 68 Vaughn, p. 6.
- 69 Iis Gindarsah, “Indonesia’s Struggle Against Terrorism,” Council of Councils, Council on Foreign Relations, April 11, 2014, <http://www.cfr.org/councilofcouncils/global_memos/p32772>, accessed on October 8, 2015.
- 70 U.S. Department of State website, <<http://www.state.gov/j/ct/rls/other/des/123085.htm>>.
- 71 Chalk et al., p. 153.
- 72 Ibid.
- 73 Priest.
- 74 Chalk et al., p. 153.
- 75 Elizabeth Bumiller and Norimitsu Onishi, “U.S. Lifts Ban on Indonesian Special Forces Unit.” *International New York Times*, July 22, 2010, <http://www.nytimes.com/2010/07/23/world/asia/23military.html?_r=0>, accessed on January 6, 2016.
- 76 Chalk et al., p. 173.
- 77 Ibid.
- 78 U.S. Department of State, “Anti Terrorism Assistance 2003: Report to Congress for Fiscal Year 2003,” Washington, February 2004, p. 4.
- 79 Chalk et al., pp. 153–154.
- 80 Ibid.
- 81 Gindarsah.
- 82 Ibid.
- 83 Ibid., p. 3.
- 84 Vaughn, p. 8.
- 85 Chalk et al., p. 16.
- 86 Ibid.
- 87 Ibid., pp. 93–94.
- 88 Jacob Zenn, “Indonesia’s ‘Ghost Birds’ Tackle Islamist Terrorists: A Profile of Densus 88,” *Terrorism Monitor*, Vol. 9, No. 32, August 2011, <http://www.jamestown.org/single/?tx_ttnews%5Btt_news%5D=38312&no_cache=1#.VrZz5ZMrKT8>, accessed on February 6, 2016.
- 89 Vaughn, p. 2.
- 90 9/11 Commission, “9/11 Commission Report,” p. 73, <<http://avalon.law.yale.edu/sept11/911Report>>.

pdf>, accessed on April 17, 2016.

91 “Philippines Charges 189 with Election Massacre of 57 People,” *The Guardian*, March 25, 2010, <<http://www.theguardian.com/world/2010/mar/25/philippines-election-massacre-ampatuan-mangudatu>>; BBC News, “Philippines Political Violence Leaves 21 Dead,” November 23, 2009, <<http://news.bbc.co.uk/2/hi/8373770.stm>>, accessed on February 27, 2016.

92 “Philippines Gunmen Kill 10 in Political Violence,” *The Guardian*, April 26, 2013, <<http://www.theguardian.com/world/2013/apr/26/philippines-gunmen-kill-10>>, accessed on February 27, 2016.

93 “Philippines Pre-Election Violence Kills at least 20,” ABC, October 28, 2013, <<http://www.abc.net.au/news/2013-10-28/at-least-20-dead-in-the-philippines-pre-election-violence/5051070>>, accessed on February 27, 2016.

94 Akbayan, “Philippines: Alarming Incidents of Political Violence Related to 2016 Polls,” *Indybay*, October 20, 2015, <<https://www.indybay.org/newsitems/2015/10/20/18779074.php>>, accessed on February 27, 2016.

95 Austin Wright and Jeremy Herb, “The Communist Insurgency in the Philippines: Tactics and Talks,” International Crisis Group, Asia Report, No. 202, February 2011, <<http://www.crisisgroup.org/~media/Files/asia/south-east-asia/philippines/202%20The%20Communist%20Insurgency%20in%20the%20Philippines%20Tactics%20and%20Talks.pdf>>, accessed on April 15, 2016.

96 Austin Wright and Jeremy Herb, “Global Terrorism Index Report: Measuring and Understanding the Impact of Terrorism,” Institute for Economics and Peace, <<http://economicsandpeace.org/wp-content/uploads/2015/11/Global-Terrorism-Index-2015.pdf>>, accessed on April 15, 2016.

97 Brian S. Petit, *Going Big by Getting Small: The Application of Operational Art by Special Operations in Phase Zero*, Outskirts Press, Denver, CO, 2013, e-book location p. 215 of 3744.

98 Petit, p. 173.

99 James Kiras, *Special Operations and Strategy from World War I to the War on Terrorism*, Routledge, London, 2006, p. 62.

100 Ian Storey, “‘Triborder Sea’ is SE Asian Danger Zone,” *Asia Times*, October 18, 2007, <http://www.atimes.com/atimes/Southeast_Asia/IJ18Ae01.html>, accessed on April 21, 2016.

101 Samuel P. Huntington, *The Clash of Civilizations and the Remaking of World Order*, Simon and Schuster, New York, 2011.

102 United States Special Operations Command, “SOF Imperatives,” <<http://www.soc.mil/USASOCHQ/SOFImperatives.html>>, accessed on April 21, 2016.

103 United States Special Operations Command, Publication 1, *Doctrine for Special Operations*, MacDill Air Force Base, FL, 2011.

104 Austin Wright and Jeremy Herb, “Military Reform Effort Claims Latest Casualty,” *Politico*, April 18, 2016, <<http://www.politico.com/story/2016/04/defense-pentagon-brad-carson-222064>>, accessed on April 21, 2016.

105 George Kennan, “Policy Planning Staff Memorandum,” Department of State, May 4, 1948, <<http://digitalarchive.wilsoncenter.org/document/114320>>, accessed on March 3, 2016.

106 Joseph L. Votel et al., “Unconventional Warfare in the Gray Zone,” *Joint Forces Quarterly*, Vol. 80, 1st Quarter, 2016, p. 108.

Sharing Resources

Between Government Agencies

by George K. Hughes

Despite the continuous increase in operational tempo across the U.S. government, there has not been a proportional increase of resources. In fact, the level of uncertainty over resource availability in most departments and agencies continues to grow while they are being tasked to accomplish more with less. One approach to dealing with this reality is to consider the capabilities and expertise that already reside within the U.S. government and to share those capabilities among departments. Sharing commonly needed resources, instead of spending money on the development of redundant capabilities or contracting for services, could save time and money and build a more experienced team. The purpose of this article is to provide examples of how U.S. government departments and agencies might utilize Department of Defense (DoD) organizations and equipment to ensure effective execution of assigned missions within a resource-constrained environment. This article will also highlight the different types of agreements used for coordinating the sharing of resources, discuss actions that can assist a request's approval, and emphasize the benefits of resource-sharing from both the borrower and lender perspective. The first step, however, is to determine what DoD capabilities can support and enable the missions of other departments and agencies.

Strategic Enablers

Each department of the U.S. government has unique duties, responsibilities, and missions; however, each also has requirements in common with other departments—mainly logistical—that it must address when planning programs and operations. Along these lines of commonality exist opportunities to fill capability gaps with DoD organizations and equipment. Many organizations are familiar with and use assets from strategic enablers such as the U.S. Transportation Command (USTRANSCOM) that provides support to joint, U.S. government, and Secretary of Defense-approved multinational and nongovernmental logistics requirements,¹ and the Defense Logistics

Lieutenant Colonel George K. (Kris) Hughes, U.S. Army, is an instructor at the U.S. Army Command and General Staff College campus at Fort Belvoir, Virginia, teaching force management and sustainment. He holds a BS in Secondary Education from The Citadel, The Military College of South Carolina, a MS in Human Relations from The University of Oklahoma, and a MBA from Norwich University.

Agency (DLA) that provides support to DoD, civilian agencies, and foreign nations with receipt, storage, and issue of materiel.² For example, during the response to the Ebola crisis in West Africa in 2014–2015, USTRANSCOM and DLA enabled the rapid deployment of personnel, equipment, and unique capabilities, such as distribution and contract teams, across the joint operational area.³ Additionally DLA has historically provided support to the Federal Emergency Management Agency, as it did during relief efforts in response to Hurricane Sandy.⁴

DoD also has operational and tactical sustainment organizations that can add operational reach and longevity to government operations...

Operational Resources

DoD also has operational and tactical sustainment organizations that can add operational reach and longevity to government operations at a significantly lower cost than developing or contracting for new sustainment capabilities. No matter the department or agency, when a mission includes operating in a foreign or remote area, providing logistical support is a high priority. Since many organizations do not have the organic capability to logistically support themselves, they often contract for logistics support or share space on an existing installation. If neither of these options is available, however, assistance could be requested from DoD to provide support from one of the following organizations:

- U.S. Air Force Prime Base Engineer Emergency Force. This emergency force provides civil engineer teams capable of providing support to as many as 2,500 personnel. It performs contingency missions that include site surveys, expeditious

construction, base camp and operations establishment, utility system installation, and emergency services, and it has been used to support both military and civil authorities in war and peace operations, including providing civil engineering assistance during hurricane recovery.⁵

- U.S. Air Force Rapid Engineer Deployable Heavy Operational Repair Engineer Squadron. This squadron provides a flexible airfield and operating-site heavy construction and repair capability, along with many special capabilities that allow for support as needed. It is capable of self-sufficient construction and heavy repair of operating sites in any environment and is designed to deploy worldwide.⁶
- U.S. Air Force Basic Expeditionary Airfield Resources. This program is flexible and responsive in deploying a variety of systems to support operations and has the capability to accommodate transportation, housing, mess, aircraft maintenance, airfield lighting, power, water, sewage, heating, cooling, medical, and civil engineering needs.⁷ By design, these packages have everything necessary to support a deployed force in the most austere environments. Personnel can construct and supply an operational airfield or forward operating location to support any operation, including combat and humanitarian missions, within three weeks.⁸
- U.S. Navy Expeditionary Combat Command. The mission of this command is to execute combat, combat support, and combat service support missions across the full spectrum of naval, joint, and combined operations that enable access from and on the sea.⁹ A U.S. government department or agency might request and receive sustainment support from a naval

construction force, a naval expeditionary logistics support group, or a construction battalion maintenance unit. A naval construction force has the capability to support U.S. government operations through its ability to construct border outposts, expeditionary camps, bridges, roads, and munitions storage facilities. The force also has the capability to perform airfield and port damage repair. A naval expeditionary logistics support group may support personnel upon their arrival into an area of operations at a seaport or airport of embarkation. The group provides services that include a full spectrum of cargo handling operations, such as break-bulk cargo capability, air cargo handling, port and terminal operations, freight terminal operations, and ordnance handling and distribution. Finally, a construction battalion maintenance unit, more commonly known as Seabees, is also fully capable of constructing a forward operating location to support U.S. government personnel at any austere site.

- U.S. Army Theater Support Commands (TSC). TSCs serve as the Army's single integrator of logistics support within a theater of operations. TSCs have subordinate sustainment brigades consisting of combat sustainment support battalions that have diverse capabilities, including transportation, supply storage and distribution, fuel and water storage and distribution, and maintenance. Depending on its needs, a U.S. government department or agency could request support from a TSC for transportation, supply, or maintenance support.
- U.S. Army Force Provider Sets. These modular sets of equipment are basically a "base in a box." The U.S. Army has sets for 50, 150, or 600 people. Each set comes

with tents, cots, kitchen, laundry, shower, latrines, air conditioners/heaters for tents, power generation, cold weather kit, water reuse, morale/welfare/recreation, and a chapel. The Army stores these sets in Korea, Italy, Kuwait, and Charleston, SC. Current sets have the latest operational energy initiatives and consume less water and fuel than earlier models. Rigid wall shelters are available, if needed, instead of tents. Either the Army or contractors can assist an organization with set-up, and either personnel from the requesting department or agency or contractors can operate the equipment. Once the mission is complete, the requesting department or agency would return the equipment to the Army and pay DoD for funds to reset the equipment to operating standard. Multiple federal agencies used these sets during the recent response to the Ebola crisis in West Africa.

...DoD can assist with ammunition storage, medical aid stations, and other tactical tasks, as well as provide specific equipment and personnel trained to provide field services.

Tactical Resources

At the tactical level, DoD can assist with ammunition storage, medical aid stations, and other tactical tasks, as well as provide specific equipment and personnel trained to provide field services. These services include field sanitation, laundry and shower, food preparation, fuel storage and distribution, water purification and distribution, operation of material handling equipment, air drop/sling load operations, and medical planning. Specific pieces of equipment that can be requested are power generators,

reverse osmosis water purification units, and liquid storage containers. Explosive ordnance disposal (EOD) is another tactical capability that can be requested from DoD. DoD has numerous types of EOD units that can provide support both separate from and in conjunction with law enforcement. Possible missions are destruction of captured munitions or clearance of space to build an operating site. As with any law enforcement activity in which DoD resources are used, coordination via legal channels must be done to ensure compliance with U.S. Code.

Any non-DoD department or agency can request support from DoD. A request depends on the availability of funding, the support being available from the provider, and the request being more convenient and economical than commercial support.

Requesting Resources

U.S. government departments and agencies are authorized by The Economy Act (31 U.S.C. § 1535) to enter into agreements for supplies and services from one another.¹⁰ Any non-DoD department or agency can request support from DoD. A request depends on the availability of funding, the support being available from the provider, and the request being more convenient and economical than commercial support.¹¹ Once these criteria have been met, a U.S. government department or agency requiring support can send a request through its Executive Decision Authority to the Executive Secretary, Office of the Secretary of Defense (OSD) for review and approval. Once the letter requesting support is approved at OSD, it will be forwarded to the supporting agency for further coordination. But before a request is made, the requestor should with his or her legal office determine if an

agreement with DoD is already in place. Before entering into an agreement, it is also important to understand the purpose and desired outcomes to ensure the correct agreement type is used. Two of the most common agreements for coordinating the sharing of resources are memorandums of agreement (MOA) and interagency agreements (IAA).

Memorandums of agreement establish authorities and limitations between DoD and other departments and agencies of the U.S. government when DoD provides resources, both materiel and manpower, to non-DoD elements. The executive decision authorities for DoD and the requesting department or agency both sign the MOA.¹² While there is no directed format for these documents, an accepted practice is to set forth the details of the MOA in paragraphs addressing the purpose, background, and major points of the agreement. Keep in mind that because MOAs do not involve payment, a reimbursable agreement requires an inter-service support agreement (DD Form 1144).¹³

An IAA allows for reimbursement for services and resources. It sets the relationship among the different parties and identifies the authority permitting the agreement and the action, period, and type. IAAs are the government-wide, standard form for all reimbursable agreements, including agreements between agencies and agreements within agencies.¹⁴ One example of this agreement is the Reutilization, Transfer and Donation Program, where federal agencies can receive items from DoD that DoD declares as excess.¹⁵

Approval of Requests

Of course, DoD has a finite amount of resources and has its own demanding missions and operations, so DoD might not be able to support a request for assistance. To increase the chance of its request being approved a requesting department or agency should:

- Communicate with all stakeholders. When making a request, include everyone with a stake in the decision. Ensure your executive decision authority is aware of the request and why the request is being made. Include any office that might be losing resources due to your request to reduce friction and get your entire team behind the request. Include the office that will be responsible for the requested resources to ensure its input is incorporated into the request. Finally, make sure you involve DoD to ensure you comply with its standard for requests and include all required information.
- Be proactive and plan early. Most DoD resources are allocated to support ongoing and planned operations, so the earlier a request is made, the easier it is for DoD to program in the request with its other operations. Keep in mind that resources are allocated based on priorities, so include the priority of the operation the requested resources will support and the criticality of that operation. Additionally, include all relevant information, such as where the requested resources will be utilized, how accountability will be maintained while in your possession, how long they will be required, and the plan to integrate them into the operation.
- Provide feedback on the usefulness of the shared resources. Providing feedback to DoD confirms that the resources were used and shows how the resources benefited the user and government interests. Providing quantitative and qualitative data to DoD will help ensure continued support.

Benefits of Resource Sharing

In addition to the obvious benefits of saving time and money by sharing existing resources, there are other benefits to this approach. The biggest benefit is the collaboration of experts from multiple departments across the U.S. government, building a more capable whole-of-government team. Sharing resources brings together diverse perspectives on problem-solving, which can lead to creative solutions. Another benefit is the broadening opportunities for personnel to interact with different agencies and different operations. Finally, sharing resources across different departments maximizes resources, increases the security of the DoD supply chain, and results in a more efficient use of taxpayer dollars.

Conclusion

The number of programs and operations taken on by U.S. agencies continues to increase even while agency resource allocation continues to fluctuate. In today's resource-constrained environment, it makes sense to leverage the assets of multiple governmental agencies to ensure efficiency and reduce waste when planning and executing operations. Through resource sharing, departments and agencies can save time and money and build a more capable whole-of-government team. **IAJ**

NOTES

- 1 United States Transportation Command, <<http://www.ustranscom.mil/cmd/aboutustc.cfm>>, accessed on October 6, 2016.
- 2 Defense Logistics Agency, <<http://www.dla.mil/AtaGlance.aspx>>, accessed on October 6, 2016.
- 3 United States Africa Command, <<http://www.africom.mil/NewsByCategory/Article/25458/logistics->

in-support-of-operation-united-assistance-teamwork-transition-and-lessons-learned>, accessed on October 6, 2016.

4 Defense Logistics Agency, <http://www.dla.mil/Portals/104/Documents/Headquarters/Logline%20Archives/Loglines%202013/DP_LoglinesJanuaryFebruary2013.pdf>, accessed on October 6, 2016.

5 Global Security, <<http://www.globalsecurity.org/military/agency/usaf/prime-beef.htm>>, accessed on October 6, 2016.

6 United States Air Force, <http://static.e-publishing.af.mil/production/1/af_a3_5/publication/afi10-209/afi10-209.pdf>, accessed on October 6, 2016.

7 Global Security, <<http://www.globalsecurity.org/military/systems/aircraft/systems/bear.htm>>, accessed on October 6, 2016.

8 United States Air Force, <<http://www.af.mil/News/ArticleDisplay/tabid/223/Article/581127/bear-base-saves-money-supports-mission.aspx>>, accessed on October 6, 2016.

9 United States Navy, <http://www.public.navy.mil/necc/Documents/2016%20Fact%20Sheets/NECC_DS_lowres.pdf>, accessed on October 6, 2016.

10 Federal Acquisition Regulation, Subpart 17.502-2, The Economy Act, <https://www.acquisition.gov/far/html/Subpart%2017_5.html>, accessed on October 6, 2016.

11 Interagency Agreements Reference Tool, <<http://asafm.army.mil/Documents/OfficeDocuments/FinancialOps/Guidances/ia/irt.pdf>>, accessed on October 6, 2016.

12 Department of Defense Instruction, 4000.19, Support Agreements, April 15, 2013, <<http://dtic.mil/whs/directives/corres/pdf/400019p.pdf>>, accessed on October 6, 2016.

13 Ibid.

14 Interagency Agreement (IAA) Instructions, <<http://www2.dla.mil/j-6/dlmsa/Archives/Finance/meetings/15Nov2011/Instructions2-IAA-Final.pdf>>, accessed on October 6, 2016.

15 Defense Logistics Agency, <<http://www.dla.mil/DispositionServices/Offers/Reutilization.aspx>>, accessed on October 6, 2016.



Command and General Staff College Foundation, Inc.

Alumni Outreach

Are you a CGSC graduate?

Join the CGSC Alumni Outreach website!

Network with other alums, stay up-to-date with news, find out about upcoming events, visit your group homepages, share notes and photos, and much more!

Explore ways to support future CGSC students and their families through the CGSC Foundation!



Gen. Sherman
School Founder
1881

Gen. Marshall
Class of 1908

Gen. Eisenhower
Class of 1926

Gen. Powell
Class of 1968

Gen. Sullivan
Class of 1969

King Al Khalifa
Bahrain
Class of 1973

Pres. Yudhoyono
Indonesia
Class of 1991

This space reserved for You!!

Join Today!

For more information on alumni outreach, contact the CGSC Foundation.

100 Stimson Ave., Suite 1149 | Ft. Leavenworth, KS 66027 | 913.651.0624 (office) | office@cgscf.org

www.CGSCFoundation.org | <http://alumnioutreach.cgscfoundation.org>



Worth Noting

DNI releases paper on intelligence cooperation

In January the Office of the Director of National Intelligence published a paper describing certain key roles and relationships that characterize efforts by members of the U.S. Intelligence Community and other government entities. The paper does not purport to describe the specific laws, policies, safeguards, or operations relating to each agency's activities, nor does it make recommendations for change. Instead, it serves to further collaborative efforts.

The intelligence community and federal, state, local, tribal and territorial government organizations engage with one another and their partners in the private sector to carry out the shared mission of protecting the homeland. The paper strives to foster an important national dialogue that will promote a better understanding of how the intelligence community engages with key partners in this domestic enterprise and supports the holistic ideals articulated by the Director of National Intelligence.

According to former Director of National Intelligence James R. Clapper, "We need to deal with the realities of globalization – the blurring these days of foreign and domestic matters. Because when threats like terrorism and international organized crime transcend borders, it's critical that we think holistically about intelligence. But we're also a people who – Constitutionally and culturally – attach a high premium to our personal freedoms and our personal privacy."

- Office of the Director of National Intelligence

DHS reviews U.S./Canada border security

On January 19, the Department of Homeland Security (DHS) published a fact sheet detailing the accomplishments of Beyond the Border from its release in 2011 through 2016.

Beyond the Border: A Shared Vision for Perimeter Security and Economic Competitiveness is a U.S.-Canada joint declaration that promoted a shared approach to security and created a new framework for the U.S.-Canada relationship in the U.S. interagency that led to enhancing security while facilitating legitimate trade and travel.

The Beyond the Border fact sheet details accomplishments made in addressing threats; facilitating trade, economic growth, and jobs; integrating cross-border law enforcement; critical infrastructure cybersecurity; and transparency.

- Department of Homeland Security

CSIS publishes cyber agenda for President Trump

In January the Center for Strategic & International Studies (CSIS) published a report that provided a cybersecurity agenda for the incoming president. The CSIS Cyber Policy Task Force began working on the new agenda in late 2014, and provides recommendations on policies, organizational improvements, and resources needed in the cyber realm.

The cybersecurity agenda's policy recommendations include revising the international cybersecurity strategy, taking a new approach to building agreement on international stability,

expanding deterrence and creating consequences, taking a more assertive approach to combat cyber crime, protecting cyber assets and safeguarding personal information, increased transparency for cyber incidents, and active defense, among others.

Suggested organizational improvements involve strengthening the Department of Homeland Security, using the Government Accountability Office to review federal agency cybersecurity, streamlining congressional oversight, and elevating the role of cybersecurity coordinator to assist the president.

The agenda also made several recommendations regarding resources, saying that vulnerabilities should be protected, that funding should be allocated for cybersecurity education and training, and that the use of cloud and shared services should be increased.

The agenda concludes by stating “Cyberspace has become the central global infrastructure... But it is not secure, and the risks we face are unnecessarily great. Our opponents still have the advantage. We can change this if we want—not quickly and not easily—but of necessity if we are to build security for this century...”

- Department of Homeland Security

Simons Center hosts InterAgency Brown-Bag Lectures

The Simons Center established a new lecture series in partnership with the U.S. Army Command and General Staff School (CGSS). The InterAgency Brown-Bag Lecture Series is an extracurricular, interagency topic-focused series that is intended to help enrich the CGSS curriculum, and presentations are open to the public. Since they began in September, the lectures have garnered positive reviews attendees and presenters alike.

The inaugural lecture in the InterAgency Brown-Bag Lecture Series focused on country team operations and featured Ambassador (Ret.) David Lambertson and Lt. Gen. (Ret.) Richard Keller. The October and November lectures featured Special Agent Christopher J. Lamb, Ph.D., FBI, and Dr. John G. Breen, U.S. Army Command and General Staff College (CGSC) Commandant’s Distinguished Chair for National Intelligence Studies and the Central Intelligence Agency’s (CIA) Representative to the U.S. Army Combined Arms Center, speaking on the roles and missions of the FBI Cyber Task Force and Central Intelligence Agency, respectively. In December and January, Mr. Larry A. Hisle, Executive Director of the Greater Kansas City Federal Executive Board (FEB), and Mr. Ralph Erwin, Senior Geospatial Intelligence Officer and the National Geospatial-Intelligence Agency (NGA) liaison to CGSC, briefed participants on the FEB and NGA.

The sixth InterAgency Brown-Bag Lecture is scheduled for March 15 with a presentation on the Defense Intelligence Agency (DIA). Mr. Gustav A. Otto, the Defense Intelligence Chair at the U.S. Army Command and General Staff College and Defense Intelligence Agency (DIA) Representative to the Combined Arms Center and Army University, will lead the discussion.

Additional lectures are scheduled for April 6 and May 11, with speakers presenting on the topics of the U.S. Agency for International Development and military/law enforcement collaboration.

- Simons Center

Advice on partnerships for President Trump

In the lead up to his inauguration, many offered advice to President Trump on how to successfully lead during his time in office. In a series of “Memos to the President” Government Executive writers shared their opinions on building strong, prosperous partnerships with other federal entities, state and local governments, the private sector, non-profits, and around the world.

In his piece on partnering with state and local governments, Barry Van Lare advised Trump that he and Congress need to “forge a new partnership with state and local governments to restore public trust and confidence in the federal government and to mobilize the resources needed to address critical domestic issues.” According to Van Lare, the U.S. is not prepared to address many pressing domestic issues because of blurred lines between federal, state, and local responsibilities. Stronger intergovernmental partnership, says Van Lare, would be a boon to health care, education, homeland security, and civil rights.

Donald F. Kettl shared similar concerns, stating that “At a minimum, a failure to collaborate across boundaries will limit what the new administration can accomplish.” Kettl went on to cite recent collaboration failures in both the Obama and Bush administrations, such as difficulties with the Affordable Care Act and the response to Hurricane Katrina. Said Kettl, “The upside of more collaboration is better allocation of resources and better results. The downside is missed opportunities and failed attempts at reaching the goals set out by the administration at its onset.”

On the topic of public-private partnerships, John D. Donahue asserted “Public-private partnership can offer big advantages over both direct governmental action and conventional contracting.” According to Donahue, private partners often have more freedom to fulfill their mission than contractors. However, Donahue noted that such partnerships have their drawbacks and risks, as private partners can abuse the same freedom that allows them to fulfill their missions.

- Government Executive

DHS releases updated cyber response plan

The Department of Homeland Security (DHS) recently announced the release of the National Cyber Incident Response Plan (NCIRP). The updated NCIRP was released in December 2016. DHS had previously spoke of the coming update earlier in the year, as the NCIRP had not been updated for six years.

In a statement released January 18, former DHS Secretary Jeh Johnson said the NCIRP was “a critical step toward further strengthening the nation’s cybersecurity efforts.” According to Johnson, the NCIRP is guided by Presidential Policy Directive (PPD) 41, United States Cyber Incident Coordination, which established principals to govern the federal government’s actions in response to significant cyber incidents.

“The National Cyber Incident Response Plan is not a tactical or operational plan for responding to cyber incidents,” said Johnson. “However, it serves as the primary strategic framework for stakeholders when developing agency, sector, and organization-specific operational and coordination plans.”

Johnson also remarked that the update of the NCIRP was made possible through coordination with interagency, private sector, and state and local partners.

- Department of Homeland Security

DoD's role in foreign cyber threats

On January 5, Undersecretary of Defense for Intelligence Marcel Lettre and U.S. Cyber Command commander Navy Admiral Michael S. Rogers spoke before the Senate Armed Services Committee during a hearing on foreign cyber threats to the United States. There, the Pentagon officials discussed emerging cyber challenges and Department of Defense (DoD) plans to address them.

Lettre spoke of “challenges” faced by the DoD, including possible Russian aggression, and outlined efforts to counter North Korea and the Islamic State of Iraq and the Levant (ISIL). Lettre went on to talk about DoD's efforts to create cyber strategy and adapt to the changing cyber landscape. “We have built and continue to build the means and methods that will strengthen our relative position against each of these dimensions of the cyber threat,” said Lettre.

In his remarks, Lettre told of cyber's reach and how addressing cyber threats requires both whole-of-government effort and private industry support. Rogers concurred, saying “Those who would seek to harm our fellow Americans and our nation utilize the same Internet, the same communications devices, and the same social media platforms that we, our families, and our friends here and around the world use. We must keep pace with such changes in order to provide policy makers and our operational commanders the intelligence and cyber capabilities they need to keep us safe.”

- Department of Defense

Report focuses on DoD cybersecurity

In January the Atlantic Council published a report focusing on actions by an advanced cyber adversary. The report, “Cyber and Deterrence: The Military-Civil Nexus In High-End Conflict,” analyzes cyber's role in deterrence and defense, specifically the military-civil nexus and the relationship between the Department of Defense (DoD), civil agencies, and key private operational cyber entities.

Last year, the Obama administration issued PPD-41, “Cyber Incident Protection,” which outlines roles and missions for federal agencies in the event of a cybersecurity incident, but did not explicitly outline the role of DoD. Previously, the DoD released their cyber strategy in April 2015, which updated earlier strategies and laid out goals and objectives focused on building capabilities for effective cybersecurity and cyber operations.

“Cyber and Deterrence” looks at what is required both inside the U.S. and outside the U.S. to address cyber threats. The report concludes that both the military and civil authorities need to develop coordinating plans for cyber protection, resilience, and recovery, and outlines six steps to ensure effective contingency planning.

- Atlantic Council

Interagency collaboration encouraged during transition

A report published in December 2016 by MITRE suggests the Trump administration can successfully meet its technological innovation goals through better information sharing and interagency cooperation. The paper is part of a collection aimed at helping Presidential candidates and their transition teams during the transition.

The new report reviews how important developments in science and technology (S&T), including today's “ubiquitous” GPS, have come to be through the collaboration of multiple government

entities, while also recognizing that such efforts are often difficult due to stovepiping.

“The most impactful interagency S&T groups are those where its individual members view the success of the group as a critical step for their own agency’s success. That level of buy-in creates significant opportunities, and should be a fundamental goal for anyone leading interagency initiatives,” said Duane Blackburn, former Assistant Director of the Office of Science and Technology Policy.

According to the report, “The majority of the S&T spectrum... would benefit from crossdomain (i.e., cross-agency) collaboration.” The report goes on to list areas of opportunity for the new administration, including: 1) strategically prioritizing interagency leadership; 2) encouraging interagency collaboration at all levels within the Executive Branch; and 3) celebrating interagency advancements.

MITRE is a not-for-profit organization that operates research and development centers sponsored by the federal government. MITRE also has an independent research program that explores new and expanded uses of technologies

- MITRE

DHS challenges outlined for next administration

A new report lays out the challenges the Department of Homeland Security (DHS) will face in the coming years. The Homeland Security & Defense Business Council report outlines the changes coming to DHS under a new administration.

“Charting the Future: A Mission Driven Homeland Security Enterprise” examines DHS and highlights the continued importance of coordination and interagency cooperation during the next administration’s term. “We wanted to understand what is really working well today that needs to be continued, what needs to be stopped that’s maybe not working so well and what should be started in the new administration,” said Phil Kangas of Grant Thornton.

The report drew on insights from online surveys, focus groups and one-on-one interviews with 100 industry and government officials. The research pointed to former Homeland Security Secretary Jeh Johnson’s Unity of Effort campaign having produced positive results, though it reported that more communication and coordination was needed. Respondents also suggested that DHS focus on: 1) governance to support coordination across immigration and border security; 2) improved policy on IT system development and management; and 3) greater emphasis on workforce development and planning, alongside better succession planning.

The report is the second in a five-year series called the 20/20 Project on the Homeland Security Enterprise. Research for the report was conducted prior to this year’s presidential election.

- Federal Times

Executive Order focuses on health security

On November 4, former President Obama signed an Executive Order promoting global health security, particularly infectious disease threats. The Executive Order builds on the progress of the Global Health Security Agenda (GHSA) that was launched in 2014, and establishes long-term policy objectives for global health.

The Executive Order also establishes a GHSA Interagency Review Council tasked with carrying out the responsibilities outlined in the order. The Council will be made up of representatives from the the Centers for Disease Control and Prevention, the U.S. Agency for International Development, and

the Departments of State, Defense, Justice, Agriculture, Health and Human Services, and Homeland Security, as well other U.S. federal agencies.

The Council will meet at least four times each year and will consider U.S. commitments to other countries regarding GHSA targets, progress made in achieving GHSA targets, and evaluating U.S. and partner countries' capabilities in addressing infectious disease threats, among other things.

According to National Security Advisor Susan E. Rice, "The Executive Order will save lives by further leveraging the full power and leadership of the United States government and is an important step toward a safer, more resilient future."

-White House

Ambassador Kennedy visits Fort Leavenworth

Ambassador (Ret.) Laura Kennedy who previously served as the Deputy Assistant Secretary of State for European and Eurasian Affairs among many other positions over a nearly 40 year diplomatic career, visited Fort Leavenworth Dec. 1-2 as the DACOR visiting professor of diplomacy for the CGSC Class of 2017.

On the evening of Dec. 1, Ambassador Kennedy was the featured speaker at a Kansas City International Relations Council event hosted in Kansas City by the IRC and the University of Saint Mary (USM) Starr Center for Peace and Justice in partnership with the Foundation and the Simons Center. At that event conducted at the law offices of Polsinelli, about 85 people attended to hear her speak on a wide range of strategic topics and challenges facing the nation. Her breadth of knowledge and insightful thoughts kept the attendees engaged through both her talk and the question and answer period. There was a contingent of 15 Leavenworth High School students in attendance as well as a number of USM students and interested members of the KC IRC.

On Dec. 2, Kennedy gave a prepared talk, held a Q&A session, visited student seminars, and attended a luncheon with SAMS faculty at the Frontier Conference Center. She reportedly impressed the SAMS students with her breadth of experience and thoughts on strategic issues, but in a note back to the Foundation, she was equally impressed.

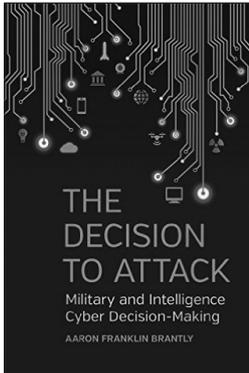
"I cannot thank you all enough for the last week's program," Kennedy said. "It was one of those classic experiences that I remember from my days at the National War College where the teacher learns as much, if not more, than the students. I also wanted to express my admiration for the faculty and students at SAMS. This was a great opportunity for me to discuss with them experiences and views 'from the field' on the national security challenges the U.S. faces at home and abroad. What a superb group of public servants."

Ambassador Kennedy is scheduled to return to Fort Leavenworth to sit in with CGSOC elective classes April 4-6, 2017.

The CGSC Foundation administers this program in conjunction with the DACOR organization in Washington, D.C., and with generous support and involvement of the University of Saint Mary and its Starr Center for Peace and Justice in our Global Society.

- Simons Center

Book Review



The Decision to Attack: Military and Intelligence Cyber Decision-Making

Aaron Franklin Brantly

University of Georgia Press, 2016, 226 pp.

Reviewed by Dr. John G. Breen

Distinguished Chair for National Intelligence Studies, U.S. Army Command and General Staff College, and CIA Representative to the U.S. Army Combined Arms Center

“The Russian government hacked into the e-mail accounts of top Democratic Party officials in order to influence the outcome of the 2016 U.S. Presidential election.” This is a clear statement of guilt, definitive and direct, with little room for doubt. An attack like this demands a response. Doesn’t the manipulation of an American election warrant some sort of retaliation? Could this be an act of war? So why isn’t the U.S. (at least overtly) doing more in response?

Well, read closely the official statement about the Russian hacking from the Department of Homeland Security and the Director of National Intelligence.¹ In colloquial intelligence-speak, it doesn’t really say the Russian government is definitively responsible for the compromise. The statement notes merely “confidence” that the Russian government “directed” the compromise and offers as evidence only that these attacks were “*consistent with* the methods and motivations of Russian-directed efforts.” The careful use of indefinite phrases such as “consistent with”, “we believe” or “we judge” leaves inconvenient room for reasonable doubt and plausible deniability about who actually conducted the attacks and who is ultimately accountable.

These types of assessments, as dissembling assurances go, sound eerily familiar, ala the 2002 Iraq WMD National Intelligence Estimate. Was there WMD in Iraq or not? Before the invasion, the community certainly said “we judge” that there was. Think of it this way; no mafia don could be convicted in a court of law by a prosecutor asserting only that the state was “confident” the individual was guilty. Offering as proof that the murder was “consistent with the methods and motivations of Mafia-directed efforts” is not sufficient. Did the don order the hit, conduct the act himself, or is he being blamed as a convenient scapegoat? These intelligence assessments simply do not seem to provide the unambiguous attribution necessary to reasonably contemplate retaliation.

This lingering ambiguity is a key issue addressed in Aaron Brantly’s 2016, *The Decision to Attack: Military and Intelligence Cyber Decision-Making*. An Assistant Professor at the U.S. Military Academy, Brantly provides a detailed academic exploration of cyber warfare, seeking to better understand how states interact within cyberspace. He posits that states should generally be considered rational actors and therefore will rank order their likely actions in cyberspace based on positive expected utility, i.e. how successful these actions will be compared to the risks they

engender (expected utility theory). *Decision to Attack* is an excellent treatment of this crucial domain, packed densely with insight into a deceptively pithy 167 pages.

The research encapsulated in *Decision to Attack* suggests the key determinant in a state choosing to undertake an offensive cyber-attack is anonymity. That is to say, a state's ability to keep its attack secret as it is being undertaken, as well as its capacity to hide or at least obscure the origin of the attack afterward. There is no barrier to action if there is no risk of retribution. As Brantly notes, the hurdle for choosing offensive cyber-attacks is extremely low when a state can assume some level of anonymity:

“Anonymity opens Pandora's box for cyber conflict on the state level. Without constraints imposed by potential losses, anonymity makes rational actors of almost all states in cyberspace. Anonymity makes it possible for states at a traditional power disadvantage to engage in hostile acts against more powerful states.... Because anonymity reduces the ability to deter by means of power or skill in most instances, the proverbial dogs of war are unleashed. If the only constraints on offensive actions are moral and ethical, why not engage in bad behavior? Bad behavior in cyberspace is rational because there are few consequences for actions conducted in the domain.”²

Brantly does offer some hope that states will not rationally engage in “massively damaging” cyber-attacks, given that with greater complexity and scale these attacks become less likely to be kept truly unattributable. His assertion seems to be that these states, particularly those smaller states with less traditional or conventional power (military and otherwise), will focus on small to mid-range types of attacks. That said, even seemingly minor attacks can apparently lead to unintended significant impacts, certainly if these pile up over time -- a cyber domino effect. For example, a relatively small-scale compromise of an individual's email account, followed by propagation of resultant inflammatory “revelations” seeded into the press and on-line social media, might lead to the upending of an otherwise democratic election.

Given the demonstrated importance of secrecy and obfuscation in the cyber domain, Brantly appears to argue in *Decision to Attack* that cyber-attacks should be considered a type of covert action. He points out that the U.S. government's approach to cyberspace has to this point relied on the military, with Admiral Mike Rogers currently the commander of both the National Security Agency and Cyber Command (CYBERCOM). To Brantly, this indicates the president has given the military, and not the Central Intelligence Agency (CIA), the lead as the main covert operator in the cyber domain. He offers in criticism that this arrangement may run counter to Executive Order 12333, which provides lanes in the ethical/moral superhighway for the intelligence community. Brantly indicates though that the Department of Defense's capacity to address the scale of the problems identified in cyber make this designation “appropriate.”³

While perhaps not the major focus of Brantly's research, the implications of relying on the military to conduct these types of offensive operations are perhaps worth further exploration. There are reasons the CIA was designated and utilized during the cold war to be the primary organization responsible for covert action. In sum, it seems to have everything to do with plausible deniability. If you are caught by an opposing state in the conduct of covert action while in uniform, this might be considered an act of war. Is it any less so in cyber? Perhaps.

In March 2015 the CIA embarked on an unprecedented “modernization” effort designed to “ensure that CIA is fully optimized to meet current and future challenges,” largely by pooling analytical, operational and technical expertise into ten new Mission Centers.⁴ A new operational component -- the Directorate of Digital Innovation (DDI) -- was also added to the existing four

Directorates: Operations, Analysis, Science and Technology, and Support. The DDI is said to be focused on “cutting-edge digital and cyber tradecraft and IT infrastructure.”⁵ Public statements from the Agency have highlighted the importance of culture, tradecraft, and knowledge management in this new Directorate, stressing the DDI’s role in support of the CIA’s clandestine and open source intelligence collection missions.^{6,7}

In a July 2016 speech to the Brookings Institution, CIA Director John Brennan discussed the mission of the newly created DDI and the risks posed by cyber exploitation. For example, Brennan suggested the Arab Spring revolts were influenced by on-line social media’s ability to swiftly facilitate social interaction and cause destabilization, that cyber could be used to sabotage vital infrastructure, or might be used by terrorist organizations to indoctrinate potential lone wolf actors.⁸

CIA of course looks to exploit this same cyber domain to its own ends. In CIA’s vernacular, destabilization then is “covert cyber-based political influence”; sabotage is a “cyber-facilitated counter proliferation covert action”; and indoctrination becomes an “on-line virtual recruitment.” What distinguishes between these actions — anarchic destabilization versus covert cyber-based political influence -- is the intent, noble or ignoble, of the perpetrator.

Cyber espionage then at least might be thought to follow many of the same tradecraft norms and to be constrained by many of the same rules and self-imposed restrictions as real-world, “Great Game” espionage and especially some types of non-lethal covert action. For example, if caught in the midst of a recruitment operation against a foreign diplomat in some capital city, that country’s government typically would simply kick the offending CIA officer out of the country, declaring the individual *persona non grata*. One could say there are systems in place, most informal, that allow for a bit of espionage to be conducted without causing conflagration. This is especially true when dealing with near-peer competitors, as evidenced by decades of cold war intrigue. CIA was chosen, for example, to conduct covert action in Afghanistan during the cold war in order to avoid an act of war incident. CIA’s actions against the Soviet occupation were no less deadly, but use of foreign cutouts and misattributable materiel, i.e. tradecraft, allowed for plausible deniability and lack of attribution. The Soviets could “judge” all they wanted that the U.S. was behind their mounting losses, but without proof, this was meaningless.

CYBERCOM, the closest military counterpart to the DDI, was created as a joint headquarters in 2009. Unlike the CIA’s DDI clandestine collection posture, CYBERCOM’s stated mission appears much more broadly focused on traditional (though still cyber) offensive operations and network defense, i.e. “ensure U.S./Allied freedom of action in cyberspace and deny the same to our adversaries.”⁹ U.S. military joint doctrine on cyberspace operations is filled with otherwise conventional military terms such as “fires” and “battle damage.” A cyber weapon deployed against an adversary on the cyber battlefield can be called a “payload.”

The military’s cyber effort also appears to be somewhat encumbered by familiar bureaucratic challenges, not the least of which involves nominal joint efforts to operate in a domain not easily divvied up amongst services used to “owning” a particular geographic space, i.e. ocean, air, land. As noted by an Army strategist working on the Joint Staff Directorate for Joint Force Development:

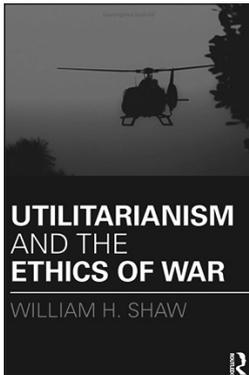
“The opportunity for one service to infringe on, or inadvertently sabotage, another’s cyberspace operation is much greater than in the separate physical domains. The command-and-control burden and the risk of cyberspace fratricide increase with the number of cyberwarriors from four different services operating independently in the domain.”¹⁰

How much greater then is the challenge in deconflicting operations between these disparate DoD cyber operators and those in the intelligence community and CIA's DDI, all engaged on the same cyber field of play? If CIA has worked for years to gain cyber access to a particular source of protected information, and another actor wants to "deliver a payload" against that target, who decides which mission is most important? Do we choose the intelligence collection activity we need to better understand the enemy or is it the cyber-attack that cripples an adversary's critical capability? And is there an advantage in having the military or a civilian organization conduct either of these covert action operations? These and many other important questions that spin off from reading *Decision to Attack* await further exploration.

Ultimately this decision-making should perhaps extend beyond the inside view taken by the operators from CYBERCOM or the CIA's DDI. The process will hopefully include policy-makers struggling with how and why to use cyber as either an offensive tool or a tool of espionage. Brantly provides the reader with these delineations, offering definitions of, for example, cyberattack versus cyber exploitation. He also provides a solid starting point for a discussion about which of these approaches is most appropriate and a framework in which to understand our own and our adversary's potential decision-making processes. There's more to be said and in this evolving domain there is much more to understand, but *Decision to Attack* should be in the library of those hoping to make the right call when it comes time to act. **IAJ**

Notes

- 1 <https://www.dni.gov/index.php/newsroom/press-releases/215-press-releases-2016/1423-joint-dhs-odni-election-security-statement>
- 2 Brantly, Aaron Franklin. *The Decision to Attack: Military and Intelligence Cyber Decision-Making*, University of Georgia Press, 2016, pgs. 158-159.
- 3 Ibid, pgs. 123-124.
- 4 <https://www.cia.gov/news-information/press-releases-statements/2015-press-releases-statements/cia-achieves-key-milestone-in-agency-wide-modernization-initiative.html>
- 5 <https://www.cia.gov/news-information/speeches-testimony/2016-speeches-testimony/director-brennan-speaks-at-the-brookings-institution.html>
- 6 Ibid, <https://www.cia.gov/news-information/press-releases-statements/2015-press-releases-statements/cia-achieves-key-milestone-in-agency-wide-modernization-initiative.html>
- 7 <https://www.cia.gov/offices-of-cia/digital-innovation>
- 8 Ibid, <https://www.cia.gov/news-information/speeches-testimony/2016-speeches-testimony/director-brennan-speaks-at-the-brookings-institution.html>
- 9 https://www.stratcom.mil/factsheets/2/Cyber_Command/
- 10 Graham, Matt. U.S. Cyber Force: One War Away, *Military Review*, May-June 2016, Vol 96, No. 3, Pg. 114.



Utilitarianism and the Ethics of War

William H. Shaw

Routledge, New York, NY. 2016, 166 pp.

Reviewed by Kailah Murry

Military Intelligence Warrant Officer in the Kansas Army National Guard and Department of Army civilian at the U.S. Army Command and General Staff College

The study of the ethics of war is brimming with cases taken from the realist perspective, where war among states is neither right nor wrong and is viewed outside of morality all together, and relativism perspective, where evaluating an action is done according to the ethical standards of the society within which the action occurs. Revamping the study of war is Mr. William Shaw, who approaches ethics through the lens of utilitarianism, the theory where the best action is the one that maximizes utility when considering all interests equally. *Utilitarianism and the Ethics of War* walks the reader through the theories of realism and relativism before approaching utilitarianism where the author addresses two main questions: When, if ever, are we morally justified in waging war; and, if recourse to arms is warranted, how are we permitted to fight the wars we wage? Utilitarianism, according to Shaw, holds that a state of affairs is good or bad to some gradation only in virtue of the lives of specific individuals, and second, that the good is additive.

Realists are noted in the book as having multiple views within the theory that slightly differ from one another, but tend to believe the same thing in the end: states are the central actors, the international system is anarchic, actors are rational, and all states desire power. Some realists, who are likely to be students of international relations or students of war, view that warfare is viewed outside of morality all together and there are no moral restrictions on what combatants do throughout war. Another branch of realism contends that often states habitually act amorally and that combatants often conduct war with little or no concern for the morality of their activities. Yet other realists tend to view the application of morality to war as something that can lead nations astray. Shaw uses General William T. Sherman to illustrate a portion of realism by harkening back to his quote, “War is hell,” noting how burning Atlanta, Georgia to the ground reflects these sentiments. However, Shaw continues to change the conversation and adds various ethical dilemmas to the realist by pointing out previous wars where rape, theft, and plundering were part of the prescription of the day. In the end, Shaw suggests that realists have not offered a persuasive argument that war is beyond the scope of responsibility or morality for any actor.

Relativists believe that moral concepts and principles are simply a function of what a particular society holds to be true at that point in time. Right or wrong is determined solely on what that actor or society believes to be right or wrong, not what the larger international body determines to be right or wrong. Shaw utilizes the example of the Iroquois of Quebec in the seventeenth century who viewed the torturing of captured prisoners to be acceptable; in this case relativism would suggest one cannot utilize today’s views on morality and ethics to judge against another culture, let alone a culture in a different time. Very simply, Shaw posits that if two societies have an altering view

of what is right or wrong when war is waged, then one cannot judge between the two societies, as both are right in their own eyes.

Completing the triad of broad ethical theories presented, the book finishes with utilitarianism, representing what the author views to be an old and distinguished tradition in moral philosophy. First, utilitarianism notes that the outcomes of our actions are the key to moral evaluation, and second, one should assess and compare those outcomes in terms of their bearing on welfare. Utilitarianism partially utilizes the term consequentialism and philosophers utilize the term when viewing actions through the lens of right or wrong. Specifically, an actor's actions are viewed as right or wrong depending on the consequences, or outcomes, of the action. Also, the action can be viewed as right if no other course of action could have yielded an outcome of a better result. Utilitarianism also makes use of the concept of welfarism, where happiness or well-being is to be the only good in itself. In other words, the welfare of a society is all that matters. Utilitarianism uses the condition where an act is right, if and only if, no other action accessible to the actor has a greater probability for well-being of the society; otherwise, it is wrong and immoral.

Utilitarianism and the Ethics of War fully encompasses each viewpoint that could be of influence on the field of battle, but could use additional insight and thought beyond what is already written for the military officer. Shaw writes through each perspective of war from combatants and non-combatants, covering more towards the lens of being a military officer in his concluding thoughts by stating, "War obliges commanders to order troops into combat, often in circumstance that guarantee that at least some of them will perish." Although some, if not most, will argue this is true, combat in today's environment involves many more individuals on the battlefield than military entities or those that work under military authority. Shaw fully agrees that there is additional discussion on this view, noting in his conclusion that he hopes this book has opened the door to continue discussions on ethics employing the utilitarian viewpoint.

Overall, *Utilitarianism and the Ethics of War* attempts to answer that if morality applies to all domains of the human struggle, why should war be the exception? Individuals may try and state this is another version or variant of just war theory, but Shaw notes he would consider utilitarianism a species of just war theory if one considers it to subsume all non-pacifist discourse. However, if one views just war theory in a free-standing normative context, then utilitarianism is a rival to it. Shaw concludes the advantage of using the utilitarianism approach to ethics on war is that it allows the theorist to "sidestep many insoluble disputes" that philosophers have when discussing ethics and war.

This book should be considered required reading by the military professional. Today, our military faces several facets of the ethics argument, coming from multiple viewpoints. In order to understand these issues better, one should be well versed in the various theories surrounding this topic and the application of ethics to war. This book adds to the professional discourse already underway across training and education environments, as well as in numerous journals and books consistently being published on this topic. **IAJ**

NATIONAL SECURITY ROUNDTABLE



**U.S. ARMY COMMAND AND GENERAL STAFF COLLEGE
FORT LEAVENWORTH, KANSAS**

April 4-5, 2017

The CGSC Foundation is supporting a National Security Roundtable event hosted by CGSC's School of Advanced Military Studies (SAMS) at the Lewis and Clark Center, April 4-5, 2017.

Attendance is by invitation only. Contact the CGSC Foundation for details.

For more information about the NSRT series, contact the CGSC Foundation.

100 Stimson Ave., Suite 1149 | Ft. Leavenworth, KS 66027 | 913.651.0624 (office) | office@cgscf.org

www.CGSCFoundation.org





InterAgency Brown-Bag Lecture Series



“Defense Intelligence Agency (DIA): An Inside Look”

presented by

Mr. Gustav A. Otto

Defense Intelligence Chair and Defense Intelligence Agency
Representative to the Combined Arms Center and Army University

12:30pm-1:30pm | 15 March 2017
Arnold Conference Room | Lewis and Clark Center

“United States Agency for International Development (USAID)”

presented by

Mr. Patrick J. Wesner

U.S. Agency for International Development Chair for Development Studies,
U.S. Army Command and General Staff College

12:30pm-1:30pm | 6 April 2017
Arnold Conference Room | Lewis and Clark Center

“Military and Law Enforcement Collaboration in an Age of Convergence”

presented by

Mr. Oliver S. Saunders

Drug Enforcement Agency Liaison Officer to the Department of Defense

12:30pm-1:30pm | 11 May 2017
Arnold Conference Room | Lewis and Clark Center

The Simons Center and the U.S. Army Command and General Staff School sponsored InterAgency Brown-Bag Lecture Series provides practitioners, students, and faculty an opportunity to learn from subject matter experts on a variety of interagency topics.

All lectures in this series are free and open to the public. Attendees are welcome to bring their own lunches.

More information about this event will be available on
the Simons Center’s website and Facebook page.

www.TheSimonsCenter.org www.facebook.com/TheSimonsCenter
#InterAgencyBrownBagLecture



The ***InterAgency Journal (IAJ)*** is published by the Command and General Staff College Foundation Press for the Arthur D. Simons Center for Interagency Cooperation. The *InterAgency Journal* is a national security studies journal providing a forum for professional discussion and the exchange of information and ideas on matters pertaining to operational and tactical issues of interagency cooperation, coordination, and collaboration.

The articles published in the *IAJ* represent the opinions of the authors and do not reflect the official views of any United States government agency, the Department of Defense, the Department of the Army, the U.S. Army Command and General Staff College, the Command and General Staff College Foundation, the Simons Center, or any other non-government, private, public or international organization.

Contributions:

The Simons Center encourages the submission of original articles based on research and/or which stem from lessons learned via personal experiences.

Copyright:

Publications released by the Simons Center are copyrighted. Please contact the Simons Center for use of its materials. *InterAgency Journal* should be acknowledged whenever material is quoted from or based on its content.

Copyright Transfer Agreement:

By virtue of submitting a manuscript, the author agrees to transfer to the Simons Center for the Study of Interagency Cooperation full ownership of all rights, titles, and interests, including the copyright in and to the work submitted.

Acceptance of this agreement further signifies the author represents and warrants that he/she is the sole author and sole proprietor of all rights in and to any portion of the work; that the work is original and not in the public domain; that it has not been previously published; that it does not violate or infringe on any personal or property rights of others; that it contains nothing libelous or contrary to law; and that he/she has full power to enter into this agreement.

For additional information visit the Simons Center website at

www.TheSimonsCenter.org/publications



The Simons Center
P.O. Box 3429
Fort Leavenworth, Kansas 66027
ph: 913-682-7244
www.TheSimonsCenter.org
facebook.com/TheSimonsCenter



CGSC Foundation, Inc.
100 Stimson Avenue, Suite 1149
Fort Leavenworth, Kansas 66027
ph: 913-651-0624
www.cgscfoundation.org
facebook.com/CGSCFoundation
twitter.com/CGSCFoundation
[LinkedIn.com >>CGSC Foundation, Inc.](https://LinkedIn.com/CGSCFoundation)

