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UNCONVENTIONAL RESTRAINT: OBSTACLES TO ARMY SPECIAL OPERATIONS FORCES' EMPLOYMENT IN SUPPORT TO RESISTANCE OPERATIONS

by

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December 2017

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Despite ever-increasing political support to U.S. Army Special Operations Forces (ARSOF) in the 21st century, enduring obstacles continue to limit the execution of support to resistance movements as a viable strategic policy option for the United States. When both diplomatic and conventional military options prove too costly and/or reach an impasse, the National Command Authority is left with two options: do nothing or force a change by supporting elements of the indigenous opposition.

Recent history provides several examples of presidential decisions to leverage U.S. military support to resistance movements (STR) to, as outlined in Joint Publication 3-05, *Special Operations* (2014), "coerce, disrupt or overthrow a government or occupying power" in Afghanistan, Iraq, Libya, and most recently, Syria. Yet the efficacy of this core activity remains constrained by legal, political, and organizational challenges. This thesis explores both the causes and depths of these obstacles to the employment of ARSOF elements in support to indigenous resistance activities and identifies feasible means to overcome these hurdles. Ultimately, recognition and alleviation of these obstacles will optimize ARSOF's activities and arm national policymakers with the ways and means to achieve long-lasting policy ends.

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UNCONVENTIONAL RESTRAINT: OBSTACLES TO ARMY SPECIAL OPERATIONS FORCES' EMPLOYMENT IN SUPPORT TO RESISTANCE OPERATIONS

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Despite ever-increasing political support to U.S. Army Special Operations Forces (ARSOF) in the 21st century, enduring obstacles continue to limit the execution of support to resistance movements as a viable strategic policy option for the United States. When both diplomatic and conventional military options prove too costly and/or reach an impasse, the National Command Authority is left with two options: do nothing or force a change by supporting elements of the indigenous opposition.

Recent history provides several examples of presidential decisions to leverage U.S. military support to resistance movements (STR) to, as outlined in Joint Publication 3-05, *Special Operations* (2014), "coerce, disrupt or overthrow a government or occupying power" in Afghanistan, Iraq, Libya, and most recently, Syria. Yet the efficacy of this core activity remains constrained by legal, political, and organizational challenges. This thesis explores both the causes and depths of these obstacles to the employment of ARSOF elements in support to indigenous resistance activities and identifies feasible means to overcome these hurdles. Ultimately, recognition and alleviation of these obstacles will optimize ARSOF's activities and arm national policymakers with the ways and means to achieve long-lasting policy ends.

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LIST OF ACRONYMS AND ABBREVIATIONS

ARSOF	Army Special Operations Forces
AUMF	Authorized Use of Military Force
CA	Civil Affairs
CT	Counterterrorism
DA	Direct Action
DOD	Department of Defense
DOS	Department of State
ISIS	Islamic State of Iraq and Syria
NDAA	National Defense Authorization Act
NCR	National Capital Region
OIR	Operation Inherent Resolve
PSYOPS	Psychological Operations
SF	Special Forces
STR	Support to Resistance
SW	Special Warfare
T&E	Train and Equip Program
UN	United Nations
UNSC	United Nations Security Council
USASOC	United States Army Special Operations Command
USSOCOM	United States Special Operations Command
USCENTCOM	United States Central Command
UW	Unconventional Warfare

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EXECUTIVE SUMMARY

Despite ever-increasing political support to U.S. Special Operations in the 21st century, enduring legal, political, and organizational obstacles continue to limit the execution of support to resistance movements (STR) as a viable strategic policy option for the United States. Recent history provides several examples of presidential decisions to leverage U.S. STR operations "to coerce, disrupt or overthrow a government or occupying power" in Afghanistan, Iraq, Libya, and most recently, Syria.[1] This thesis explores both the causes and depths of the legal, political, and organizational obstacles to the employment of ARSOF elements in support to indigenous resistance activities and identify feasible means to overcome these hurdles.

A. PREMISES SUPPORTING THIS RESEARCH

(1) STR activities up to and including unconventional warfare (UW) are a viable policy option of U.S. intervention under certain conditions. STR, UW, and similar interagency activities, such as covert action, provide a critical "third option" to the President, when diplomacy is inadequate and the cost of conventional military intervention is unacceptable. While this research cannot refute that UW and covert action sometimes fail and that "long-term success" remains a challenge, it has shown that these policy options are successful in nearly half of the cases studied. It is not the basic theories of UW and covert action that are inadequate, but our (the U.S. government's) misunderstanding and misapplication of the concepts and fundamentals that contributes to failure.

(2) The United States' potential adversaries (e.g., China, Russia, and Iran) are outperforming the in the realm of hybrid warfare and, more precisely, STR in the modern operating environment. The increasing trend of hybrid threats in contemporary conflicts indicate an evolving policy space for STR operations. Despite a comparable approach to hostilities short of declared war, the United States has not achieved the same success in recent foreign intervention as its adversaries.

[1] Definition of Unconventional Warfare as outlined in Joint Publication (JP) 3-05, *Special Operations*, (Washington, DC: Office of the CJCS, 16 July 2015), xi.

B. ANALYSIS OF THE OBSTACLES

Legal: First, successful STR is planned and resourced in an anticipatory manner that recognizes the time it takes to prepare and execute Special Warfare missions. This is in contrast to what appears to be the current model of reactionary policy provision, Congressional resourcing, and strategic military planning. As a result of this reactionary model, STR efforts begin at an inherent disadvantage. current statutory authorities make it easier to pursue CT activities because they provide a path of least resistance for rapid DOD involvement. Second, UW (and SOF Sensitive Activities) are not clearly defined in USC.[2] Third, although this research has identified some gaps in authorities, the problem is more often a lack of approvals than a lack of authorities.

Political: First, the history of civil-military disconnection between the interagency community and DOD demonstrates that efforts to improve this detachment, such as the global SOF network, can be nullified by both an imbalanced promotion of one SOF capability over another and the perceived militarization of foreign policy. Second, the dynamic NSC process, which can change with each presidential election cycle, creates a volatile environment for military planners of irregular and high-risk special operations. Third, increasing patterns of risk aversion and geopolitical sensitivities driven by globalization will likely exacerbate these political obstacles in future conflicts.

Organizational: In terms of organizational design, this research considered the organizational structure and characteristics of the Office of Strategic Services (OSS) because it was specifically designed for intelligence collection. We then compared OSS to its antecedents in these fields, the Central Intelligence Agency and U.S. Special Operations Command (USSOCOM). The analysis found that the OSS was purpose-built for its function and environment, eventually assuming a hybrid structure of a divisional adhocracy and employing decentralized decision making. The OSS had direct access to the President, exercised control over the strategic direction of it operations, contained all of the necessary functions for its assigned mission, and hand selected all of its personnel. When compared

[2] Jennifer A.Obernier and Frank N. Sanders. "Enabling Unconventional Warfare to Address Grey Zone Conflict." *Small Wars Journal*. September 28, 2016. http://smallwarsjournal.com/jrnl/art/enabling-unconventional-warfare-to-address-grey-zone-conflicts.

to the OSS, USSOCOM exhibited many of the same characteristics, however there were important differences. The most significant discrepancies in relation to STR are that USSOCOM lacks direct access to inform and educate high-level decision makers; its organizational structures, priorities, and resources tend toward counterterrorism; the TSOCs are under-resourced and lack the special warfare-specific operational-level planning capabilities to carry out their critical function; and USSOCOM faces challenges in the selection and management of its non-SOF personnel. Finally, in terms of the CIA-SOF relationship, the two organizations enjoy the best relationship since the days of the OSS, although the inter-organizational linkages tend toward counterterrorism and lethal operations. Both organizations offer complementary capabilities in STR and Special Warfare that should be recognized, developed, and integrated to provide policymakers with more effective STR options.

C. CONCLUSION

This thesis shows that the legal, political, and organizational obstacles to ARSOF's employment of STR operations vary in their origin, scope, and impact. Moreover, as seen in the Syrian case study, the various facets of each category may not apply to all U.S. interventions. Certain aspects of these obstacles (e.g., authorizations, funding, and organizational culture) can be addressed through the recommendations below; however, confronting these issues occur at the appropriate organizational level and must enjoy full support, and emanate downward, from the requisite echelon in the military chain of command. Some obstacles may require USSOCOM and USASOC to inform, educate, and build consensus to garner external support from Congress and the interagency community. On the other hand, some obstacles, such as international law and geopolitics, are outside of the United States' control and will pose enduring challenges to all potential STR operations. In these instances, studying and accounting for these variables, and implementing necessary changes will posture USASOC to provide policymakers with effective and appropriate STR policy options.

An imbalance toward counterterrorism operations was the most significant challenge identified by this research, however, ARSOF's most recent strategic vision

outlined in "USASOC 2035" does not address this point. Acknowledging the persistent issue of strategic imbalance, the "SOCOM 2020 Strategy" states that "USSOCOM must not only continue to pursue terrorists wherever we may find them, we must rebalance the force and tenaciously embrace indirect operations in the Human Domain."[3] However, multiple areas throughout this analysis have revealed that the current U.S. policy, authorities, resources, and organizational structures disproportionately focus on CT operations, sustaining a strategic imbalance towards a short-term, direct approach, as opposed to the complementary application of the direct and indirect approach (i.e., Surgical Strike and Special Warfare). While the terrorist threat to the U.S. and its interests abroad is certainly valid, this myopic focus on terrorism has left the door open for actors like Russia, Iran, and China to assert themselves through both conventional and unconventional means.

A more effective national security strategy for future hybrid conflicts requires an improved balance between, and complementary employment of, the direct and indirect approaches. Additionally, any future security strategy must address the unconventional threats that state and non-state actors pose in present and future conflicts. Currently, USSOCOM remains focused on its designated role as DOD's synchronizer of global CT, but exercises limited operational control over the long-term direction of SOF's Special Warfare activities.[4] Instead, responsibility for operational control of these indirect activities remains with the TSOCs and GCCs, impeding the efficiency and synchronization of USSOCOM's indirect capabilities. To improve this status quo, this research offers five recommendations. The recommendations below emphasize two uniform criteria:

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3 United States Special Operations Command, "SOCOM 2020: Forging the Tip of the Spear," (Tampa, FL: USSOCOM, May 2013).

4 Edward J. Drea, "*History of the Unified Command Plan 1946–2012*," (Washington, DC: Office of the Chairman of the Joint Chiefs of Staff, 2013), 92, 107, http://www.jcs.mil/Portals/36/Documents/History/Institutional/Command_Plan.pdf.

The most recent Unified Command Plan, dated April 6, 2011 identifies USSOCOM as the "lead combatant commander for planning, synchronizing, and as directed, executing global operations against terrorist networks," as well as the "Joint Proponent for Military Information Support Operations" (formerly referred to as psychological operations) and Security Force Assistance. These responsibilities are in addition to the USSOCOM's service component-like responsibilities (i.e., organize, train, and equip SOF).

- No new organizations: All recommendations from this research highlight the need for review and, possibly, redirection of current resource utilization.
- Top-down driven and Bottom-up refinement: From the creation of USSOCOM by the Goldwater-Nichols DOD Reorganization Act of 1986 to the restructuring of U.S. Army Special Forces by "ARSOF 2022," top-down driven change a prerequisite from any change affecting special operations. As result, ASD SO/LIC and Commander of USSOCOM will be primarily responsible for enacting these recommendations through their advocacy at the DOD and Joint Staff levels.[5] From the bottom-up, all levels of command should actively seek and address the issues that emerge through recommendations. Only through this active response will the command overcome the perpetual challenge of implementation.

D. RECOMMENDATIONS

(1) Advocate for the incorporation of Irregular Warfare within the National Security Strategy

Recent legislation presents USSOCOM and USASOC with an opportunity to offer injects to the NSS that would demonstrate how special operations–and potentially STR–can support a larger political warfare strategy.[6] Due to the classification of this research, the proposed injects are generalized, but SOF's role should directly support the broader political warfare strategy. By incorporating both the direct and indirect approaches of U.S. capabilities, this policy document will enhance the feasibility of STR development from

[5] 10 U.S.C § 138 (2016) designates the ASD SO/LIC as the "principal civilian adviser to the Secretary of Defense on special operations and low intensity conflict matters." 10 U.S.C § 167 (2016) designates the Commander of USSOCOM as responsible for "preparing and submitting to the Secretary of Defense program recommendations and budget proposals for special operations forces and for other forces assigned to the special operations command."

[6] George Kennan originally defined political warfare as "the employment of all the means at a nation's command, short of war, to achieve its national objectives. Such operations are both overt and covert. They range from such overt actions as political alliances, economic measures, and 'white' propaganda to such covert operations as clandestine support of 'friendly' foreign elements, 'black' psychological warfare and even encouragement of underground resistance in hostile states." This definition can be found in Policy Planning Memorandum, "The Inauguration of Organized Political Warfare," dated 30 April 1948. Additionally, USASOC describes SOF's role in political warfare in its "*White Paper: SOF Support to Political Warfare*," (Fort Bragg, NC: U.S. Army Special Operations Command, March 10, 2015).

the top-down. From this adjustment to national strategic guidance, USSOCOM and its subordinate unified commands can initiate reviews of resource reallocation and operational requirements to ensure the optimal utilization of SOF towards national objectives.

(2) Establish an Irregular Warfare Working Group on within the NSC

The NSC should reorganize a portion of its Counterterrorism Security Group to focus on irregular warfare to analyze hybrid threats to U.S. national interests abroad and, when appropriate, develop, resource, and execute indirect warfare policy in response to these threats.[7] By doing so, the NSC would fulfill the obligation established in the Nunn-Cohen Amendment to the 1987 DOD Authorization Act mandating the formation of a Board for Low Intensity Conflict," with its primary function being "to coordinate the policies of the United States for low intensity conflict."[8] Furthermore, to improve the collective understanding of this working group through what the Center for Naval Analysis (CNA) has termed the "preparation of the policy environment," this research team endorses the CNA's recommendation of including at least one SOF General or flag officer.

(3) Continue the Momentum for Standing Congressional Authorization and Funding Supporting Irregular Warfare

The FY 16 NDAA requirement for DOD to develop a strategy to "counter unconventional warfare threats posed by adversarial state and non-state actors," as well as the recent passage of the "Countering America's Adversaries Through Sanctions Act" demonstrate a positive change for improving obstacles to STR.[9] Additionally, through the proposed allocation of $10 million annually through fiscal year 2021 to support such

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[7] Historical research on the concept of developing a policy coordination committee focused on Unconventional Warfare along with the establishment of a broader Joint Interagency Task Force-Unconventional Warfare (JIATF-UW) to "leverage the capabilities of the nation's military manpower and resources to wage successful unconventional warfare" can be found in John W. Silkman, "Unconventional Warfare and Operational Art: Can We Achieve Continuity in Command and Control?" (master's thesis, School of Advanced Military Studies, 2004), http://www.soc.mil/SWCS/SWEG/AY_2004-/Silkman,%20J%202004.pdf.

[8] "National Defense Authorization Act for Fiscal Year 1987," Pub. L. 99–661 §1311 Stat. 3986 (1986). https://www.gpo.gov/fdsys/pkg/STATUTE-100/pdf/STATUTE-100-Pg3816.pdf.

[9] FY '16 National Defense Authorization Act, P.L. 114–92, Sect. 1097 "Department of Defense Strategy for Countering Unconventional Warfare" (November 25, 2015).

indirect capabilities, Congress has acknowledged the need to redress the strategy imbalance through comparable legal and monetary support.[10] Nonetheless, there is still much more required of Congress vis-à-vis legal parity between the nation's complementary direct and indirect capabilities, such as comparable funding, authorizations, and oversight for a wider range of DOD's Special Warfare activities. Additionally, there should be a congressional review of DOD's FY 18 utilization of funds earmarked for irregular warfare within six months of the bill being signed into law by the President, as well as updates on the implementation and effect of these funds in the USSOCOM Commander's annual posture statements.

(4) Acknowledge the Convergence of DOD and the CIA as a Modern Necessity and Reform Legislation and Organizational Practices Accordingly

When applicable, updates to Title 10 and 50 should transition ad hoc agreements and de facto operating practices into statutory law and reassess the division of labor among the two entities, recognizing that the operational environment is constantly evolving. Second, the CIA and SOF should increase collaboration and organizational linkages in the special warfare realm before crises occur to improve interoperability, operational understanding, education, and overall effectiveness. Some specific suggestions are: establish an irregular warfare JIATF, directorate, or center; incorporate SOF into the planning process earlier and streamline the detailing process; and promote cross-pollination between SOF and Directorate of Operations officers within educational institutions and increasing special warfare-focused liaison positions within the organizations themselves. Finally, SOF and the CIA must revisit their division of labor for covert action and special operations activities to identify overlap and redundancy, as well as those complementary capabilities for future development.

[10] H.R. 2810 §1201, 115th Cong. (2017), https://www.congress.gov/115/bills/hr2810/BILLS-115hr2810pap.pdf.

(5) Reform SOF Education for Special Warfare and Non-SOF Personnel

SOF's lack of formal education on the legal, political, and organizational challenges of special operations was an endemic issue throughout this research. While remaining cognizant of its interoperability requirements with conventional forces, the SOCoE should take ownership of the curriculum for SOF personnel attending service-provided professional military education (PME) institutions. The new curriculum should be SOF-focused, as opposed to the current construct that incorporates SOF-specific instruction as an adjunct to its main focus–conventional force operations. To address the challenges of Operational Art in Special Warfare, students at the intermediate PME level should conduct campaign design and planning for a special warfare operations, to increase an understanding of the challenges specific to special warfare, vice conventional warfare.[11] Finally, the SOCoE should develop a SOF indoctrination course for its non-SOF personnel, as well as courses for niche specialties, such as logisticians, lawyers, contracting officers, and communications specialists.

[11] Incorporating more robust Special Warfare planning into intermediate level education (ILE) means that all SOF field grade officers will receive this knowledge, versus the current status quo where only a portion of SOF field grades receive this education as an elective.

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I. INTRODUCTION AND BACKGROUND

In his books *Savage Wars of Peace* and *Invisible Armies*, Max Boot chronicled the United States' involvement in numerous "small wars"— those military actions in the ambiguous space between war and peace. Similar to the past, the United States currently faces challenges from both state and non-state actors in Ukraine, Crimea, Syria, Yemen, Libya and the South China Sea, to name a few. These types of quasi-conflicts are unlikely to go away anytime soon, and U.S. presidents will continue look to subordinate agencies for viable, timely, cost effective, limited risk and low-exposure options to pursue U.S. government interests. With this in mind, this thesis will explore both the causes and depths of these obstacles to the employment of ARSOF elements in support to indigenous resistance activities and identify feasible means to overcome these hurdles.

In 2001, as the Twin Towers fell, President Bush looked to his cabinet for solutions. Although he was presented with myriad of options from "the Washington Playbook," it was ultimately the Central Intelligence Agency (CIA) and SOCOM's plan to hunt down Al Qaeda and foment a popular resistance movement to oust the Taliban that won. In less than three months, multiple Special Forces Teams, a handful of CIA and JSOC personnel, thousands of Northern Alliance Fighters, an earth-shaking amount of airpower and several million dollars in cash toppled the Taliban regime while driving Al Qaeda from Afghanistan.

Although supporting indigenous resistance organizations is not always *the* answer, there are certainly instances where leveraging a resistance organization "to coerce, disrupt or overthrow a government or occupying power" is a superior choice to diplomatic or conventional military options.[1] In these situations, U.S. Army Special Operations Command (USASOC) stands ready as SOCOM's lead component for this particular type of mission, or unconventional warfare (UW) as it is formally defined in military doctrine. As the military's lead component in this field, USASOC has heavily emphasized the

[1] Definition of Unconventional Warfare as outlined in Joint Chiefs of Staff, Joint Publication (JP) 3-05, *Special Operations*, (Washington, DC: Office of the CJCS, July 16, 2015), xi.

importance of UW. Examples of this renewed emphasis include: updates to doctrine, transformation of entire Special Forces battalions, yearly execution of UW exercises and the creation of new training courses focused solely on UW. Despite overwhelming success in 2001 and a renewed emphasis on doctrine, training and capabilities, ARSOF has seen limited employment in the unconventional warfare realm in recent years.

Given that direct support to resistance forces (as outlined in Joint Publication 3–0, *Joint Operations*) is a valid solution to achieve specific U.S. government interests, what are the significant obstacles to the employment of ARSOF elements in support to indigenous resistance activities?[2] Furthermore, are there viable means for the force to overcome these challenges?

[2] Joint Chiefs of Staff, Joint Publication (JP) 3–0, *Joint Planning*, (Washington, DC: Office of the CJCS, January 17, 2017), VI-11.

II. LITERATURE REVIEW

A. VIABILITY OF STR AS A STRATEGY

Since the turn of the century, the U.S. government has provided support to resistance movements STR in Afghanistan, Iraq, Libya and Syria, with varying degrees of success. While supporting the Northern Alliance in Afghanistan was considered a success, the creation of a failed state in Libya and an ongoing civil war in Syria with no end in sight are cause for introspection and ultimately beg the question: is supporting resistance movements still a viable strategy to achieve U.S. interests? Some argue "no," that forced regime change via indigenous surrogates, or "offensive UW" is a losing strategy.[3] Others argue that in terms of cost, political appetite, risk, visibility or suitability, STR may be the best alternative to a conventional military strategy.[4] Still others argue that, like any military tactic, STR is useful in particular circumstances, when the requirements, risks, rewards and costs are well understood.[5]

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[3] Timothy Ball, "From Successful Defense to Problematic Offense: The Devolution of Unconventional Warfare," (master's thesis, Naval Postgraduate School, 2016).; John Nutter, *The CIA's Black Ops: Covert Action, Foreign Policy, and Democracy*, (Amherst, NY: Prometheus Books, 2000), [Ch. 18, ""A Circle in a Spiral: What Covert Action Accomplished," 315–328].; Richard A. Best, *Covert Action: An Effective Instrument of U. S. Foreign Policy?*, CRS report no 96–844F, (Washington, DC: CRS, October 21, 1996), digital.library.unt.edu/ark:/67531/metadc807565/; The following texts offer arguments against covert action from unnamed critics, but ultimately advocate for covert action: Mark Lowenthal *Intelligence: From Secrets to Policy*, (Washington, DC: CQ Press, 2017) 72–73.; William J. Daugherty. *Executive Secrets: Covert Action and the Presidency* (Lexington, KY: University Press of Kentucky, 2004), 54–57.

[4] Christopher Rawley, *Unconventional Warfare 2.0: A Better Path to Regime Change in the Twenty First Century*, (Periplus Media, 2014).; Joint Chiefs of Staff, JP 3-05.1 *Unconventional Warfare*, (Washington, DC: Office of the CJCS, December 15, 2015), I-3.

[5] David S. Maxwell, "Why the New Syrian Army Failed: Washington and Unconventional Warfare," War on the Rocks, August 28, 2015, https://warontherocks.com/2015/08/why-the-new-syrian-army-failed-washingtonand-unconventional-warfare/; Ryan C. Agee and Maurice K. DuClos, "Why UW: Factoring in the Decision Point for Unconventional Warfare," (master's thesis, Naval Postgraduate School, 2012).; Lowththal, *Intelligence*, 249–255; David S. Maxwell, "Do We Really Understand Unconventional Warfare," *Small Wars Journal*. October 23, 2014. http://smallwarsjournal.com/jrnl/art/do-we-really-understand-unconventional-warfare.

B. MODERN CONFLICT PARADIGM

While the debate for and against the viability of UW continues, there is also a clear need to assess current STR paradigm. Army Special Forces doctrine and training focuses on a 7-phase model for a U.S.-sponsored insurgency, which predominantly emphasizes guerrilla warfare and the military aspects of STR. Yet, other countries are combining military aspects with other, less overt, types of warfare, such as political, cultural or economic warfare. Russia's use of political warfare, little green men and "Gray Zone" activities in Georgia, Crimea, and the Ukraine suggests that the United States' adversaries no longer subscribe to this paradigm.[6] Iran's Quds Force activities are another example adversaries using cultural warfare, political warfare, and bitter pill deterrence strategies to achieve their interests.[7] Finally, China's concept of unrestricted warfare presents a third adversary that is exploring new approaches, such as ecological or economic warfare to achieve interests and subvert the United States' status as global hegemon.[8]

Nonetheless, these forms of irregular warfare are not foreign concepts to the United States, and in fact these countries appear to have stolen pages out of America's playbook.[9] However, it is unclear if the U.S. government is using a systematic and coordinated whole-of-government approach as these emerging (or re-emerging) paradigms suggest. U.S. Army Special Operations Command (USASOC), under the direction of LTG Charles Cleveland has developed the "Project Gray" forum to spur conversation regarding Gray Zone activities (referring to the ambiguous condition on the conflict continuum between

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6 Maxwell (2015); United States Special Operations Command, "'Little Green Men': A Primer on Modern Russian Unconventional Warfare in Ukraine, 2013- 2014," Assessing Revolutionary and Insurgent Strategies, (Fort Bragg: USASOC, 2015); Charles K. Bartles, "Getting Gerasimov Right," *Military Review*, January-February (2016), 30–38.

7 Scott Modell and David Asher, "Pushback: Countering the Iran Action Network," (Washington, DC: Center for New American Security, September 2013), 5–12.

8 James Callard and Peter Faber, "An Emerging Synthesis For a New Way of War: Combination Warfare and Future Innovation," *Conflict & Security*, Winter-Spring (2002), 61–68; Qiau Liang and Wang Xiangsui, *Unrestricted Warfare*, (Beijing: PLA Literature and Arts Publishing House, February 1999).

9 Bartles, "Getting Gerasimov Right."

steady-state and conventional warfare) suggests that USASOC is assessing their current understanding, role, and capabilities within in the "new generation warfare" context.[10]

It is with these caveats in mind that U.S. military and government leadership must ask: when UW is an appropriate response to threats, what are the significant obstacles to the employment of ARSOF elements in support to indigenous resistance activities? To focus this analysis, this discussion of obstacles will be divided into three categories: legal, political, and organizational.

C. POLITICAL AND LEGAL CHALLENGES TO STR

Political and legal obstacles are arguably the most significant challenges to the application of any military strategy in today's operational environment. Formulating the appropriate response requires near-expert understanding of U.S. legal codes and the fine line separating the Departments of State and Defense's activities from the CIA. It is only through this expertise that senior advisors and policy makers alike can appreciate the mutually supporting roles of the various U.S. government's instruments of power.[11] Despite this cooperative intent within the legal code, opponents to the military's execution of STR operations may argue that the "institutional culture and affiliation" of military and interagency leadership limit the military's execution of covert actions.[12] Furthermore, critics highlight that the Presidential Finding authorizing the military's execution of covert actions is outside of the bounds of traditional employment of forces.[13] Further exacerbating this problem is the reality that a military response to any problem has drastic national

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[10] Joseph L. Votel, Charles T. Cleveland, Charles T. Connett, and Will Irwin, "Unconventional Warfare in the Gray Zone." *Joint Forces Quarterly*, no. 80 (1st Quarter 2016).

[11] Andru E. Wall, "Demystifying the Title 10-Title 50 Debate: Distinguishing Military Operations, Intelligence Activities & Covert Action," *Harvard Law School National Security Journal*, vol. 3, no. 1 (2011).

Dan Madden, Dick Hoffman, Michael Johnson, Fred Krawchuk, Bruce R. Nardulli, John E. Peters, Linda Robinson, Abby Doll, *Toward Operational Art in Special Warfare* (Santa Monica, CA: RAND Corporation, 2016), http://www.rand.org/pubs/research _reports/RR779.html.

[12] Richard H. Schulz JR, "Showstoppers," *The Standard Weekly*, 26 January 2004, http://www.weeklystandard.com/showstoppers/article/4846#!.

[13] Joel T. Meyer, "Supervising the Pentagon: Covert Action and Traditional Military Activities in the War on Terror," *Administrative Law Review*, vol. 59, no. 2 (Spring 2007): 463–478.

security policy implications for the United States. While there is a small contingent who argue for almost complete retrenchment from military action, others argue in favor of acting early in resistance movements with the proper forces to assuage the "unintended precedents that drive in the opposite direction of [previously] declared policy and closely held values."[14]

D. ORGANIZATIONAL CHALLENGES TO STR

As an organization, Special Operations has gone through many growing pains since Congress passed the Nunn-Cohen Amendment to Goldwater-Nichols which established United States Special Operations Command (USSOCOM) and Assistant Secretary of Defense for Special Operations and Low Intensity Conflict (ASD SO/LIC). Three decades later, these entities are still evolving to meet the vision laid out by Senators Nunn and Cohen in order to remain at the "tip of the spear." USSOCOM leaders spent the 1990s building the organization, securing resources and "selling" SOF's capabilities; however, this focus on service-like responsibilities detracted from SOCOM's warfighting focus and the ASD SO/LIC's responsibility to shape policy and strategy to leverage SOF operations.[15]

At the operational level, several shortcomings are apparent. First, SOF's counterterrorism role, also referred to as Surgical Strike, is overemphasized, often to the detriment of other Special Warfare missions which are predominantly executed by USASOC. This issue dovetails into the next, which is the lack of advocacy for the Special Warfare mission set at Geographical Combatant Command (GCCs) and within the National Capital Region (NCR). Although Sean Naylor's *Relentless Strike* highlights Joint Special Operations Command's masterful leveraging of their liaison to facilitate counterterrorism (CT) missions, this consideration is almost completely untouched with regard to Special

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[14] Linda Robinson, "The Future of Special Operations Forces," *The Council on Foreign Relations*, Council Special Report no. 66 (New York: Council on Foreign Relations, April 2013).

[15] Susan L. Marquis, *Unconventional Warfare: Rebuilding U.S. Special Operations Forces* (Washington, DC: Brookings Institute Press, 1997).; Robinson (2013).

Warfare.[16] Finally, SOF's operational-level headquarters are deficient in Operational Art, Special Warfare Campaign Planning, and the planning and execution of long-term Theater Security Cooperation strategies.[17]

E. TRAINING AND EDUCATIONAL CHALLENGES TO STR

There has been much debate in recent years concerning the necessary overhaul of the 1st Special Forces Regiment (Airborne) elements in order to properly execute its designated mission set. While further refining the areas of special warfare and surgical strike, the "blueprint for change" outlined through the Commander's vision in ARSOF leaves several areas requiring further examination. For example, a thorough review of mission requirements under special warfare with current capabilities and training to identify potential deficiencies. Though much has been written on the creation of elite units focused on surgical strike capabilities, there is far less academic analysis outside of joint publications on requisite training and education for the military to feasibly execute clandestine operations under special warfare.[18] Previous research in this area has identified the noticeable absence of joint and interagency incorporation into UW training which fails to prepare units of action for the contemporary operational environment.[19]

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16 Sean D. Naylor, *Relentless Strike: The Secret History of Joint Special Operations Command* (New York: St. Martin's Press, 2015).

17 Robinson, "The Future of Special Operations Forces"; Madden et al., *Toward Operational Art*.

18 Marquis (1997); Charlie A. Beckwith and Donald Knox, *Delta Force*, (New York: Dell, 1983).

19 David. Fox, *A Joint and Interagency Unconventional Warfare Training Strategy for Special Forces in the 21st Century*, U.S. Army War College: Carlisle Barracks, 18 March 2005; Madden et al., *Toward Operational Art*.

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III. APPROACH/METHODOLOGY

This thesis researches the real and perceived obstacles to the employment of ARSOF elements in support to indigenous resistance activities. After analyzing and identifying these impediments, this research also seeks to determine viable means for the force to overcome these challenges. Over the course of five analytical chapters, this thesis utilizes the historical case study of Operation Inherent Resolve, as well as personal interviews with subject matter experts from various military organizations and U.S. government agencies to inform its research. The first two chapters build a common framework of understanding regarding support to resistance and unconventional warfare operations, which serves as a foundation for the subsequent discussion. From this baseline, the focus of research transitions to analyzing input from selected contemporary case studies and personal interviews to portray obstacles across the categories of: legal, political, and organizational. Finally, this research concludes with four recommendations to improve the United States' capability to leverage an indirect approach to the modern conflict paradigm.

A. SUPPORT TO RESISTANCE MOVEMENTS VERSUS UNCONVENTIONAL WARFARE

Support to resistance movements (STR) and unconventional warfare (UW) are two closely associated concepts at the center of this research. While many military planners and interagency members may use these terms interchangeably, recognizing their differences is vital to understanding the military's supporting roles to a larger national strategy. DOD doctrine defines a resistance movement as an "organized effort by some portion of the civil population of a country to resist the legally established government or an occupying power and to disrupt civil order and stability."[20] Using this definition as its foundation, the DOD views STR operations as a whole-of-government strategy to leverage all instruments of national power towards a coordinated resistance movement.[21]

[20] Joint Chiefs of Staff, Joint Publication (JP) 3-05, *Special Operations*, (Washington, DC: CJCS, July 16, 2015), GL-10.

[21] United States Special Operations Command, "U.S. Government (USG) Support to Resistance (STR) Framework," (unpublished white paper, January 11, 2017), 4.

Conversely, DOD doctrine defines UW as " operations and activities that are conducted to enable a resistance movement or insurgency to coerce, disrupt, or overthrow a government or occupying power by operating through or with an underground, auxiliary, and guerrilla force in a denied area."[22] Although UW is a core activity of U.S. SOF, it is a subcomponent of a larger STR strategy combining all diplomatic, military, informational, and economic activities.

B. TRADITIONAL WARFARE VERSUS IRREGULAR WARFARE

While the differences between traditional warfare and irregular warfare seem obvious, the absence of formally declared wars in recent history have lead some policymakers and military planners to question this theoretical distinction.[23] DOD doctrine describes traditional warfare as involving "force-on-force military operations in which adversaries employ a variety of conventional forces and special operations forces (SOF) against each other in all physical domains as well as the information environment."[24] In comparison, DOD doctrine describes irregular warfare (IW) as "a violent struggle among state and non-state actors for legitimacy and influence over the relevant population(s). In IW, a less powerful adversary seeks to disrupt or negate the military capabilities and advantages of a more powerful military force, which usually serves that nation's established government."[25] Additionally, DOD Directive 3000.7 highlights that irregular warfare "can include any relevant DOD activity and operation such as counterterrorism; unconventional warfare; foreign internal defense; counterinsurgency; and stability operations that, in the context of IW, involve establishing or re-establishing order in a fragile state or territory."[26]

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[22] Joint Chiefs of Staff, JP 3-05, *Special Operations*, xi.

[23] Joint Chiefs of Staff, Joint Publication (JP) 1, *Doctrine for the Armed Forces of the United States*, (Washington, DC: Office of the CJCS, 25 March 2013), x.

[24] Joint Chiefs of Staff, JP 1, *Doctrine for the Armed Forces of the United States*, x.

[25] Joint Chiefs of Staff, JP 1, x.

[26] Department of Defense, Irregular Warfare, DOD Directive 3000.07, (Washington, DC: Department of Defense, 2014), https://www.hsdl.org/?abstract&did=757333.

C. INDIRECT APPROACH VERSUS DIRECT APPROACH

While academic and military circles may debate the precise boundaries dividing these two methods of military engagement, this research will adhere to the definitions formed by international relations professor Ivan Arreguín-Toft. In his now famous 2001 journal article entitled "How the Weak Win Wars: A Theory of Asymmetric Conflict," Arreguín-Toft defines the indirect approach as " seeking to destroy an adversary's will to fight."[27] Under this definition, the indirect approach would encompass portions of such SOF core activities as: foreign internal defense, security force assistance, counter-insurgency, and unconventional warfare. Alternatively, Arreguín-Toft defines the direct approach as " target[ing] an adversary's armed forces in order to destroy that adversary's capacity to fight."[28] Under this definition, the direct approach would encompass such SOF core activities as: counterterrorism, and hostage rescue and recovery.

D. SPECIAL WARFARE VERSUS SURGICAL STRIKE

U.S. Army Special Operations Command recently coined these terms to categorize its critical capabilities and to delineate which Army Special Operations Forces execute those critical capabilities. USASOC is the predominant user of these distinguishing terms. According to Army Doctrinal Reference Publication 3–05 *Special Operations,* Special Forces, Civil Affairs, and Psychological Operations execute Special warfare, which includes the following core activities: unconventional warfare, foreign internal defense, counterinsurgency, stability operations, special reconnaissance, and security force assistance. Special warfare is defined as "the execution of activities that involve a combination of lethal and nonlethal actions taken by a specially trained and educated force that has a deep understanding of cultures and foreign language, proficiency in small-unit tactics, and the ability to build and fight alongside indigenous combat formations in a permissive, uncertain, or hostile environment."[29] In contrast, surgical strike is conducted

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[27] Ivan Arreguín-Toft, "How the Weak Win Wars: A Theory of Asymmetric Conflict," *International Security,* vol. 26, no. 1 (Summer 2001), 105.

[28] Ivan Arreguín-Toft, "How the Weak Win Wars: A Theory of Asymmetric Conflict,"105.

[29] Headquarters, Department of the Army, Army Doctrine Reference Publication (ADRP) 3-05, *Special Operations* (Washington, DC: Government Printing Office, 2012), 1–4 to 1–5.

by the National Mission Forces, Rangers, and Commander's In-extremis forces, and includes these core activities: counterterrorism, hostage rescue and recovery, and countering weapons of mass destruction. Defined, surgical strike "is the execution of activities in a precise manner that employ special operations forces in hostile, denied, or politically sensitive environments to seize, destroy, capture, exploit, recover, or damage designated targets, or influence threats."[30]

E. COMBATING TERRORISM VERSUS COUNTERTERRORISM

Similar to the discussion on STR vs. UW, the difference between the national strategy of combating terrorism and the SOF core activity of counterterrorism is a central component of this research. President George W. Bush's *National Strategy for Combating Terrorism* states that combating terrorism is a national level strategy "of direct and continuous action against terrorist groups, the cumulative effect of which will initially disrupt, over time degrade, and ultimately destroy the terrorist organizations."[31] As a national level strategy, combating terrorism entails all instruments of national power (i.e., diplomacy, information, military, and economic). A subcomponent of the military strategy is the SOF core activity of counterterrorism. DOD doctrine defines counterterrorism as "activities and operations taken to neutralize terrorists and their networks in order to render them incapable of using unlawful violence to instill fear and coerce governments or societies to achieve their goals."[32]

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[30] Department of the Army, ADP 3-05, *Special Operations*, 1–4 to 1–5.

[31] George W. Bush, *National Strategy for Combating Terrorism*, (Washington, DC: White House, 2013), 2, https://www.cia.gov/news-information/cia-the-war-on-terrorism/Counter_Terrorism_Strategy.pdf.

[32] Joint Chiefs of Staff, JP 3-05, *Special Operations*, xi.

IV. PREMISE 1: STR IS A VIABLE OPTION

Since the turn of the century, the U.S. government has provided support to resistance movements in Afghanistan, Iraq, Libya and Syria, with varying degrees of success. While supporting the Northern Alliance in Afghanistan was considered a success, the creation of a failed state in Libya and an ongoing civil war in Syria with no clear end in sight are cause for introspection and ultimately beg the question: is supporting resistance movements still a viable strategy to achieve U.S. interests? More pointedly, does supporting resistance movements work? In order to review the obstacles to STR in the subsequent chapters, the reader must accept STR as a potentially viable strategic policy option. To answer these questions, the chapter will briefly outline the arguments against STR and its utility, however, it will ultimately reaffirm the notion that STR remains a viable policy option under the right circumstances, with a firm understanding of the requirements and risks.

Critics argue that coercive actions up to and including forced regime change via indigenous surrogates, or "offensive UW," is a losing strategy.[33] Obviously there is a lot of texture to this discussion, but the arguments can be boiled down to three main forms which are found in varying combinations: one, the historical record shows that U.S. backed UW or covert action is unsuccessful; two, that policymakers are unduly enamored with the idea of a low-cost, low-risk alternative to conventional military intervention, or a "magic bullet"; and three, that this type of strategy often results in an unpredictable and unstable

[33] Timothy Ball, "From Successful Defense to Problematic Offense: The Devolution of Unconventional Warfare," (master's thesis, Naval Postgraduate School, 2016).; John Nutter, *The CIA's Black Ops: Covert Action, Foreign Policy, and Democracy*, (Amherst, NY: Prometheus Books, 2000), [Ch. 18, ""A Circle in a Spiral: What Covert Action Accomplished," 315–328].; Richard A. Best, *Covert Action: An Effective Instrument of U. S. Foreign Policy?*, CRS report no 96–844F, (Washington, DC: CRS, October 21, 1996), digital.library.unt.edu/ark:/67531/metadc807565/; The following texts offer arguments against covert action from unnamed critics, but ultimately advocate for covert action: Mark Lowenthal *Intelligence: From Secrets to Policy*, (Washington, DC: CQ Press, 2017) 72–73.; William J. Daugherty. *Executive Secrets: Covert Action and the Presidency* (Lexington, KY: University Press of Kentucky, 2004), 54–57.

situation that is far worse than the original condition.[34] Empirical analysis refutes the first argument, but the latter arguments require additional context and a brief discussion of UW and covert action principles.

A. A HISTORY OF FAILURE?

In the history of UW and paramilitary covert actions the U.S. has certainly endured its share of failures. A *New York Times* article, which referenced the findings of a classified CIA study, echoed this point. The report, commissioned prior to President Obama's decision to support Syrian Rebels, concluded "that many past attempts by the agency to arm foreign forces covertly had a minimal impact on the long-term outcome of a conflict." They were even less effective, the report found, "when the militias fought without any direct American support on the ground."[35] After examining several of the most notable "offensive" UW cases, Tim Ball, a recent graduate of the Naval Postgraduate School, also concluded that "The case against offensive unconventional warfare seems clear given its history [of failure]," based on qualitative analysis and a review of case studies.[36] However, this narrative omits some important details.

First, empirical evidence does not support the claims. A recent RAND study coded post-World War II UW cases and found that out of 25 cases, 8 (48%) achieved the U.S. government's short-term interests, 5 (20%) were indeterminate, and 8 (32%) failed to achieve U.S. objectives.[37] A forty-eight percent success rate is far less than optimal, but it certainly does not constitute 'rare.' This also doesn't account for the portion of indeterminate cases which resulted in a negotiated solution, but still preserved U.S. core

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[34] Andrea Filozof, "Unconventional Warfare Is Not the Answer to Your Problem," *War on the Rocks*, 28 September 2016. https://warontherocks.com/2016/09/unconventional-warfare-is-not-the-answer-to-your-problem/; Daugherty, *Executive Secrets*, 63, 145.

[35] Mark Marzetti, "C.I.A. Study of Covert Aid Helped Fuel Skepticism About Helping Syrian Rebels," *New York Times*, October 14, 2014. https://www.nytimes.com/2014/10/15/us/politics/cia-study-says-arming-rebels-seldom-works.html

[36] Ball, "From Successful Defense to Problematic Offense," 2016, 45.

[37] Indeterminate outcomes include negotiated solutions, ongoing conflicts, or the conflict escalated into a different form of war. Madden, Dan, Dick Hoffmann, Michael Johnson, Fred Krawchuk, Bruce R. Nardulli, John E. Peters, Linda Robinson and Abby Doll. *Toward Operational Art in Special Warfare*. Santa Monica, CA: RAND Corporation, 2016. https://www.rand.org/pubs/research_reports/RR779.html. [Appendix D, Universe of U.S. Special Warfare Outcomes, 34–35].

interests. Finally, a 32% failure rate is cannot be disregarded. The potential for failure reinforces the necessity for policymakers to exercise prudent judgement when considering the employment of UW and paramilitary covert action. Also, practitioners and policymakers should work to decrease the rate of failure, however, it is important to remember that UW or Covert action are often the 'third option.' These strategic options are employed in place of overt military intervention, when diplomatic efforts have proven ineffective, to minimize the prospect of conventional war. Furthermore, the 'third option' is an indirect approach, relying U.S. personnel working 'through and with' indigenous surrogates and partners to achieve U.S. interests, which places inherent on what can realistically be achieved. Thus, STR practitioners must appropriately inform and manage policymakers' expectations of what these approaches are capable of achieving.

Another important consideration when examining empirical evidence is the problem of security classification and its effect on the availability of data. While Title 10 UW campaigns are overt, or are at least intended to be acknowledged, Title 50 UW and covert action by their very nature are intended keep the U.S. government's role hidden indefinitely.[38] When operations or programs do come to light, it is often a result of a catastrophic failure (i.e., Bay of Pigs) or the fact that the program has grown to the point that its effects can no longer be hidden. The congressional oversight reforms following the Church Commission's investigation and the Iran-Contra Affair have effectively mitigated any chance for covert action to become a "rogue elephant," but it has also degraded the ability maintain secrecy. The news is full of alleged CIA, DOD, and international intelligence programs; however, the problem is that rumors and hearsay to do not equate to conclusive evidence which researchers can use to produce comprehensive studies and draw effective conclusions regarding the success or failure of these programs. Ultimately, this disproportionate declassification of failed operations produces an inaccurate depiction of the success/failure ratio.

Second, it is curious that President Obama would elect to authorize an overt Train and Equip program, as well as an alleged covert program, when presented with a history

[38] Andru E. Wall, "Demystifying the Title 10-Title 50 Debate: Distinguishing Military Operations, Intelligence Activities, and Cove." *Harvard National Security Journal.* Volume 3, (2011). 122–130.

of failure.[39] It seems more plausible that the evidence suggesting a history of failure was less than irrefutable, and that the real decision centered on risk-tolerance—could the Administration achieve its objectives using an indirect strategy that kept U.S. service members and intelligence officers out of harm's way or did 'success' require U.S. boots on the ground?

B. THE "MAGIC BULLET" FALLACY

A partial explanation for why policymakers repeatedly decide to support insurgencies may be the correlation between external support and insurgent 'success.' In *Beating Goliath: Why Insurgencies Win*, Jeffrey Record argues that while many insurgencies fail, external assistance is a commonality among almost all successful insurgencies.[40] Record caveats this statement by saying that the correlation "does not diminish the insurgent requirement for superiority in such intangibles as will, strategy, organization, morale, and discipline."[41] So, if a budding insurgency with *sufficient resistance potential*[42] exists, and the odds of success are only improved when an external power provides support, it may be logical to assume that providing assistance could result in a positive outcome. However, Record's caveat highlights the critical requirement for an accurate assessment of resistance potential. If policymakers and military leaders ignore the assessment, or fail to conduct one, the blame for a failed intervention does not fall on the

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[39] Mark Mazzetti, "C.I.A. Study of Covert Aid Helped Fuel Skepticism About Helping Syrian Rebels," *The New York Times*, October 14, 2014, https://www.nytimes.com/2014/10/15/us/politics/cia-study-says-arming-rebels-seldom-works.html; Adam Goldman; Mark Mazzetti; Eric Schmitt, "Behind the Sudden Death of a $1 Billion Secret C.I.A. War in Syria." *The New York Times*, August 2, 2017. https://www.nytimes.com/2017/08/02/world/middleeast/cia-syria-rebel-arm-train-trump.html.

[40] Jeffrey Record, *Beating Goliath: Why Insurgencies Win*. 1st ed. (Washington, DC: Potomac Books, 2007), 23.

[41] Jeffrey Record, "External Assistance: Enabler of Insurgent Success." *Parameters, (*Autumn 2006). 36–47. http://ssi.armywarcollege.edu/pubs/parameters/articles/06autumn/record.pdf.

[42] Department of the Army. *Special Forces Unconventional Warfare, Training Circular 18–01*, (Washington, DC: Headquarters Department of the Army, November, 2010). [Chapter 1, "Overview," 2–8] There is no formalized framework to assess resistance potential. TC 18–01 provides the closest thing to a codified framework. Study of the human and physical environment, resistance characteristics, and dynamics of insurgency, could be analyzed to provide meaningful assessment of resistance potential when deciding the feasibility and appropriateness of a UW as an option.

concept, but on a general misunderstanding of the requirements, capabilities, and limitations of UW or covert action.

In a 2016 *War on the Rocks* article, Andrea Filozoff asserts that policymakers see UW as a low-risk, cost-effective, politically palatable alternative to military intervention; however, she also charges that this is a "dangerous illusion."[43] Recognition of this condition and its associated pitfalls are well documented. In *Executive Secrets*, William Daugherty, a former CIA officer, suggests that President Eisenhower, and President Kennedy to a lesser degree, saw covert action as a "magic bullet, capable of overthrowing governments with ease, on the cheap, and with little loss of life."[44] Daugherty goes on to suggest that failures were often quickly forgotten and the subsequent fates of countries involved were rarely considered. The only things that mattered were that positives outweighed the negatives and that the primary goal of stopping Soviet expansion was achieved.[45]

Critics of covert action often draw on examples from this era to show that covert action and UW do not work. However, this fails to consider the evolution of covert action approval, oversight, and funding mechanisms that began in the 1970s. As alluded to earlier, reforms following the Church Commission investigation, the Hughes-Ryan Act, President Reagan's Executive Order 12333, and the Intelligence Authorization Act of 1991 have fundamentally changed the employment of Covert Action.[46] The effects of these legal changes can be seen in the number and duration of UW operations since the implementation of the Hughes-Ryan Act in 1974. Figure 1 was extracted from the previously discussed RAND report. This research team augmented RAND's work with dashed lines to depict some of the seminal oversight changes over time. With this addition, the chart shows that between the end of the Cold War and the implementation of the Hughes-Ryan Act—a 29-year period—there were 16 UW actions; 9 successes, 7 failures.

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43 Andrea Filozof, "Unconventional Warfare Is Not the Answer to Your Problem," *War on the Rocks*, September 28, 2016, https://warontherocks.com/2016/09/unconventional-warfare-is-not-the-answer-to-your-problem/.

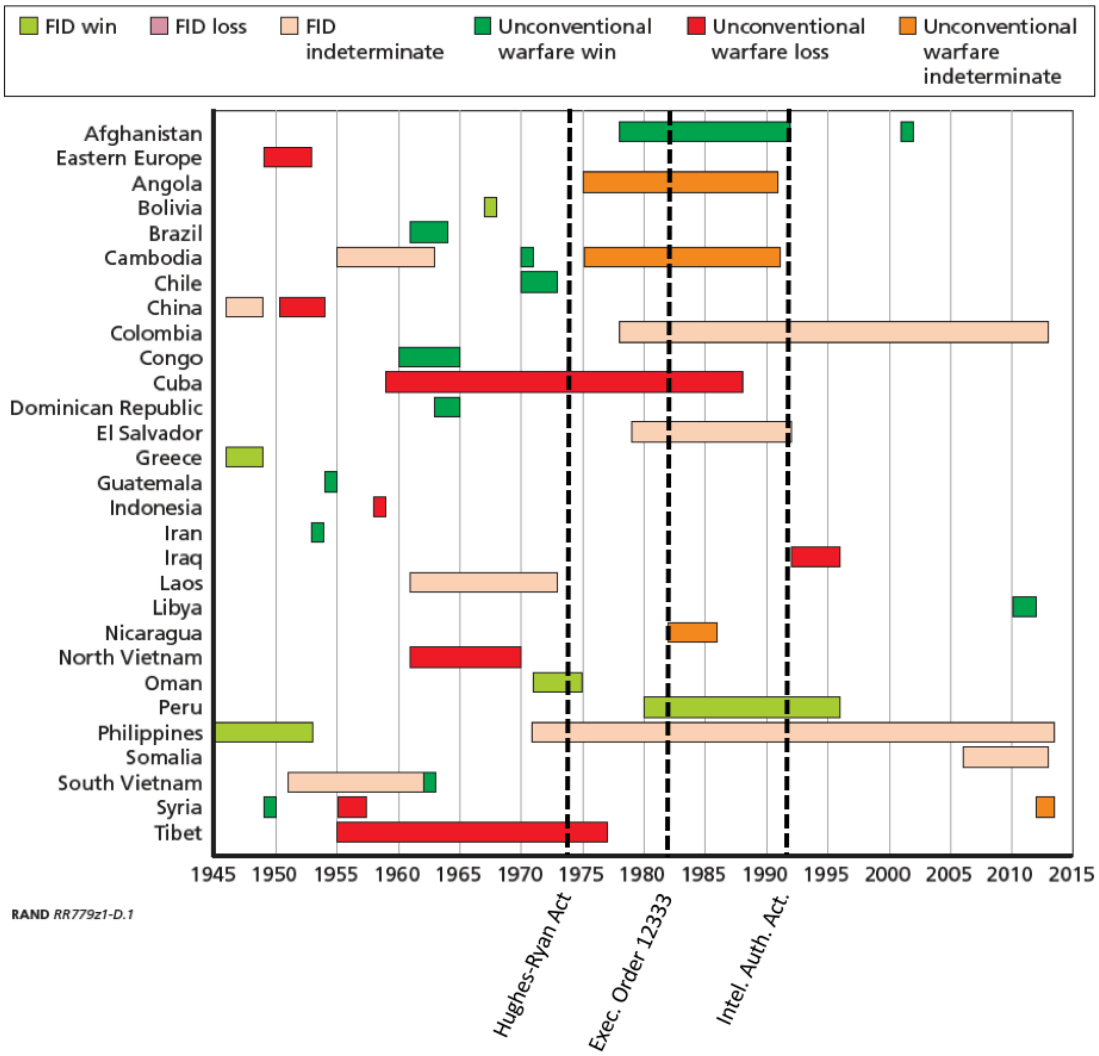
44 Daugherty, *Executive Secrets*, 64.

45 Daugherty, 145.

46 Daugherty, 91–111.

In the following forty-two-year period, there were 8 actions; 3 successes, 4 indeterminate outcomes, and 1 failure. This rudimentary analysis may potentially suggest that oversight changes made policymakers more judicious in their application of UW, which contributed to more favorable outcomes.

Figure 1. RAND Study on U.S. Special Warfare Operations since World War II (2016)[47]



[47] Source: Madden et. al, *Toward Operational Art in Special Warfare*, Appendix D, 35. At first glance, some 'successful' or 'mixed' outcomes may appear questionable, namely Afghanistan (2001), Iran (1953), Libya (2011), and the current conflict in Syria. However, it is important to remember that these cases were coded based on whether or not they achieved policy objectives of the time, not whether or not the achieved evolutionary policy objectives years or decades later. Clearly, some cases achieved short term policy objectives, while setting the conditions long-term challenges or 'failure,' as could be argued in Iran (1953), Afghanistan (2001), and Liyba (2011). The challenge of sustaining 'success' over the long-term is addressed later in this chapter.

While oversight has influenced the frequency of employment and possibly changed the likelihood of positive outcomes, it has not necessarily improved policymakers' and military leaders' understanding of covert action or UW. In his article "Do We Really Understand Unconventional Warfare?," COL (Ret.) Dave Maxwell, one of the preeminent experts on unconventional warfare, provides an expanded discussion the general lack of understanding surrounding UW, Resistance, Revolution and Insurgency (RRI). In the article, Maxwell asserts that "policy makers [and strategists] really do not understand the nature and conduct of unconventional warfare."[48] He goes on to offer some principles that decision makers should consider when contemplating the employment of UW:

> It is neither an abject failure in every case nor is it a war winner in almost any case but it is a viable strategic option if used in the right conditions at the right time by the right organizations. But most importantly it is both risky and hard and what makes it most difficult for policy makers and the public is that it is time consuming. It cannot be employed "in extremis" in most cases (in the fall of 2001 post 9–11 being an exception) and really requires long-term preparation, thorough assessments, and relationships with key players to have chance of being successful. And most importantly it must absolutely be part of and in support of a coherent policy and strategy.[49]

Despite historical examples of misguided applications of covert action and evidence of a misunderstanding regarding its nature and conduct, the fact remains that both covert action and UW can present better alternatives to conventional military intervention or simply doing nothing. That is why Presidents, even those who opposed it initially, have found utility in the "third option."[50] Covert action should not be employed as a last resort, but it is often employed when diplomatic avenues have proved ineffective and something must be done. This doesn't mean, however, that diplomatic activities stop. On the contrary, to be truly effective, covert action–like military force–must be employed in concert with the other elements of national power.[51] Instead of shying away from covert action and UW,

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[48] David S. Maxwell, "Do We Really Understand Unconventional Warfare," *Small Wars Journal*. October 23, 2014. http://smallwarsjournal.com/jrnl/art/do-we-really-understand-unconventional-warfare.

[49] Maxwell, "Do We Really Understand Unconventional Warfare."

[50] Mark Lowenthal, *Intelligence: From Secrets to Policy*, (Washington, DC: CQ Press, 2000). 124–125.

[51] Daugherty, *Executive Secrets*, 40–42.

it is better to improve our understanding of what these actions can do, what they can't, their requirements, and what institutional and cognitive changes must take place to support the optimal application of these tools.[52]

C. SHORT-TERM SUCCESS, LONG-TERM FAILURE, AND WINNING THE "DAY AFTER"

Revolutions, rebellions, insurgencies and social movements are inherently destabilizing; however, blaming instability solely on U.S. intervention fails to acknowledge the reality that these situations were unstable prior to U.S. involvement. It is difficult to argue against the reality that U.S.-supported insurgent activities aimed at coercing, disrupting, or overthrowing a sovereign government fail to alleviate–and sometimes even exacerbate–volatile situations abroad. Detractors of US-sponsored insurgency often tout Iran's Islamic Revolution, the 1996 ascension of the Taliban to power, and isolation of Cuba following the Bay of Pigs operation as examples of the malign aftereffects of UW and covert action. However, the perception that U.S. meddling or intervention is the unique cause for this instability is inaccurate. It assumes that stability and natural order would have be maintained in these countries if the U.S. had done nothing. This thought belies the reality that tensions and schisms already existed in these societies, the only question is how they will manifest themselves and who would act to influence the outcome. On one hand the U.S. could avoid intervention of any sort. The underlying tensions may fizzle out and the dissidents may integrate back into the population, or, in the worst case, the situation may blossom into something like the Syrian Civil War. Avoiding intervention also means that other states and non-state actors could step in and unabatedly pursue their own interests. Ultimately, neither avoidance nor intervention can guarantee future peace and stability, but employing the "third option" does afford a state actor the opportunity to shape events in its favor.

[52] As part of LTG Cleveland's ARSOF 2022 Vision, USASOC has recently invested in the study of resistance and insurgency. The Assessing Resistance and Insurgent Strategies (ARIS) project, run out of John's Hopkins University's National Security Analysis Department, is USASOC's mechanism for the study of these issues. ARIS is a contemporary version of the Special Operations Research Office which existed in the 1950s and 1960s.

The decision to support a resistance movement requires a robust assessment of the pre-existing environmental conditions and resistance characteristics to predict potential viability of a resistance movement.[53] It is important to recognize that the United States' involvement can influence, not control, the resistance movement's pursuit of its and the U.S. government's goals. Despite efforts to control and predict outcomes, supporting resistance movements remains more of an art, than a science. Despite the U.S. government's best efforts, it can be difficult to predict how the movement will manifest itself as U.S. support is applied. This uncertainty is underscored by the reality that some efforts will, and *have* failed. As the empirical evidence shows, when the U.S. government supports resistance movements short-term "success" is achieved more often than not, but long-term success and sustainment is the problem.

After achieving its short-term political and military goals, the resistance and its U.S. government liaisons are now presented with a new challenge–governing.[54] At this point, the resistance and its foreign supporters are faced with three major dilemmas: demobilizing the active support base; translating their theories and ideology into reality via policy implementation and institutional restructures; and reconciling with, reintegrating, or repressing the other portion of the population that previously supported the government. It is this period, referred to in Army doctrine as "Transition" and by the ARIS Project as "Resolution," where short-term 'success' often morphs into long-term 'failure.'[55]

There is a distinct lack of substantive military literature regarding the process of transitioning (or integrating, in the case of disruptive or coercive objectives) an indigenous resistance group into a functioning government over the long-term. Most of the doctrine

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[53] Department of the Army. *Special Forces Unconventional Warfare, Training Circular 18–01*, (Washington, DC: Department of the Army, 2010). [Chapter 1, "Overview," 2–8]; See also footnote 12.

[54] This research recognizes that neither UW or covert action are always intended to overthrow a government. The desired effects may range from simple influence to disruption to coercion, or, in its most aggressive form, overthrow. The authors chose to address the challenge surrounding regime change because a majority of the cases that produced long-term 'failures' began with a successful toppling of the incumbent government.

[55] Department of the Army, *Special Forces Unconventional Warfare, Training Circular 18–01*, (Washington, DC: Department of the Army, 2010). 3–7 to 3–8; Paul J. Tompkins, Sam Lauber, Steven Babin, Katharine Burnett, Jonathon Cosgrove, Catherine Kane, W. Sam Lauber, and Theodore Plettner. "Understanding States of Resistance," (Fort Bragg, North Carolina: United States Army Special Operations Command, Year Unknown).

focuses on conventional joint-force efforts to support and stabilize indigenous governments after transition has occurred. Therefore, it is unsurprising that resolution is the point of failure in many of the cases of U.S. backed insurgencies. While there are copious amounts of professional military literature regarding guerrilla warfare and the military aspects of RRI, the recent ARIS Project, "*Understanding the Phases of Resistance,"* is the only one that addresses the "resolution" phase in any substantive detail. Military doctrine often espouses the importance of "transition" as it applies to UW, but rarely offers more than a page of written discussion in either Joint or Army doctrine. More study regarding the theory and application of those theories is required to facilitate long-term success, not only in UW, but in the other Special Warfare activities like counterinsurgency and foreign internal defense.

There are also structural challenges to transition. The Carnegie Endowment for International Peace identified seven factors "in a target country favorable to [democratic] nation building: strong national identity, effective state capacity, previous experience with constitutionalism, elite interest aligned with [external actors'], ability to absorb economic assistance, and international legitimacy under multilateral interim administration."[56] While the study was focused on large-scale nation building similar to U.S. efforts in Iraq and Afghanistan, the considerations remain relevant to STR activities as well. Choosing to act when the structural conditions are less than favorable will put STR efforts at a disadvantage from the get go. Just as military doctrine uses a framework to assess the viability of a resistance, it would do well to also establish a framework to assess the feasibility of a stable transition.

Beyond a lack of codified knowledge and inherent structural challenges, is the question of responsibility. Is it the Department of Defense (DOD) or the Department of State (DOS) that is responsible for guiding, and more importantly sustaining, the transition from massive upheaval to relative stability over the long-term? The DOS is the most likely candidate for this responsibility, however it is best suited to operate in permissive

[56] Kasper, Sara and Minxin Pei, "Lessons from the Past: the American Record on Nation Building." Carnegie Endowment for International Peace. Issue 24, (May 2003). http://carnegieendowment.org/files/Policybrief24.pdf.

environments, as opposed to the more volatile environment where diminished security presents greater risk to its personnel.[57] In these unstable transitional environments, the military, and more specifically SOF would be better suited to facilitate and support DOS and USAID stabilization objectives. Joint doctrine reinforces this point stating that "the military force must be prepared to plan and execute [U.S. government] stabilization efforts until it becomes feasible to transition that responsibility to another organization."[58] As alluded to earlier, the problem is that joint doctrine assumes that a relatively robust military force will be deployed to support these activities, however the purpose of supporting indigenous elements via UW or covert action is to avoid large-scale military interventions. So, if the level of security is insufficient for DoS and USAID to operate, and there is no substantial military force to execute the established doctrinal framework, the question becomes what organization fills this void?

A final consideration is funding. Both constituents and politicians alike have short attention spans. After a problem is 'solved' policymakers quickly transition to the next issue, forgetting that 'success' must be sustained. This change in priorities often manifests itself through a reallocation or withdrawal of funding, resources, and attention. The reallocation of resources often comes within a few years of achieving short-term success, however, the long-term 'failure' may appear within a few years or decades later. Afghanistan is a primary example of this. After the Soviets withdrew in 1989, the United States and the Soviet Union cut-off funding to the Mujahedeen and the Najibullah Regime, respectively. Four months later, the Najibullah Regime fell, and by 1996, the moderate Mujahedeen, like Ahmed Shah Massoud, were unable to prevent the Taliban's ascendance to power.[59] If the United States had maintained its investments, a more favorable solution may have been achieved, but due to a re-prioritization of policy objectives this did not occur.

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57 Joint Chiefs of Staff, Joint Publication (JP) 3–07, *Stability*, (Washington, DC: Office of the CJCS, August 2016), I-19.

58 JCS, JP 3–07 *Stability*, I-4.

59 Andrew Sprung, "Did the U.S. 'Abandon' Afghanistan in 1989?," *The Atlantic*, December 17, 2009. https://www.theatlantic.com/daily-dish/archive/2009/12/did-the-us-abandon-afghanistan-in-1989/192860/.

D. CONCLUSION

This chapter has attempted to refute many of the arguments against viability and utility of the United States' STR activities. Covert action and UW provide a critical "third option" to the President, when diplomacy is inadequate and the cost of conventional military intervention is unacceptable. Moreover, this "third option" offers an opportunity to shape the outcomes of situation, vice doing nothing and accepting a less than optimal outcome. While this research cannot refute that UW and covert action sometimes fail and that 'long-term' success remains a challenge, it has shown that these policy options are successful in nearly half of the cases.

The discussion also asserted that it is not the basic theories of UW and covert action that are inadequate, but our (the U.S. government's) misunderstanding and misapplication of the concepts and fundamentals that contributes to failure. This study's authors concur with Dave Maxwell and others who argue that, like any military tactic or strategy, STR is useful in particular circumstances, when the conditions, requirements, risks, rewards and costs are well understood.,[60] Recently, U.S. Special Operations Command, in conjunction with other agencies recently developed the "Support to Resistance Framework," which is a large step toward alleviating some of the issues outlined here, and reframing the U.S. government's mindset regarding STR activities.

Finally, as the subsequent chapter will show, our adversaries are seeing success with STR-like strategies. Not only does this reinforce the viability of STR as a policy option, but it also demands that our adversary's tactics and strategies be studied, innovated upon, and potentially incorporated into U.S. practices.

[60] David S. Maxwell, "Why the New Syrian Army Failed: Washington and Unconventional Warfare," *War on the Rocks*, August 28, 2015, https://warontherocks.com/2015/08/why-the-new-syrian-army-failed-washingtonand-unconventional-warfare/; Ryan C. Agee and Maurice K. DuClos, "Why UW: Factoring in the Decision Point for Unconventional Warfare," (master's thesis, Naval Postgraduate School, 2012).

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V. PREMISE 2: MODERN CONFLICT PARADIGM CHANGE

While the debate over the viability of UW continues, the increasing trend of hybrid threats in the contemporary operating environment indicate an evolving paradigm for STR operations. From Russia's "Little Green Men" and social media propaganda enabling the annexation of Crimea to China expanding its maritime sovereignty in the South China Sea via island reclamation, the international status quo is routinely imperiled by unconventional and hybrid warfare. Furthermore, the Iranian Quds Force engaged in proxy wars in the Middle East vis-a-vis Hezbollah, Popular Mobilization Forces, and other non-state actors highlight the breadth of the unconventional problem presented by today's revisionist powers. Given that America retains international supremacy in conventional military power, it is not surprising that the nation's adversaries now turn to combining "battlegrounds of perception, coercion, [and] mass atrocity" as their primary means of global competition.[61] While revitalized concern over hybrid challenges is certainly valid, the "blend[ing of] different methods or modes of warfare" to achieve a synergistic effect against an adversary is not a new phenomenon to the United States.[62] In fact, reflections of the these "gray zone" activities under the moniker of hybrid war are visible throughout the history of the U.S. military's lexicon. With references to Low-Intensity Conflict (LIC), Military Operations Other Than War (MOOTWA), and what is now known as Phase 0 activities or unconventional warfare, these methods of welding traditional and irregular warfare outside of declared wars are not foreign concepts to the United States; instead, the nation's enemies appear to have stolen pages out of America's playbook. With this being the case, U.S. policymakers are asking why, despite having the world's premier military capabilities, America appears to be less successful than its adversaries in the realm of hybrid warfare? Properly addressing this question requires analysis of both the adversaries' approaches to warfare and their actions in contemporary conflicts to establish the modern environment for unconventional conflicts. By comparing this context to established U.S.

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61 Nadia Schadlow, "Peace and War: The Space Between," *War on the Rocks*, 18 August 2014, https://warontherocks.com/2014/08/peace-and-war-the-space-between/.

62 Frank Hoffman, "Hybrid Warfare and Challenges," *Joint Forces Quarterly*, Issue 52, 1st Quarter 2009.

doctrine for special operations and unconventional warfare it becomes clear that the U.S. maintains a similar doctrinal approach to conflict as its adversaries. Nonetheless, the nation's adversaries appear to have outperformed America's capabilities in successfully converting doctrine into action.

A. CHINA

The basis of China's unconventional approach to warfare was first communicated in the book *Unrestricted Warfare* (1999) and then further highlighted in the "Three Warfares" strategy from 2003. In 1999, two Colonels from the People's Liberation Army (PLA) published *Unrestricted Warfare* establishing a basis of tactics to overcome asymmetry in capabilities or resources in future conflicts. Notably, this work establishes ideological tenets for conflict that depart from those traditionally quoted from such military theorists as Clausewitz, Sun Tzu, or Jomini in that it embraces warfare beyond the military domain. In this vein, these officers claim that these new principles focus on "using all means, including armed force or nonarmed force, military and non-military, and lethal and non-lethal means to compel the enemy to accept one's interests."[63] By combining these various means of war, actors can "shrink the effects of weapons" and amplify the "concept of modern warfare" in favor of their interests.[64] Next, in 2003, the Chinese government further inculcated the prescribed concepts in *Unrestricted Warfare* by approving the PLA's "Three Warfares." This strategic approach, approved by both the Chinese Communist Party (CCP) and Chinese Military Commission (CMC), focuses on leveraging three means of information warfare (psychological, media, and legal) "aimed at preconditioning key areas of competition in [China's] favor."[65] Via this comprehensive psychological and legal engagement, the Chinese are clearly attempting to combine the "political, economic, diplomatic and legal dimensions" of war.[66]

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63 Qiao Liang and Wang Xiangsui, *Unrestricted Warfare: China's Master Plan to Destroy America* (Panama City: Pan American Pub., 2002), 7.

64 Liang/Xiangsui, *Unrestricted Warfare: China's Master Plan to Destroy America*,120.

65 Timothy A. Walton, "China's Three Warfares," *Delex Special Report*, 18 January 2012, 4.

66 Timothy A. Walton, "Treble Spyglass, Treble Spear: China's 'Three Warfares,'" *Defense Concepts*, vol 4, ed. 4. (2009), p. 51.

Propelled by its position as the world's second largest economy, the People's Republic of China leverages hybrid warfare to protect its concept of territorial sovereignty in the South China Sea.[67] Unlike traditional land warfare, China's hostilities have focused primarily on activities short of armed conflict in its maritime expansion. China's aggressive behavior in this domain exemplifies the nation's desire to become a global maritime power, which has only gained intensity since President Xi Jinping assumed office in 2012.[68] The first clear instance of Chinese hybrid aggression came in November 2013 as China's Ministry of National Defense announced the establishment of an air defense identification zone (ADIZ) over the East China Sea. This 200-nautical mile boundary beyond China' territorial sea covers areas where the Chinese dispute sovereignty claims from both Japan and Taiwan as well as Exclusive Economic Zones (EEZ) from Japan and South Korea.[69] To further support its territorial claims, China combined the effect of this ADIZ with large-scale dredging and island building efforts in the Spratly Islands, creating more than 3,200 acres of new land.[70] The buildup of seven Chinese military bases on the islands further amplifies the strategic effects of this island reclamation effort. These include a submarine base, approximately 3,000 meters of runways, deep-water ports, and radar facilities all at separate locations.[71] Furthermore, China appears to be masking its development of these installations with a thinly veiled disinformation campaign since President Xi stated in September 2015 that "China does not intend to pursue militarization" in this region.[72] To defend these actions, the Chinese government uses the "lawfare" principle to establish its

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67 Alex Gray, "The World's 10 Biggest Economies in 2017,' World Economic Forum online, 9 March 2017, https://www.weforum.org/agenda/2017/03/worlds-biggest-economies-in-2017/.

68 Katherine Morton, "China's ambition in the South China Sea: is a legitimate maritime order possible?" *International Affairs*, vol. 92, no. 4 (July 2016): 910.

69 Michael Green, et al. "Counter-Coercion Series: East China Sea Air Defense Identification Zone," Asia Maritime Transparency Initiative, 13 June 2017, https://amti.csis.org/counter-co-east-china-sea-adiz/.

70 "Country: China," Asia Maritime Transparency Initiative, accessed 21 August 2017, https://amti.csis.org/island-tracker/chinese-occupied-features/.

71 Ashley Townsend, "The strategic significance of China's Woody Island power play," *The National Interest*, 1 March 2016, http://nationalinterest.org/blog/the-buzz/the-strategic-significance-chinas-woody-island-power-play-15363.

72 Jeremy Page, Carol E. Lee, and Gordon Loubold, "China's President Pledges no Militarization in Disputed Islands; Statement at White House Offers Few Details, Leaving some Questioning Commitment," *Wall Street Journal*, Sep 25, 2015. https://www.wsj.com/articles/china-completes-runway-on-artificial-island-in-south-china-sea-1443184818.

"Three Warfares" approach, stating that Chinese activities in the South China Sea are in accordance with established international law, specifically provisions under the 1982 United Nations Convention on the Law of the Sea (UNCLOS).[73] Lastly, the Chinese government protects its maritime interests in this region through the intelligence and reconnaissance activities of dedicated proxy militia forces. Although the exact size and composition of this maritime militia, commonly referred to as "Little Blue Men," is unknown, military analysts estimate that this force provides a "peacetime adjunct to China's space-based surveillance systems…closely monitoring China's seaward approaches."[74] With these actions in mind, China is clearly demonstrating competency in putting its unconventional and hybrid war doctrine into successful real-life actions.

B. RUSSIA

Russia's Chief of the General Staff of the Armed Forces, General Valery Gerasimov, conveyed the country's modern approach to war in a February 2013 article published in a popular domestic military publication. In his article entitled "The Value of Science Is in the Foresight: New Challenges Demand Rethinking the Forms and Methods of Carrying out Combat Operations," Gen. Gerasimov states that "the very 'rules of war' have changed" and "the role of nonmilitary means of achieving political and strategic goals has grown, and, in many cases, they have exceeded the power of force of weapons in their effectiveness."[75] In this approach, Russia will focus on preparing the operational environment ahead of hostilities through asymmetric capabilities and buildup of indigenous proxy resistance forces since war "in general is not declared" but simply "begins with already developed military forces."[76] What has become known as the "Gerasimov Doctrine" is now synonymous with erasing the "boundary between peace and

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[73] Morton, "China's ambition in the South China Sea," 919.

[74] Andrew S. Erickson and Color M. Kennedy, "China's Maritime Militia," *CNA Corporation*, March 7, 2016, https://www.cna.org/cna_files/pdf/Chinas-Maritime-Militia.pdf.

[75] Valery Gerasimov, "The Value of Science Is in the Foresight: New Challenges Demand Rethinking the Forms and Methods of Carrying out Combat Operations," *Voyenno-Promyshlennyy Kurier* online, 26 February 2013, 24, http://usacac.army.mil/CAC2/MilitaryReview/Archives/English/MilitaryReview_20160228_art008.pdf.

[76] Gerasimov, "The Value of Science Is in the Foresight," 29.

war and relied on emerging technologies to provide a level of deniability for the Russian military."[77] Additionally, in this modern approach to conflict, the Russians view the mind as the "main battlespace" that is "to be dominated by information and psychological warfare…to morally and psychologically depressing the enemy."[78] Accordingly, the Gerasimov Doctrine establishes hybrid warfare as Russia's chief instrument of national power in future conflict.

Russia's adoption of the Gerasimov Doctrine's hybrid model of warfare reflects the country's strategic outlook since the end of the Cold War. During this period, the Russian Federation has turned to hybrid warfare as its primary means of international competition through lessons learned in multiple conflicts. The motivation for a change in tactics and strategy in war initially emerged from Russia's failure to defeat the much smaller and less equipped Chechen forces in the First Chechen War from 1994–1996 through a traditional war of attrition. As the invading force in Chechnya, the Russian military maintained "big, bulky formations" and devastating aerial bombardment of rebel-occupied urban areas.[79] Yet Chechen rebels (estimated at a tenth of the Russians size and with no air support) ultimately survived and overcame the Russian offensive by maintaining small, decentralized teams executing a "series of simultaneous [swarming] attacks from all directions."[80] It was this strategic defeat that would serve as the catalyst for change in the future of Russian warfare.

In the aftermath of the Chechen ceasefire, Russia successfully demonstrated a clear departure from its reliance on conventional warfare towards unconventional and hybrid warfare in both Chechnya and Georgia. In the Second Chechen War from 1999–2009,

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[77] Garrett M. Graff, "A Guide to Russia's High Tech Tool Box for Subverting U.S. Democracy," *Wired*, August 13, 2017, available at https://www.wired.com/story/a-guide-to-russias-high-tech-tool-box-for-subverting-usdemocracy/.

[78] Janis Berzins, *Russia's New Generation Warfare in Ukraine: Implications for Latvian Defense Policy*, Policy Paper no. 2, (Riga, Latvia: National Defence Academy of Latvia, Center for Security and StrategicResearch, April 2014), http://www.naa.mil.lv/~/media/NAA/AZPC/Publikacijas/PP%2002-2014.ashx.

[79] John Arquilla, *Insurgents, Raiders, and Bandits: How Masters of Irregular Warfare Have Shaped Our World* (Chicago: Dee, 2011), 258.

[80] Arquilla, *Insurgents, Raiders, and Bandits*, 258.

Russia defeated the Chechen rebels through combining several modes of warfare. To execute ground operations, Russia relied on contract soldiers (*kontraktnik*) working alongside Russian Special Forces (*Spetnaz*) as masked men hiding their identity while conducting "summary executions, torture, arson, and looting."[81] Additionally, the Russians maintained an adept information operations campaign that galvanized the support of the Russian populace against the Chechen "terrorists." In their 2008 war with Georgia, the Russians further refined their hybrid war capabilities along with enabling indigenous resistance forces. During this conflict, Russian forces initiated hostilities with a cyber war focused on distributed denial of service (D-DOS) attacks against the Georgian government to generate widespread doubt concerning the government's capabilities of protecting itself or its people. Next, the Russians' used of legal warfare (i.e., "lawfare") through a "passport offensive" to create the veneer of "Russians citizens" in the breakaway regions of South Ossetia requiring Russian intervention.[82] In the end, Russian military support to the Ossetian separatists proved vital to the dissidents' survival against the Georgian military.[83] As a result, both the Second Chechen and Georgian wars outline the early stages of development for the Gerasimov model of hybrid war.

Most recently, Russia's 2014 actions in Ukraine exhibited their mastery in this form of modern warfare. Beginning as a covert operation utilizing mass rallies in Crimean cities to sow the seeds of opposition to the Ukrainian government, this Russian offensive combined "ambiguity, disinformation, and the element of surprise at the operational level with more traditional aids such as electronic warfare."[84] As opposition to the Ukrainian government continued to grow, the Russians combined a traditional military invasion with Russian Special Forces and paratrooper with the advantage of contract soldiers operating as anonymous "Little Green Men" to assist local self-defense forces securing the Russian

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[81] Marcel H. Van Herpen, *Putin's Wars: The Rise of Russia's New Imperialism* (London: Rowman, 2014), 191–196.

[82] Van Herpen, *Putin's Wars*, 205–208.

[83] Raymond Bonner, "Separatists in Georgia Look to Russia for Protection," *The New York Times*, 12 June 1994, http://www.nytimes.com/1994/06/12/world/separatists-in-georgia-look-to-russia-for-protection.html?mcubz=0.

[84] Michael Kofman and Matthew Rojansky, "A Closer Look at Russia's 'Hybrid Warfare'" *Kennan Cable*, no. 7 (April 2015), 3.

occupation.[85] Throughout this operation in Ukraine, the Russians leveraged information operations through its "[d]omination of television, radio, and social media through the use of highly trained operatives, including 'hacktivists'" to maximize the appearance of pro-Russian sentiment among the populace.[86] The Ukraine case study demonstrates Russia's fulfillment of the Gerasimov Doctrine. While hostilities continue in this Eastern European conflict amid ceasefire violations, it is likely that Russia will further utilize similar hybrid capabilities to achieve its objectives in the future given this history of success.

C. IRAN

In contrast to China and Russia, Iran's indirect approach to conflict has not been published and distributed but, instead, can be surmised from the country's experiences in the aftermath of the Islamic Revolution and the U.S. invasion of Iraq. These initiatives stressed the importance of key military organizations such as the Islamic Revolutionary Guard Corps' (IRGC) Quds and Basij Forces to execute its activities within guerilla and proxy warfare, as well as cementing the necessity of a strong internal security framework. The IRGC initially formed out of militias aligned with Ayatollah Khomeini in the chaos following the Islamic Revolution in 1979. The strategic application of this force was soon fortified in combat during the Iran-Iraq war as the IRGC supplemented the Iranian regular armed forces who quickly became "overwhelmed and overstretched" against the Iraqis' assault.[87] This pivotal chapter in the IRGC's history saw the organization develop "guerilla-style" and asymmetric warfare capabilities.[88] Furthermore, the IRGC leveraged compound warfare through the use of popular local forces, such as the Basij, to enable the country's defense during this bloody eight-year war of attrition.[89] This period also saw the establishment of the enduring proxy relationship between the IRGC and Hezbollah as a

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[85] Assessing Revolutionary and Insurgent Strategies. *'Little Green Men': A Primer on Modern Russian Unconventional Warfare in Ukraine, 2013- 2014*, (Fort Bragg, NC: USASOC, 2015): 57.

[86] ARIS, "Little Green Men," 3.

[87] Afshon Ostovar, *Vanguard of the Imam: Religion, Politics, and Iran's Revolutionary Guards* (New York: Oxford Press, 2016), 64.

[88] Ostovar, *Vanguard of the Imam* (2016), 65.

[89] Ostovar, 65.

Lebanese Shiite resistance force against Israel to "export the revolution" through foreign intervention.[90] After the war, the IRGC's newly formed special operations wing known as the "Quds Force" assumed responsibility for the training, organization, and advisement of the Hezbollah proxy force. In a similar manner, the Basij militia forces would reorganize under the IRGC as the "Basij Resistance Force" now focused on internal security for the Regime within Iran.[91] The importance of guerilla and proxy warfare along with maintaining a strong internal security apparatus remains prevalent within Iranian doctrine to this day.

Next, the U.S. invasion of Iraq in 2003 marked another turning point for the Iranians' way of war. After the coalition's removal of Saddam Hussein, the Iranians renewed their focus on deterrent capabilities, such as nuclear and weapons of mass destruction programs, to safeguard themselves from a similar fate. Consequently, Operation Iraqi Freedom ushered in the revival of "hardline power" within Iran facilitating the "expansion of Iranian influence outside its borders" and a renewed focus on covert proxy warfare in Iraq through insurgent and terrorist tactics via the Badr Brigade and other Shi'a militias.[92] Also during this period, the IRGC established its "mosaic defense" doctrine to further strengthen its defenses against foreign intervention. This layered defense plan, outlined by the organization in 2005, uses the Quds' Forces specialties in asymmetric/unconventional warfare to, as the former IRGC Chief Commander Safavi described, protect Iran through the "spirit of jihad and martyrdom-seeking" to execute "an endless defense and long-term warfare on land, air, and sea."[93] Analyzing these experiences, Farzan Sabet, a former security fellow at the Center for International Security and Cooperation, underlines three basic principles to Iran's modern approach to war: 1. Leave a light footprint; 2. Partner with indigenous forces and use unconventional warfare;

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[90] Ahmad Nizar Hamzeh, *In the path of Hizbullah* (Syracuse, N.Y: Syracuse Univ. Press, 2004), 25.

[91] Ali Almoner, "The Basij Resistance Force," *The Iran Primer* (Washington, DC: United States Institute of Peace, 6 October 2010), http://iranprimer.usip.org/resource/basij-resistance-force.

[92] Ostovar, 169; Kenneth Katzman, *Iran's Influence in Iraq* (CRS Report No. RS22323) (Washington, DC: Congressional Research Service, 2006).

[93] Steven R. Ward, "The continuing evolution of Iran's military doctrine," *The Middle East Journal*, vol. 59, no. 4 (Autumn 2005), 573.

3. Create broad non-sectarian coalitions.[94] These principles succinctly describe Iran's contemporary strategy of leveraging the Quds Forces as a hybrid "special operations group whose presence and leadership improves indigenous forces on the battlefield" instead of a traditional "front-line unit."[95] Thus, the IRGC's evolution of guerilla, proxy, and covert warfare signal Iran's modern approach to conflict.

Since the eruption of the Arab Spring in 2011, Iran has expanded several footholds within the region through its hybrid use of hard and soft power. When civil protests turned to civil war in Syria and the survival of the Assad regime came into question, the Iranians quickly came to aid of its longtime ally sending covert support through the Quds Force, Hezbollah, and Iranian gendarmerie elements and material aid to buttress the regime's defense.[96] Central to the Quds Force's support was the establishment of the Syrian National Defense Forces (NDF), a paramilitary group with approximately 100,000 fighters, designed to strengthen the regime's internal security in similar fashion as the Basij Resistance Force.[97] Following the intervention of Russian forces in support of the Assad regime in September 2015, Iran's support transitioned from a covert proxy war to open acknowledgement of its involvement in Syria with a drastic increase of IRGC Ground Forces to augment the indigenous Syrian Forces.[98] In addition to its hybrid model of war in Syria, the Iranians utilized similar means of warfare in Iraq to aid the defense of various Shi'a groups against the Islamic State of Iraq and Syria (ISIS), a Sunni extremist terrorist organization. From ISIS' hyper anti-Shi'a behavior, the Islamic Republic understood that this organization posed an existential threat. As a result, Iran leveraged aspects of both traditional, political, and unconventional warfare to bolster Shi'a special groups in Iraq.[99]

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[94] Farzan Sabet, "Military intervention, Iranian-style," *War on the Rocks*, 30 June 2014, https://warontherocks.com/2014/06/military-intervention-iranian-style/.

[95] Robert Beckhusen, "Why Iraq War III is Headed Into a Long, Bloody Stalemate," *War Is Boring*, 15 June 2014.

[96] Paul Bucala and Frederick W. Kagan, *Iran's Evolving Way of War: How the IRGC Fights in Syria*, American Enterprise Institute, Critical Threats Project (March 2016), 12.

[97] Edward Wastnidge, "Iran and Syria: An Enduring Axis," *Middle East Policy*, vol. 24, no. 2 (2017), 155.

[98] Paul Bucala, "Iran's New Way of War in Syria," *Institute for the Study of War* (February 2017), 8.

[99] Wastnidge, "Iran and Syria: An Enduring Axis," 154.

When ISIS gained control of Mosul in Northern Iraq in June 2014, Iran sent a full complement of military advisors and equipment to reinforce the Iraqi military, to include members of the Quds Force, seven SU-25 FrogFoot Jets, and reconnaissance aircraft/drones.[100] Combined with this traditional application of force is Iran's political warfare which leverages historical ties with indigenous Shi'a elements (e.g., the Islamic Supreme Council for Iraq [ISCI], Badr militias, and the Dawa party) to ensure the Shi'a majority continues to control domestic issues in their favor.[101] Additionally, in stark similarity to the buildup of the NDF in Syria, Iranian advisors helped form Popular Mobilization Forces (PMF) as an internal paramilitary organization ensuring Shi'a "supremacy over Iraq" with roughly 140,000 fighters.[102] Finally, in Yemen, Iran has reached new heights in its hybrid war capabilities while sponsoring Houthi rebels against a Saudi-supported Yemeni government. Beginning with their covert equipping of these Shi'a rebels in 2011, the Iranians have since expanded their involvement with advisors from both the IRGC and Quds Force.[103] Furthermore, this proxy war between the two regional powers of Iran and Saudi Arabia has seen the Iranians add cyber warfare to its accompaniment of guerilla, covert, and traditional military capabilities. Specifically, Iranian advisors created the "Yemen Cyber Army" within the Houthi group which has executed cyber-attacks on Saudi Arabia's Foreign, Interior, and Defense Ministries.[104] In all three conflicts, Iran has taken advantage of the vacuum of control within the region to enhance its geopolitical interests by way of unconventional and hybrid warfare. Given its pattern of success, it is likely that Iran will continue this model in future conflicts to secure its national interests.

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[100] Farzin Nadimi, "Iran's Expanding Military Role in Iraq," The Washington Institute for Near East Policy, September 8, 2014, http://www.washingtoninstitute.org/policy-analysis/view/iransexpanding-military-role-in-iraq.

[101] Marc Lynch, *The New Arab Wars: Uprisings and Anarchy in the Middle East* (New York: Public Affairs, 2016), 215.

[102] Renad Mansour and Faleh Jabar, "The Popular Mobilization Forces and Iraq's Future," Carnegie Endowment for International Peace – Papers, (Washington, DC: Carnegie Endowment for International Peace, April 28, 2017), 12, http://search.proquest.com/docview/1894669284/.

[103] Andrew W. Terrill, "Iranian Involvement in Yemen," *Orbis*, vol. 58, no. 3 (2014).

[104] Jordan Brunner, "Iran Has Built an Army of Cyber-Proxies," *The Tower*, vol. 29 (2015).

D. SIMILAR REFLECTIONS WITHIN U.S. DOCTRINE

The published methods of the U.S. military's special operations reflect similar philosophies as its adversaries' hybrid strategies. U.S. Army doctrines use similar wording to delineate hybrid warfare as the "adaptive combination of conventional and non-conventional means" to achieve "mutually benefitting effects."[105] DOD doctrine categorizes the combination of irregular war and clandestine/covert activities as "Special Operations" or, more specifically, unconventional warfare and covert action. Special operations are described in joint doctrine as the "unique modes of employment, tactical techniques, equipment and training often conducted in hostile, denied, or politically sensitive environments and characterized by one or more of the following: time sensitive, clandestine, low visibility, conducted with and/or through indigenous forces, requiring regional expertise, and/or a high degree of risk."[106] Applying these concepts to hybrid, unconventional and covert action reflect the "non-conventional…covert military, paramilitary, and civilian measures" of the adversaries' hybrid strategies.[107]

USSOCOM Directives identify USASOC and its doctrine as the lead component for UW.[108] Army doctrine describes unconventional warfare as "operations and activities that are conducted to enable a resistance movement or insurgency to coerce, disrupt, or overthrow a government or occupying power by operating through or with an underground, auxiliary, and guerrilla force in a denied area."[109] As David Maxwell, security professor at Georgetown University, has highlighted, the "various names of hybrid/4th generation/irregular warfare all derive from the one overarching form of warfare" known

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[105] Warsaw Summit Communiqué, North Atlantic Treaty Organization, July 9, 2016, http://www.nato.int/cps/en/natohq/official_texts_133169.htm?selectedLocale=en.

Department of the Army, ADP 3–0, *Unified Land Operations* (Washington, DC: Department of the Army, October 2011), 12.

[106] Joint Chiefs of Staff, Joint Publication (JP) 3-05 *Special Operations*, (Washington, DC: Office of the CJCS, July 16, 2015), ix.

[107] Warsaw Summit Communique.

[108] USSOCOM Directives 10–1cc (U) and 52589 (S//NF).

[109] Joint Chiefs of Staff, Joint Publication (JP) 3-05, Special Operations, (16 July 2015), xi.

as unconventional warfare (UW).[110] The Army's Training Publication (ATP) 3.05-1 Unconventional Warfare focuses on a 7-phase model for a U.S. sponsored insurgency, which emphasizes guerrilla warfare in concert with auxiliary and underground activities as well as integrating these activities with the conventional military forces and interagency efforts in the later phases. Furthermore, the military's joint doctrine underscores the importance of integrating kinetic operations with both information (previously referred to as psychological operations) and civil affairs operations to "create effects disproportionate to the size of the units involved."[111]

To achieve these mutually beneficial effects in the later phases of the UW model, DOD doctrine mandates that planners combine the supremacy of its regular forces with the unique activities of DOD's UW operations and other agencies/departments "whole-of-government effort."[112] Similar to the demonstrated methods of its adversaries, the United States' whole-of-government approach intends to maximize the effectiveness of converging interagency and military activities through this UW campaign to reach a synergistic effect. This comprehensive approach to modern conflict contains activities ranging from the overt diplomatic actions of the DOS to the covert action programs of the CIA.

E. CONCLUSION

Despite a comparable approach to hostilities short of declared conventional war, the United States has failed to experience the same rate of success in modern conflicts as its adversaries. Specifically, the United States' experience in Operation Inherent Resolve while combating ISIS provides a present-day case study of this gap between translating policy into action. After nearly three years, this campaign is only now reaching the cusp of defeating this asymmetric threat. Furthermore, this conflict has routinely demonstrated fissures between America's strategic application of both UW and STR operations that will

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[110] David Maxwell, "Do We Really Understand Unconventional Warfare?" *Small Wars Journal*, October 23, 2014.

[111] Joint Chiefs of Staff, JP 3-05, *Special Operations*, I-2.

[112] Joint Chiefs of Staff, JP 3-05, II-9.

require redress if the nation hopes to remain competitive in future international and regional conflicts. With this case study as its backdrop, this paper will analyze several challenges, such as: political; legal; organizational; and training and education, as obstacles to the employment of ARSOF elements in support to indigenous resistance activities.

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VI. LEGAL OBSTACLES

Policy and politics are only one half of the calculation to employ Support to Resistance (STR) in the pursuit of policy objectives–the 'ends.' International and domestic law form the other half of the equation, and regulate the 'means' by which policy objectives are pursued. In this chapter, the authors will briefly discuss the international legal considerations bearing on a decision to employ STR. Then the authors will survey internal legal obstacles, such as domestic law, bureaucratic approval processes, funding, and oversight that may inhibit the application of STR activities. In this pursuit, the research applied an analytical framework consisting of authorities, approvals, funding, permissions, exemptions, and oversight—referred to as AAFPEO–to identify specific obstacles. After presenting a synopsis of the most prominent domestic legal considerations, the chapter will conclude with a summary of the most prominent legal obstacles and considerations as they pertain to STR. In the chapter of this research, the authors will submit potential prescriptions to alleviate, or at least mitigate, these identified shortcomings.

A. INTERNATIONAL LEGAL CONSIDERATIONS

International law bears heavily on policy decisions and potential options available to policy makers. As such, Army Special Operations Forces (ARSOF) and joint planners must understand how international law may constrain or influence the development of potential STR strategies and campaign plans. Relying heavily on Michael Schmitt and Andru Wall's 2014 article in the *Harvard National Security Journal*, "The International Law of Unconventional Statecraft," the following discussion will demonstrate how the international law principles of sovereignty, non-intervention, self-defense, and state responsibility pose direct implications for STR planning and policy options.

Similar to STR, Schmitt and Wall broadly define "unconventional statecraft" as providing "external support by one state to insurgents in another." Its purpose is to achieve national security objectives through indirect means without escalating into overt armed

conflict with another state.[113] According to Schmitt and Wall, the act of supporting proxies in another state was a generally accepted practice until the mid-20th century, when changes in international laws and norms began promoting the concepts of state sovereignty and self-determination, causing states to employ unconventional statecraft more discreetly.[114] Despite changes in law and sentiment, those writers also point out that "states have generally been ambivalent to intervention when it suited their interests, and vehemently opposed when it went against."[115] Recognizing the record of ambivalence, an 'unlawful' decision to support a proxy–most likely in a covert (unattributable or unacknowledged) manner–comes down to a value comparison between the potentially malign effect on the external actor's international credibility and the value to be gained from obtaining the national security objective.[116]

In terms of international law, there are three tiers of escalation: intervention, use of force, and armed attack.[117] The first tier's threshold is governed by the principle of non-intervention. While the principle permits a state to influence another, usually through diplomatic, informational, or economic means, it prohibits coercion of another state.[118] Schmitt and Wall define coercion as an act that is intended to compel another state to behave in a manner other than how it normally would, or refrain from taking action it would otherwise take. Notably, the domestic legal definition of covert action uses the term

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[113] Michael N. Schmitt and Andru E. Wall. "The International Law of Unconventional Statecraft." *Harvard National Security Journal*, vol. 5 (2014): 349–353. http://harvardnsj.org/wp-content/uploads/2014/01/Schmitt-Wall-International-Law-of-Unconventional-Statecraft.pdf.

[114] Schmitt and Wall, "The International Law of Unconventional Statecraft," 350.

[115] Schmitt and Wall, 355.

[116] Schmitt and Wall, 355–356.

[117] Not all states recognize a distinction between the use of force and armed attack, including the United States. If a distinction exists, it is slight and not generally recognized in practice. The disparity comes from the undefined language in Articles 2(4)–'use of force'–and 51–'armed attack'—of the UN Charter. Regarding state support to resistance elements, the International Judicial Court (IJC) found that the United States' support to the Contras in Nicaragua (providing weapons, logistical and other support) constituted a 'threat of the use of force,' but did not amount to an 'armed attack.' Therefore, the court found that Nicaragua could not justifiably respond to the United States with direct armed force of its own. Judge Schwebel of the IJC pointed out the irony of this judgement in his dissent, stating "the United States has consistently been among the most forceful advocates of [the] view that the use of armed groups by a State to carry out military activities against another State amounts to a use of force."[117] Schmitt and Wall, "The International Law of Unconventional Statecraft," 360–364.

[118] Schmitt and Wall, "The International Law of Unconventional Statecraft," 355–356.

'influence,' whereas the definition of UW uses "coerce, disrupt, or overthrow.,"[119] One could interpret this as a distinction of peacetime and wartime application of these concepts, which are the Central Intelligence Agency's (CIA) and DOD's domains, respectively.

The subsequent tiers of intervention are use of force and armed attack, in that order. It is important to note that the distinction between these tiers is slight, and if a gap does exist, it enjoys "little practical relevance."[120] Both escalatory tiers trigger the self-defense principle (Article 51 of the UN Charter), that allows a proportionate response to an aggressor's actions assuming that other means of resolution have been exhausted. The imminence of the attack is another important factor, which allows the targeted nation to preemptively defend itself in order to prevent an impending attack.[121] There is a dispute over whether there is a gap between the use of force and armed attack; however, the United States does not recognize this gap. Additionally, what constitutes the use of force is left open for interpretation and is discussed more later.

There are two lawful means for a state to intervene or use force, under U.N. resolution or in self-defense, as previously mentioned. Regarding intervention under a U.N. resolution, a state's sovereignty is intertwined with an inherent 'responsibility to protect' its population. Following humanitarian crises in Rwanda and Kosovo, and Kofi Annan's Millennium Report, the International Commission on Intervention and State Sovereignty (ICISS) was organized to discuss whether humanitarian rights should be prioritized over a state's sovereignty.[122] In its final report, the commission found that sovereignty entitles a state to control its affairs, while simultaneously vesting a responsibility to protect its population. If the state fails to do so, the responsibility for action falls on the international community.[123] This idea was codified into United Nations (UN) resolution 1674 in 2006

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[119] 50 U.S.C § 3093(e) (2016); U. S. Office of the Chairman of the Joint Chiefs of Staff. *Unconventional Warfare*. Joint Publication (JP) 3-05.1. (Washington, DC: Office of the CJCS, September 15, 2015), GL-4.

[120] Schmitt and Wall, "The International Law of Unconventional Statecraft," 360.

[121] Schmitt and Wall, 357–360.

[122] U.N. Department of Public Information. "The Responsibility to Protect," Background Note, March 2012. http://www.un.org/en/preventgenocide/rwanda/pdf/bgresponsibility.

[123] U.N. Department of Public Information, "The Responsibility to Protect."

and was used as justification for use-of-force interventions under UN auspices in Libya, South Sudan, and other states.[124]

The extent to which unconventional statecraft breaches another state's sovereignty is a matter of degree, based on the type of activities, the threshold of permissible intervention, location of those activities, and attribution. Figure 2, presented in Schmitt and Wall's article, addresses the first two factors by cross-referencing the unconventional statecraft activities with the level of escalation between state actors.[125] The table is a useful to determine the threshold of intervention. When coupled with clear policy–or unclear policy and sufficient critical thought–the table can help SOF planners proactively identify and develop more palatable military options that recognize the boundaries of international law. As the table suggests, some activities are easier to legally justify. Category 1 activities are legally justifiable and do not meet the threshold of intervention or use of force. Joint operations, also referred to as 'accompany' operations during Operation Inherent Resolve (OIR) in Syria, meet all the criteria for international armed conflict, causing the law of armed conflict and a nation's inherent right to self-defense to come into play, among other legal codes.[126]

[124] U.N. Department of Public Information.

[125] Schmitt and Wall, "The International Law of Unconventional Statecraft," 2014, 375.

[126] Schmitt and Wall, 364–367.

Figure 2. Activity-Escalation Crosswalk[127]

Category 1	Non-Discriminatory Humanitarian Aid (food, medical supplies, tents/temporary shelter, non-military vehicles & communications equipment)	*Not* Intervention
		Not Use of Force
		Not Armed Attack
Category 2	Targeted/Discriminate Humanitarian Aid, Funding, Intelligence, Non-Lethal Assistance (leadership/organizational training, political subversion, information operations, logistics, etc.)	Intervention
		Not Use of Force
		Not Armed Attack
Category 3	Targeting Intelligence, Materiel (military arms, vehicles, and communications equipment), Lethal Training, Operational Logistics Support	Intervention
		Use of Force
		Not Armed Attack
Category 4	Joint Operations (including "effective control")	Intervention
		Use of Force
		Armed Attack

Two final considerations bearing on external support to resistance are territorial integrity and the principle of state responsibility. For military planners, both of these legal principles, must be understood and considered when developing STR plans that work 'with or through' a third-countries or when determining where to establish a program's training or logistical sites. Regarding the principle of territorial integrity, providing insurgents 'non-lethal military training' from a third-country does not constitute a breach of integrity, nor does it constitute a use of force. However, in the same scenario, if lethal aid or training is provided to rebels in a third country, that act would constitute a 'use of force' and would permit the targeted nation to demand cessation, reparations, or take counter-measures.[128] Corollary to this example is the principle of state responsibility. Although providing 'non-lethal' training or intelligence support to rebels in a third country may not violate territorial integrity, states are still responsible for the actions of resistance forces over which they

[127] Source: Schmitt and Wall, "The International Law of Unconventional Statecraft," 375.

[128] Schmitt and Wall, 361–364, 367.

"exercise sufficient control," assuming they can be legally attributed to the intervening state.[129] States are also responsible for knowingly assisting another state's unconventional statecraft activities.[130] The Syrian conflict provides an example of these principles. Both Turkey and Jordan are reported to have provided basing within their territory for the Title 10 Train and Equip Program, therefore making them complicit in the use of force in Syria–albeit against ISIS–and would allow the Syrian government to take appropriate legal action or counter-measures. If Syria, like the United States, does not recognize a distinction between 'use of force' and 'armed attack' these actions could potentially leave Turkey and Jordan susceptible to self-defense retaliation from the Syria Government.

The main lesson to be drawn from this discussion is that arming military planners with a basic knowledge of international law as it relates to STR will help staffs provide commanders and policymakers with suitable, relevant, and palatable strategic options. The discussion also highlights the fact that internationally sanctioned actions against illegitimate governments open the door for strategic options higher on the proverbial 'use-of-force' spectrum (i.e., along the lines of a Title 10 unconventional warfare campaign). Whereas, proposed STR strategies targeting 'legitimate' states should tend toward to lower end of the spectrum (i.e., intelligence gathering, propaganda, etc.) to avoid potential breaches of international law. Ideally, planners would produce scalable options that begin in 'category 1' and are able to ramp up to lethal support and eventually joint operations, when necessary and appropriate. International law also has implications for basing and staging, as well as determining which partner nations to work with or through. Finally, as the case study analysis will show, familiarity with international law helps military planners understand why some ideas prompt indecision, why policies are slow to translate into military action, or why approval authority is retained at the Presidential level.

B. DOMESTIC LEGAL CONSIDERATIONS

Domestic law, on the other hand, influences the decision to support a resistance movement and how STR is employed. The research team analyzed domestic law as it

[129] Schmitt and Wall, 368–370.

[130] Schmitt and Wall, 367–368.

pertains to STR using an adapted analytical framework consisting of: authorities, approvals, permissions, exemptions, funding, and oversight (AAPEFO). The analysis found that the most significant obstacles to STR reside in the authorities, approvals, and funding categories of the framework. However, before examining the results and proposing potential solutions, it is important to provide relevant background information on the legal aspects of STR.

The first question to answer is, Who has the statutory authority to authorize an STR campaign or operation? Ultimately, the decision authority resides with the President and is overseen–and 'checked'–by Congress, regardless of whether that action is a military operation or a covert action. The major legal codes bearing on the decision are the U.S. Constitution, United States Code (U.S.C.) Title 10 "The Armed Forces," which governs the employment of conventional and special operations forces; and U.S.C. Title 50 "War and National Defense," which houses the War Powers Resolution and regulates intelligence activities and covert action.

The use of conventional forces, unconventional warfare and covert action all require cooperation between the President and Congress to authorize, direct, fund and oversee these activities. Constitutionally, the President directs actions, while Congress funds the action and declares war. Article I of the U.S. Constitution grants Congress the authority to declare war and Article II grants the President 'Commander-in-Chief' powers.[131] However, the War Powers Resolution, enacted in 1973, limited the duration that the President could unilaterally commit the Armed Forces to areas where hostilities are imminent to 60 days. Commitments longer than that require a declaration of war, statutory authorization, or a national emergency resulting from an attack on the United States.[132] A contemporary example of this is the 2001 Authorization for the Use of Military Force (AUMF), a statutory authorization, which allowed the President to use military force against the "nations, organizations, or persons" that "planned, authorized, committed, or aided the terrorist attacks that occurred on September 11, 2001, or harbored such

[131] U.S. Constitution, art. I, sect. 8, clause 11.; U.S. Constitution, art. II, sect. 2.

[132] War Powers Resolution, 50 U.S.C § 1541(c) (1973). https://www.law.cornell.edu/uscode/text/50/1541.

organizations or persons."[133] Many of SOF's and general purpose forces' current activities still fall under the purview of this document, despite the ongoing argument between Congress and the President over whether or not a new AUMF is necessary to combat ISIS and other terrorist organizations.[134]

Based on the provisions outlined in U.S. Code, employing conventional forces in hostilities is relatively straight forward, but using the Armed Forces or CIA to take indirect action (i.e., providing support to a foreign resistance movement) becomes more convoluted. To understand which portions of Title 10 and Title 50 apply to an operation or activity, the first determination to make whether the activity is a traditional military activity (TMA)[135] or covert action. Many of the activities associated with STR, such as intelligence gathering, psychological operations, paramilitary training, appear similar or indistinguishable in practice, but are governed by distinct sections of U.S.C. Based on the authors' analysis, the most significant distinguishing factors between a covert action and a TMA are the intent to acknowledge the U.S. government's role and whether the operation is conducted under the direction and control of a military chain of command.[136]

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[133] 2001 Authorization for the Use of Military Force, P.L. 107–40 (2001). https://www.congress.gov/107/plaws/publ40/PLAW-107publ40.pdf.

[134] Matthew C. Weed, *A New Authorization for the Use of Military Force Against the Islamic State: Issues and Current Proposals*, CRS Report No. R43760, (Washington, DC: Congressional Research Service, 2017). https://www.hsdl.org/?view&did=799051.

[135] Traditional Military Activities (TMAs) are defined in Congressional Conference Report as "activities by military personnel under the direction and control of a United States military commander … preceding and related to hostilities which are either anticipated … to involve U.S. military forces, or where such hostilities involving United States military forces are ongoing, and, where the fact of the U.S. role in the overall operation is apparent or to be acknowledged publicly." Joint Explanatory Statement of the Committee of Conference, H.R. 1455, July 25, 1991.

[136] Executive Order 12333 § 3.5(b) as amended (2008); Joint Explanatory Statement of the Committee of Conference, H.R. 1455, July 25, 1991; It is important to note that congressional conference discussion does not place a time limit the acknowledgement of the operation or require the follow through of *actually* acknowledging the operation that remained clandestine or covert. It simply requires that at the time of execution, decision makers intend to publicly acknowledge the operation if it is ever exposed. The decision to acknowledge or deny the operation is directly related to previous discussion of international law and breeches of state sovereignty, and may have direct implications on the legal status of military personnel who traditionally operate under the legal protection of the Geneva Conventions. Further information on this can be found in Andru E. Wall's "Demystifying the Title 10-Title 50 Debate" *Harvard National Security Journal*, vol. 3, no. 1 (2011): 85–142. http://www.soc.mil/528th/PDFs/Title10Title50.pdf.

When considering the spectrum of STR activities, it is helpful to divide them into covert action, unconventional warfare, and SOF sensitive activities. Statutory law clearly defines covert action as activities of the U.S. Government "to influence political, economic, or military conditions abroad, where it is intended that the role of the [U.S. government] will not be apparent or acknowledged publicly."[137] It requires a Presidential Finding, Congressional notification within 48 hours of execution, and is overseen by the House and Senate intelligence committees. Additionally, Executive Order (EO) 12333, issued in 1981, mandates that "no agency except the CIA (or the Armed Forces of the United States in time of war declared by the Congress or during any period covered by a report from the President to the Congress under the War Powers Resolution) may conduct any covert action activity unless the president determines that another agency is more likely to achieve a particular objective."[138] The parenthetical caveat from EO 12333 alludes to the division of labor between the CIA and DOD to conduct covert action in times of war and peace, and was instituted following the dissolution of the Office of Strategic Services (OSS) and the creation of the CIA.[139] It is also important to note that this caveat does not prohibit the practice of detailing military personnel to the CIA to conduct covert action. Nor does it limit the ability of DOD to provide support covert action programs via authorized title 10 activities.[140]

Although similar in nature to covert action, UW is a TMA, designated in Title 10. This designation does not, however, negate the fact that a UW campaign may involve activities executed under Title 50 auspices and that UW is roughly a wartime equivalent to paramilitary action. It is Title 10 because war has been declared or Congress has authorized use of force, allowing the U.S. government is to openly acknowledge its involvement, if discovered. Additionally, Congress assigned UW as a Special Operations Activity in Title 10 as part of USSOCOM's Combatant Command designation, making UW a Traditional

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[137] 50 U.S.C § 3093(e) (2016).

[138] Executive Order 12333 § 1.7(a).

[139] William J. Daugherty, *Executive Secrets: Covert Action and the Presidency. (*Lexington, KY: University Press of Kentucky, 2004). 59–60.

[140] Daugherty, *Executive Secrets: Covert Action and the Presidency*, 59–60.

Military Activity (TMA). Similar to covert action, which requires a Presidential Finding, UW requires an execute order (EXORD) issued by the president. The EXORD grants the SECDEF the authority carry out the activities, placing them under a military chain of command.[141] As with other traditional military Activities, UW is overseen by the Armed Forces Committees in the House and Senate. Finally, unlike Covert Action, the definition of UW is maintained by the military, and is not codified in statutory law.[142] Joint Doctrine defines UW as "Activities conducted to enable a resistance movement or insurgency to coerce, disrupt, or overthrow a government or occupying power by operating through or with an underground, auxiliary, or guerrilla force in a denied area."[143]

The final category on the STR spectrum is Sensitive Special Operations (SSOPS), which are essentially Preparation of the Environment (PE) activities conducted by SOF in politically sensitive environments where national level oversight is required due to the potential risks and repercussions.[144] These activities are critical for gathering intelligence and preparing of the environment for potential special operations, such as UW.[145] Although preparation of the environment activities may lead to a UW or STR campaign, it is important to recognize the distinction between PE activities and a UW or STR campaign itself, as the two have different approval, authorization, and oversight requirements. Many of these activities appear to straddle the line between Titles 10 and 50, and leave substantial

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[141] U. S. Office of the Chairman of the Joint Chiefs of Staff, *Joint Operation Planning.* Joint Publication (JP) 5–0. (Washington, DC: CJCS, August 11, 2011). GL-9.

[142] Jennifer A.Obernier and Frank N. Sanders, "Enabling Unconventional Warfare to Address Grey Zone Conflict." *Small Wars Journal*. September 28, 2016. http://smallwarsjournal.com/jrnl/art/enabling-unconventional-warfare-to-address-grey-zone-conflicts.

[143] U. S. Office of the Chairman of the Joint Chiefs of Staff, *Unconventional Warfare.* Joint Publication (JP) 3-05.1. (Washington, DC: Office of the CJCS, September 15, 2015), GL-4.

[144] SSOPS are defined as "those activities conducted by SOF employing low-visibility, clandestine, or (under special circumstances) covert methods to ensure secrecy or concealment, in pursuit of national military, political, economic, or psychological objectives. These operations are characterized as politically and/or militarily sensitive, are of a high-risk nature, and require oversight at the national level. SO-related intelligence elements, when deployed via Joint Staff Operations channels, are defined as SSOPS." DOD Directive 5111.10, Assistant Secretary of Defense for Special Operations and Low-intensity Conflict (Mar. 22, 1995) (incorporating change 2, Oct. 21, 2011).

[145] U. S. Office of the Chairman of the Joint Chiefs of Staff, *Special Operations.* Joint Publication (JP) 3-05. (Washington, DC: Office of the CJCS, July 16, 2014), IV-3.

room for differing interpretations of the law or policies and creating oversight issues and a perception of DOD-CIA 'convergence.'

Convergence refers to the malign perception that DOD has ventured outside its military intelligence boundaries into the CIA's national intelligence gathering mandate, or that the CIA's counterterrorism activities have moved too far into DOD's direct action mandate.[146] Most of the 'convergence' debate revolves around the appropriate oversight and reporting for SSO activities, not STR or UW campaigns, prompts Intelligence Committees' concern that DOD is developing intelligence capabilities to bypass Congressional oversight.[147] Intelligence Community Directive (ICD) 304 attempted to alleviate some of this by requiring all members of the Intelligence Community (IC)–which includes DOD–to coordinate intelligence gathering activities with the CIA.[148] In a more recent effort to address the problem, Congress included a provision in the FY 17 NDAA mandating a pilot program to "assess the feasibility and advisability of establishing a military division within the Directorate of Operations of the Central Intelligence Agency" to improve the coordination of clandestine HUMINT collection.[149]

Aside from Title 10 and Title 50, the execution of support to resistance is regulated by yearly congressional authorization acts for national defense (NDAAs), intelligence, and occasionally, foreign relations. Currently, there are no enduring authorizations or funding for STR, which places limitation's on SOCOM's ability to react to emerging situations, execute the appropriate PE activities, and provide the National Authority with viable strategic options. In contrast, counterterrorism (CT) operations are codified in 10 U.S.C Section 127(e)–formerly section 1208–to develop and execute CT operations abroad with

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[146] Robert Chesney, "Military-Intelligence Convergence and the Law of the Title 10/Title 50 Debate," *Journal of National Security Law & Policy.* vol. 5, no. 2 (2012): 539–541.

[147] Robert Chesney, "Military-Intelligence Convergence and the Law of the Title 10/Title 50 Debate," 539–541.

[148] Office of the Director of National Intelligence, "Intelligence Community Directive 304," Washington, DC: Office of the DNI, (July 9, 2009).

[149] FY 17 National Defense Authorization Act, P.L. 114–328, Section 945 "Management of Defense Clandestine Human Intelligence Collection," (2016).

a yearly funding authorization of $100 million.[150] There are three current, but temporary, NDAA authorizations which relate specifically to DOD's role in STR–sections 1209, 1236, and 1201. Operations in Iraq and Syria which support resistance forces–albeit for CT purposes–are being executed under the authority and funding of sections 1236 and 1209, respectively, of the FY 15 NDAA.[151][152]

Although there is no *enduring* authorization or funding specific to STR, Section 1201 of the forthcoming FY 18 NDAA is certainly a step in the right direction because it allocates funding through FY 21 for irregular warfare activities, such as STR. Titled "Support of Special Operations for Irregular Warfare," this section authorizes "The Secretary of Defense [to], with the concurrence of the relevant Chief of Mission, expend up to $10,000,000 during each of fiscal years 2018 through 2021 to provide support to foreign forces, irregular forces, groups, or individuals engaged in supporting or facilitating ongoing irregular warfare operations by United States Special Operations Forces."[153] Section 1201 is likely a result of Section 1097 of the FY 16 which ordered DOD to "develop a strategy…to counter unconventional warfare threats posed by adversarial state and non-state actors" and to "analyze the adequacy of current authorities and command structures necessary for countering unconventional warfare."[154] The use of the overarching term 'irregular warfare' suggests that the authorization was not uniquely intended for UW, but for the broader concept of STR or Counter-UW activities to "[enable] or [prepare partner nations] for resistance activities, potentially as part of a deterrence or

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[150] "Support of Special Operations to Combat Terrorism," 10 U.S.C. § 127e.

[151] FY 15 National Defense Authorization Act, P.L. 113–291, Sect. 1209 "Authority to Provide Assistance to the Vetted Syrian Opposition" (December 19, 2014).

[152] FY 15 National Defense Authorization Act, P.L. 113–291, Sect. 1236 "Authority to provide assistance to counter the Islamic State in Iraq and the Levant" (December 19, 2014).

[153] Section 1201 defines Irregular Warfare as "activities in support of predetermined United States policy and military objectives conducted by, with, and through regular forces, irregular forces, groups, and individuals participating in competition between state and non-state actors short of traditional armed conflict. National Defense Authorization Act, Section 1201 "Support of Special Operations for Irregular Warfare, H.R. 2810, 115th Congress (September 18, 2017).

[154] FY '16 National Defense Authorization Act, P.L. 114–92, Sect. 1097 "Department of Defense Strategy for Countering Unconventional Warfare" (November 25, 2015).

national defense strategy."[155] As outlined in the recently drafted "U.S. Government Support to Resistance Framework," an example of these preparatory activities may be identifying and organizing resistance groups to act as 'bitter-pill' deterrents in areas susceptible to foreign infiltration or invasion from state or non-state actors, where the partner nation government has a limited ability to exert its power or has been displaced.[156]

Finally, establishing proactive and adaptive funding options for current and emerging STR requirements is important. Examining funding levels of the current STR authorizations shows how Congress is able to control and direct DOD's activities through the provision or limitation of funds. The Counter-ISIS Train and Equip Fund (CTEF) in Iraq and Syria are appropriated $1.269 billion and $250 million, respectively, for FY 17.[157] Whereas, section 1201 provides $10 million,[158] which limits the scale of these activities, but does allow USSOCOM to proactively posture its forces and infrastructure for future STR policy options. If a policy decision is made to ramp up U.S. government support to a foreign resistance element, Congress would authorize and fund the effort in a subsequent NDAA, as we will examine in the Syria discussion. However, this can be problematic if the policy decision is off-cycle with the passage of the NDAA or there is an unanticipated requirement. In these circumstances, DOD can leverage the Emergency Expense (EEE, colloquially known as "triple E") provision in section 127 of Title 10 U.S.C., which allows DOD to reallocate previously appropriated Operations and Maintenance (O&M) funds, for confidential military purposes or unanticipated emergency requirements.[159] However, this is a temporary bridging solution and would be insufficient to fund a campaign of significant scale. Other avenues to funding are through a continuing resolution, as was used to initially finance the Train and Equip Program in 2014, or through emergency supplemental appropriations, which involve a summarized version of the annual appropriations process.

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155 U.S. Government, "*United States Government (USG) Support to Resistance Framework*" (unpublished draft 0.33: USASOC, January 11, 2017), 5.

156 U.S. Government, "*United States Government (USG) Support to Resistance Framework*," 4.

157 FY '17 National Defense Authorization Act, P.L. 114–328, Stat. 2864 (2016).

158 National Defense Authorization Act, Section 1201 "Support of Special Operations for Irregular Warfare, H.R. 2810, 115th Congress (September 18, 2017).

159 "Emergency and Extraordinary Expenses,"10 U.S.C § 127 as amended.

C. SUMMARY

This chapter concludes with a distillation of the key legal judgements, considerations, and obstacles affecting the employment of STR strategies. First, successful STR is planned and resourced in an anticipatory manner that recognizes the time it takes to prepare and execute Special Warfare missions. This is a contrast to what appears to be the current model of reactionary policy provision, congressional resourcing, and strategic military planning. As a result of this reactionary model, STR efforts begin at an inherent disadvantage. Delays in policy and resource provisions limit options and decision space, ultimately creating 'in extremis' or 'cold-start' situations where the U.S. government was forced to choose the 'least worst' resistance partner, as discussed in the Syria case study. Related to this idea is the concept of "UW in a proactive fashion (Pr-UW)," which was outlined in a 2015 USASOC Whitepaper on SOF support to political warfare. This approach to UW leverages "SOF and the whole-of-government assets" to prepare the environment and to establish and maintain trust and influence with likely potential resistance groups in a region "*befor*e U.S. leaders are constrained to react to a crisis."[160] Finally, with regard to authorizations and appropriations, the legislation should be written after the development of a military strategy, or at least in conjunction with it, to ensure Congress is able to provide necessary resources and authorizations to execute the strategy–an authority-strategy match. This also provides Congress the opportunity to *wittingly* restrict aspects of a proposed strategy, as opposed to the unwitting and unintended restrictions that will be discussed in the Syria case study. Establishing the necessary posture will require greater efforts from SOCOM, the TSOCs, and ASDSOLIC to take proactive planning measures to identify how future law and policy must be shaped.

The second conclusion is that current statutory authorities make it easier to pursue CT activities because they provide a path of least resistance for rapid DOD involvement. However, this method creates ad hoc mechanisms that present immediate solutions, but do little to fix inherent shortcomings in the bureaucracy or establish enduring solutions to security challenges. In a 2013 Council on Foreign Relations study, Linda Robinson quotes

[160] U.S. Army Special Operations Command (USASOC), "*White Paper: SOF Support to Political Warfare.*" (Ft. Bragg, NC: U.S. Army Special Operations Command, March 10, 2015), 20–21.

Admiral Mcraven's 2012 posture statement, in which he states "The direct approach alone is not the solution to the challenges our nation faces today, as it ultimately only buys time and space for the indirect approach and broader governmental elements to take effect. Less well-known but decisive in importance, the indirect approach is the complementary element that can counter the systemic components of the threat."[161] Robinson goes on to argue that although SOCOM leaders agree that the indirect approach (Special Warfare) is decisive, "it has not been prioritized in practice. The lion's share of attention, effort, and resources in the past decade has been devoted to honing and applying the direct approach [Surgical Strike]. In fact, both the general public and many policymakers now equate special operations forces almost exclusively with the direct approach."[162]

The third conclusion is that UW (and SOF Sensitive Activities) are not clearly defined in USC.[163] Jennifer Obernier, an official in the Office of Undersecretary of Defense for Intelligence initially expressed in *Small Wars Journal.* Obernier argues the lack of a codified definition contributes to congressional misunderstanding of what exactly UW is and how it should be employed. Unlike its Title 50 cousin, covert action, UW–and now STR–has no clearly defined process to garner approval, get interagency stakeholder feedback, and report activities to Congress.[164] The process is more ad hoc due to the infrequency in which Title 10 UW has been employed. The lack of a codified definition and approval process creates a potentially limiting factor for the employment of UW or STR.

Next, although this research has identified some gaps in authorities, the problem is more often a lack of approvals than a lack of authorities. As several interviewees from different organizations noted, even when there is an authorities gap, if political will exists,

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[161] Linda Robinson, "The Future of U.S. Special Operations Forces," Council Special Report No. 66, (Washington, DC: Council on Foreign Relations, April 2013). 10–11. http://www.cfr.org/special-operations/future-us-special-operations-forces/p30323.

[162] Robinson, "The Future of U.S. Special Operations Forces," 2013, 13.

[163] Obernier and Sanders, "Enabling Unconventional Warfare to Address Grey Zone Conflict."

[164] Obernier and Sanders, "Enabling Unconventional Warfare to Address Grey Zone Conflict."

authorities and funding will quickly follow, as the nation saw in Afghanistan in 2001.[165] Where approvals do exist, a lack of knowledge regarding international and domestic law on the part of military planners creates the potential for those same planners to provide Combatant Commanders–and ultimately policymakers–with unacceptable strategic options. In the same vein, STR activities that require national level approval must clearly support policy objectives and their benefits should outweigh the potential risks. As special operations are often bottom-up driven, a lack policy understanding at lower echelons creates the potential for delay or disapproval of critical operations. Finally, as described in the Syria case study, the excessive use and reliance on CONOPs as part of the approval process–vice the use of OPORDs and fragmentary orders, which provide subordinates with clear commander's intent, tasks, requirements and constraints–degrades operational flexibility by delaying decision making and stifling the ability of subordinate commanders to "exercise disciplined initiative."[166]

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[165] Authors' Interview, Former U.S. Military Official, Naval Postgraduate School, May 2017.; Authors' interview, current U.S. Military Official, email correspondence, October 2017.; Author Interview, former U.S. Government Official, Naval Postgraduate School, May 2017.

[166] Authors' Interview, Former U.S. Military Official, Naval Postgraduate School, May 2017.; U.S. Department of the Army, *Mission Command* Army Doctrine and Reference Publication 6–0, (Washington, DC: U.S. Department of the Army, May 17, 2012), 2–1 to 2–5.

VII. POLITICAL OBSTACLES

It is not possible to discuss obstacles to military planning without accounting for political considerations. Highlighting the interplay of politics and armed conflict, military theorist Carl von Clausewitz famously posited that "War is not merely an act of policy but a true political instrument, a continuation of political intercourse, carried on with other means."[167] Echoing this sentiment, strategist Thomas K. Adams states that "there is an area where the degree of interconnection … between these [political and military] spheres is contentious and poorly defined: this is the area of UW."[168] Accordingly, politics and UW are inextricably linked by their very nature. Refining this connection between the political and military spheres further, political scientist Hans Morgenthau cautions that the Armed Forces as "the instrument of foreign policy should not become the master of foreign policy."[169] Therefore, Morgenthau continues, "an indispensable prerequisite" to any foreign policy is "the subordination of the military under the civilian authorities which are constitutionally responsible for the conduct of foreign affairs."[170] Thus, to fulfill this prerequisite, any proposed UW or STR planning effort must endure immense scrutiny from civilian authorities to ensure the increased risk and wide ranging effects directly tie to U.S. foreign policy objectives or, at least the very least, to approved contingency and operation plans (OPLANs).

However, given the frequency of disconnections between civil and military leadership, it is becoming increasingly difficult to develop feasible military options that suitably address the threat to the United States or its allies, while reflecting foreign policy objectives and political sensitives. To mitigate at least a portion of this obstacle,

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[167] Carl von Clausewitz, *On War*, Michael Howard and Peter Pared, eds. and trans., (Princeton, NJ: Princeton University Press, 1976, Revised 1984), 87.

[168] Thomas K. Adams, U.S. *Special Operations Forces In Action: The Challenge of Unconventional Warfare*, (London: Frank Cass, 1998), 18.

[169] Hans Joachim Morgenthau, *Politics Among Nations: The Struggle for Power and Peace*, 5th ed. [rev. and reset], New York: Knopf, 1973, 545. See also Dana Priest, *The Mission: Waging War and Keeping Peace with America's Military* (New York: W.W. Norton & Co., 2003).

[170] Morgenthau, *Politics Among Nations: The Struggle for Power and Peace* (1973), 545.

USSOCOM has established a network of liaison officers within the national capital region (NCR) to represent its equities among the interagency community. While effective in its promotion of counter-terrorism (CT) initiatives, this network has not been able to provide adequate representation to USSOCOM's UW/STR capabilities for a myriad of reasons, such as the national priority of CT since 9/11 and the perceived over-militarization of foreign policy. Compounding this difficulty further is the necessary, yet cumbersome, national security policy system which varies and evolves during each administration. Furthermore, politicians' risk aversion and the focus on larger geopolitical priorities exacerbates the challenges that military planners will face. It is true that elected officials' hesitation to risk neither the lives of military members nor domestic and international political capital is unquestionably valid in certain cases; however, in other instances, this trend of reluctance creates a cognitive barrier that restricts free-thinking and the formation of non-traditional military options among planners.

This chapter will analyze political challenges to UW and STR planning under the broad categories of grand strategy, civil-military disconnection, the NSC process, risk aversion, and geopolitics. Following this analysis, further examination of these challenges through the lens of the Operation Inherent Resolve (OIR) will demonstrate that these complications continue to significantly impact the United States' national security strategy while hindering the progress of UW or STR initiatives.

A. CHALLENGES OF BRIDGING CIVIL-MILITARY DISCONNECTION THROUGH A GLOBAL SOF NETWORK

The first political obstacle to military planning is often the civil-military disconnect stemming from the separation of powers enshrined in the constitution. Political scientist Eliot Cohen begins his book *Commandos and Politicians* by discussing Alexander Hamilton's "fundamental anxiety…that the guardians of the polity might turn against it."[171] Additionally, in his book *The Soldier and the State*, military sociologist Samuel Huntington further elaborated on the need to separate the "guardians" from the "polity," writing that "[p]olitics is beyond the scope of military competence, and the participation of

[171] Elliot A. Cohen, *Commandos and Politicians*, (Cambridge: Harvard University, 1978), 15.

military officers in politics undermines their professionalism, curtailing their professional competence, dividing the profession against itself, and substituting extraneous values for professional values."[172] These concerns led America's founding fathers to establish civilian control of the military within the first two articles of the U.S. Constitution.[173]

Although now considered an axiom of the American government, this necessary separation is not without repercussions. This separation of civil and military leadership has over time contributed to a substantial lack of common understanding between the two elements. In his speech at Duke University in 2010, then-Secretary of Defense Robert Gates described civil-military detachment more broadly, stating:

> whatever their fond sentiments for men and women in uniform, for most Americans the wars remain an abstraction. A distant and unpleasant series of news items that does not affect them personally… [W]ith each passing decade fewer and fewer Americans know someone with military experience in their family or social circle.[174]

Historical analysis from the Pew Research Center quantifies this disconnect between America's elected leadership. Specifically, in the 115th U.S. Congress, which took office January 2017, Pew found that only 20% of senators and 19% of representatives have any record of service in the military.[175] Moreover, independent research of the 115th Congress determined that only 31% of the members of the House Armed Service Committee (HASC) and 37% of members of the Senate Armed Services Committee (SASC) have any history of military service, either active or reserve.[176] Additionally, the Pew Center's research underscored that this modest level of military experience within all

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172 Samuel Huntington, *The Solider and the State*, (Cambridge: Harvard University, 1957), 71.

173 U.S. Const. Art. I, §8 states that Congress shall have the power "to raise and support Armies …" and "to provide and maintain a Navy;" U.S. Const. Art. II, §2 states that "The President shall be the Commander in Chief of the Army and Navy of the United States, and of the Militia of the several States when called into the actual Service of the United States."

174 Robert M. Gates, "All-Volunteer Force," (lecture, Duke University, Durham, NC, September 29, 2010).

175 "The changing face of Congress in 5 charts," Pew Research Center, Washington, DC, (February 2, 2017), http://www.pewresearch.org/fact-tank/2017/02/02/the-changing-face-of-congress-in-5-charts/.

176 Authors of this research found that 19 of the 62 members of the House Armed Services Committee and 10 of the 27 members of the Senate Armed Service Committee held a record of active or reserve military service.

of Congress was a significant decrease from prior sessions, such as its peak in 1967 at 75% in both chambers and levels of 37% and 27% for senator and representatives, respectively, in 2001.[177] Not only do these findings signal a potential increase in the civil-military disconnect in the future, but they also demonstrate the extent of the current deficit of military experience within present-day civilian leadership. Although military experience is rightfully not a prerequisite for elected office within the United States, this absence of a frame of reference for elected officials hampers their ability to understand complex and, at times, ambiguous military operations, such as UW and STR. Consequently, political leaders require sound advice and consultation from qualified individuals within the country's military establishment to ensure all means of executing national security policy are explored prior to the final decision.

1. SOF'S Global Network to Improve the Civil–Military Disconnect

To ameliorate the effects of such civil-military disconnect, USSOCOM leverages its global SOF network. Military doctrine acknowledges the importance of SOF influence and support to national policymakers through an intricate liaison network referred to as the "global SOF network." Specifically, JP 3–05 *Special Operations* outlines this liaison structure as a "synchronized network of people and technology (U.S., allies, and partner nations) designed to support commanders through inter-operable capabilities that enable special operations."[178] For the National Capital Region (NCR), the global SOF network's efforts were, at one point, funneled through a single conduit: USSOCOM-NCR.

Attempting to improve this disconnection, Admiral McRaven established USSOCOM-NCR as a means to enhance the interagency community's understanding of SOF formations and capabilities by leveraging SOF liaison officers to help shape future U.S policy. In his 2013 statement to the HASC, then USSOCOM commander Admiral McRaven highlighted the two central functions of the USSOCOM-NCR: "support[ing] coordination and decision making with interagency partners" and "ensur[ing] that the

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[177] "The changing face of Congress in 5 charts," Pew Research Center, Washington, DC, (February 2, 2017), http://www.pewresearch.org/fact-tank/2017/02/02/the-changing-face-of-congress-in-5-charts/.

[178] Joint Chiefs of Staff, JP 3-05, *Special Operations*, I-4.

perspectives and capabilities of interagency and international mission partners are incorporated into all phases of SOF planning efforts"[179] In other words, this portion of the global SOF network informs both interagency and USSOCOM leadership above and below their level to facilitate both a common operational picture and unity of effort.

Further demonstrating the importance of this network, USSOCOM placed its Vice-Commander in Washington, DC, to lead this effort through the management of SOF liaisons, referred to as Special Operations Support Teams (SOSTs). From their inception in 2012, these teams of one to three persons have embedded throughout various departments and agencies of the U.S. government with the stated purpose of "facilitating the exchange of information" for the SOF community.[180] By placing these nodes within the various interagency headquarters, USSOCOM intended to improve its operational picture within the nation's capital and reduced disconnection between civil and military leadership. However, Congress blocked funding for this USSOCOM initiative under the FY 14 National Defense Authorization Act until DOD provided more information on the funding and justification for this regional organization.[181] Although this action effectively ended the USSOCOM level NCR initiative, lower level regional liaison networks, such as the Joint Interagency Task Force (JIATF)-NCR, continue to support at least a portion of USSOCOM equities through their access to interagency partners.

2. Impediments to the Global SOF Network's Effectiveness

By maintaining an imbalanced focus on CT operations, the improvements afforded to civil-military intercourse by the global SOF network are potentially negated for other SOF capabilities, such as UW. Since 9/11, the United States' defense has been noticeably fixed on combatting terrorism. Chapter II of JP 3–05 *Special Operations* outlines 12 core activities for U.S. SOF, "reflect[ing] the collective capabilities of all joint SOF rather than

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[179] William H. McRaven, "USSOCOM Posture Statement," House Armed Services Committee, March 6, 2013.

[180] Joint Special Operations University, *Special Operations Interagency Reference Manual*, (Tampa: JSOU, 2013), http://www.soc.mil/528th/PDFs/2013SOFIACTRefManual_Final.pdf, I-50.

[181] National Defense Authorization Act for Fiscal Year 2015, Public Law 113–66, *Limitation on Availability of Funds for Trans Regional Web Initiative*, 342 (2013). https://www.congress.gov/113/plaws/publ66/PLAW-113publ66.pdf.

those of any one Service or unit."[182] Yet, despite this broad range of capabilities, from surgical strike to special warfare, "prioritize[d] targeted counterterrorism operations" remain at the core of the country's national security strategy.[183] Viewed by a majority of Americans as the "leading threat" to national security, terrorist groups such as the Islamic State of Iraq and Syria (ISIS) advance this narrative that the defense of the United States must center on CT.[184] Therefore, that USSOCOM-NCR and its SOST liaisons focus primarily on promoting CT initiatives as spokesmen for the "pre-eminent Counterterrorism force."[185]

The nation's CT focus unduly narrows civilian leaders' understanding of how other SOF capabilities, such as UW and STR, help preserve America's national interests abroad. While highlighting USSOCOM's role as DOD's global synchronizer for CT efforts, current USSOCOM Commander General Raymond A. Thomas mentioned terrorism and CT effort a total of 10 times in his most recent posture statement to CT. Conversely, GEN. Thomas did not mention UW and STR once.[186] This form of routine emphasis on CT when addressing political leadership ultimately relegates SOF's other 11 core activities to the background. In her book *How Everything Became War and the Military Became Everything*, Georgetown law professor and former counselor to the Under Secretary of Defense for Policy Rosa Brooks notes that "after 9/11, the expansion of [SOF] activities was virtually inevitable" since "terrorist organizations don't fight like conventional

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[182] JP 3-05, II-2; JP 3-05 lists U.S. SOF's core activities as: direct action, special reconnaissance, countering weapons of mass destruction, counterterrorism, unconventional warfare, foreign internal defense, security force assistance, hostage rescue and recovery, counterinsurgency, foreign humanitarian assistance, military information support operations, and civil affairs.

[183] Barack Obama, *National Security Strategy* (Washington, DC: White House, 2015), 9, http://nssarchive.us/wp-content/uploads/2015/02/2015.pdf.

[184] "Globally, People Point to ISIS and Climate Change as Leading Security Threats," Pew Research Center, Washington, DC, (August 1, 2017), http://www.pewglobal.org/2017/08/01/globally-people-point-to-isis-and-climate-change-as-leading-security-threats/.

[185] United States Special Operations Command, "SOCOM 2020: Forging the Tip of the Spear," (Tampa, FL: USSOCOM, 2012), 4.

[186] Department of Defense, Unified Command Plan, April 6, 2011; Raymond A. Thomas, *USSOCOM Posture Statement*," 115th Cong. 1 (2017), http://www.socom.mil/Pages/posture-statement-hasc.aspx.

armies" and SOF "were designed to handle unconventional threats."[187] Yet, when the global SOF network promotes only CT forces/capabilities to combat these "unconventional threats," it effectively sustains the civil-military disconnection by minimizing potential advantages that other SOF activities could offer to the interagency community.

USSOCOM's continued expansion in both size and influence sustains the civil-military disconnect and adds to interagency concerns over the militarization of foreign policy. Although many of the concerns discussed within this research are based in qualitative analysis, the interagency community's concern over the exceptional growth of DOD and USSOCOM since 9/11 is quantifiable. The annual size and budget of the DOD far outweigh that of almost every other government entity. For example, in FY17, the Department of State had a total of 75,604 employees and a budget of $50.1 billion.[188] This is dwarfed by the DOD's approximately 1.3 million employees and $560.4 billion (including both base and overseas contingency operations funding) budget.[189] Moreover, USSOCOM has experienced record growth in the 16 years since 9/11 with twice the number of personnel and three times as much budget.[190] With only 6% of the personnel and 9% of the budget of DOD, it is clear why the foreign service and members of the United States Agency for International Development (USAID) are apprehensive about SOCOM's liaison network. While the other organizations under the U.S. government may have larger budgets or number of personnel than DoS, none compare with the size and scope of the

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[187] Rosa Brooks, *How Everything Became War and The Military Became Everything: Tales From The Pentagon*, (New York: Simon & Schuster, 2016), 120–121.

[188] Department of State, "HR Fact Sheet," Bureau of Human Resources, June 30, 2017, https://www.state.gov/documents/organization/25421.pdf;

Department of State, "Department of State, Foreign Operations, and Related Programs: Congressional Budget Justification," (Washington, DC: U.S. Department of State, 2016), 1, https://2009-2017.state.gov/documents/organization/252179.pdf.

[189] Defense Manpower Data Center, "DOD Personnel, Workforce Reports, & Publications," July 31, 2017, https://www.dmdc.osd.mil/appj/dwp/dwp_reports.jsp;

Department of Defense, "Defense Budget Overview," (Washington, DC: Office of the Under Secretary of Defense (Comptroller), 2016), 1–2, http://comptroller.defense.gov/Portals/45/Documents/defbudget/fy2017/FY2017_Budget_Request_Overview_Book.pdf.

[190] *The Future of U.S. Special Operations Forces: Ten Years After 9/11 and Twenty-Five Years After Goldwater-Nichols*, 112th Cong. 1 (2011) (statement of Admiral McRaven, USSOCOM Commander).

DOD. Furthermore, with the proposed decrease in soft power and increase to military spending in the current administration's budgets requests, there is a strong potential for this disparity to grow even larger in the near future.[191] This concern over the ascendency of the military is further exacerbated by the multiple areas of overlap between DOD and certain interagency activities that are discussed further in the legal chapter. Therefore, the "gutting of America's soft power" (a term coined by Rosa Brooks) leads to what Secretary Gates warns is the DOD taking on "many of [the] burdens that might have been assumed by civilian agencies in the past."[192] As a result, it is plain to see why the USSOCOM-NCR faces an uphill battle when attempting interagency collaboration and facilitating a common understanding of SOF capabilities.

B. SUBJECTIVE ORGANIZATION AND MANAGEMENT OF THE NSC PROCESS

Proposed STR operations must also navigate a dynamic NSC approvals process that changes with each administration. Since its establishment by the National Security Act of 1947, the NSC has provided the nation's primary analysis and adjudication process for all national security policy options reaching the President's office for decision. As outlined in Title 50 of the United States Code (USC), the NSC serves to "assess and appraise the objectives, commitments, and risks of the United States in relation to the actual and potential military power of the United States, and make recommendations thereon to the President."[193] For this reason, JP 5–0 *Joint Operations Planning* identifies the NSC system as "the principal forum for interagency deliberation of national security policy issues requiring Presidential decision."[194] Yet, despite this acknowledged primacy, few military members thoroughly understand the inner workings of the NSC Staff that will ultimately

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[191] Felicia Schwartz, "Trump proposes cutting State Department budget by 37%," *The Wall Street Journal*, February 28, 2017, https://www.wsj.com/articles/white-house-proposes-cutting-state-department-budget-by-one-third-1488306999.

[192] Brooks, *How Everything Became War and The Military Became Everything: Tales From The Pentagon* (2016) 102; Robert M. Gates, "Landon Lecture," University of Kansas, November 26, 2007, https://www.k-state.edu/media/newsreleases/landonlect/gatestext1107.html.

[193] 50 U.S.C § 3021 (2016).

[194] Joint Chiefs of Staff, *Joint Operations Planning*, JP 5–0 (Washington, DC: Office of the Joint Chiefs of Staff, 2011), II-2.

review, analyze, and discard or recommend their courses of action for decision at higher levels. Moreover, few military members outside of the Pentagon or Washington, DC, have ever even dealt with the subordinate Policy Coordination Committees (formerly known as Interagency Policy Committees) or Deputies Committee supporting the Principals Committee and NSC; therefore, the process of the NSC has remained a concept foreign to most military members since its creation.

The evolution of the NSC through several periods of success and failure for the national security policy process has current implications for special operations. The Eisenhower administration provides several salient examples of effective NSC management enhancing covert operations. From the council's onset in the early years of the Cold War, the benefits of thorough analysis and informed advice provided by the NSC staff were evident as Soviet expansion routinely threatened U.S. interests abroad. This period was later referred to as the "golden age of covert action" since "movements of U.S. troops in any sizeable numbers risked superpower confrontation [e.g., the Korean War]…[and] traditional diplomacy seemed cumbersome at best and counterproductive at worst."[195] As the prominence of covert action grew through the CIA's activities in such contentious places as Iran, Guatemala, and Indochina, President Dwight D. Eisenhower leveraged over four decades of military experience managing complex and dynamic staffs to establish an NSC system based on "trust and effective enforcement measures."[196] Specifically, President Eisenhower institutionalized the structure and functions of the NSC through the creation of the NSA position (originally named Special Assistant for National Security Affairs), the Operations Coordinating Board, and the Board of Consultants on Foreign Intelligence Activities. From that point forward, the NSA would serve the President as "a source of advice" instead of a policymaker, managing the preparation of studies, and policy recommendations/drafts for policy coordination, enabling the NSC to

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[195] George J. A. O'Toole, *Honorable Treachery: A History of U.S. Intelligence, Espionage, and Covert Action from the American Revolution to the CIA*, (New York: Atlantic Monthly Press, 1991), 482;

Twentieth Century Fund, *The Need to Know: The Report of the Twentieth Century Fund Task Force on Covert Action and American Democracy*, (New York: Twentieth Century Fund Press, 1992), 37.

[196] Kori Schake and William F. Wechsler, "Process Makes Perfect," *Center for American Progress*, January 2017, accessed October 2, 2017, https://www.americanprogress.org/issues/security/reports/2017/01/05/295673/process-makes-perfect/.

"handle an increasing volume of [national security] matters."[197] While President Kennedy initially eliminated both boards upon taking office in an attempt to reduce the "pyramid structure…[and] needless paperwork and machinery between the president and his responsible officers," similar functioning bodies were reinstituted within the NSC following the CIA's failed invasion at the Bay of Pigs.[198] Though President Eisenhower's manning and management of the NSC was without a doubt extensive, a properly functioning and managed NSC proved essential to the success of covert operations during a vital period American history.

In contrast to the Eisenhower administration, the Reagan administration revealed the clear danger that mismanagement of the NSC process presents to special operations and covert action. Describing this period of American history, author and former chief of the CIA's Problem Analysis Branch George J. A. O'Toole notes that special operations and covert action were the "favorite instrument of the Reagan administration…most notably in Nicaragua and Afghanistan, despite congressional opposition."[199] Upon taking office, President Reagan reorganized the NSC Staff identifying his Secretary of State as his "principal foreign policy advisor" and creating three "Senior Interagency Groups" to direct policy formation in the areas of foreign policy, defense, and intelligence.[200] This reorganization, while intended to "restore cabinet leadership" that had eroded through divisions dating back to the Nixon administration, eventually resulted in the swelling of the NSC staff due to "uncertain lines of responsibility" and the absence of "orderly decision making" by the President.[201]

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[197] Richard A. Best Jr., *The National Security Council: An Organizational Assessment*, CRS Report No. RL 30840 (Washington, DC: Congressional Research Service, 2011), 8–9, https://fas.org/sgp/crs/natsec/RL30840.pdf.

[198] Meena Bose, *Shaping and Signaling Presidential Policy: The National Security Decision Making of Eisenhower and Kennedy*, (College Station: Texas A&M University Press, 1998), 13.

[199] G. J. A. O'Toole, *Honorable Treachery* (1991), 482.

[200] The White House, *National Security Decision Directive Number 2: National Security Council Structure*, (Washington, DC: The White House, 1982), https://reaganlibrary.archives.gov/archives/reference/Scanned%20NSDDS/NSDD2.pdf.

[201] Best Jr., *The National Security Council: An Organizational Assessment* (2011), 18.

The consequences of this lack of authority over the NSC came to the forefront when NSC staffers, notably Lieutenant Colonel Oliver North, moved beyond policy formation and into policy implementation during the Iran-Contra affair.[202] Congress' subsequent Tower Commission investigation into this incident would determine that flawed and informal decision making processes were contributing factors to the failed covert program, which "appeared to run directly counter to declared U.S. policies."[203] In the fallout from this international blunder, President Reagan restored central authority within the NSC to the NSA appointing then Lieutenant General Colin Powell to the position. Among other things, General Powell is credited with restoring integrity and effective rule enforcement to the NSC staff while "emphasizing that he worked for the statutory Cabinet members of the NSC, not just the president."[204]

The malleable organization, size, and direction of the NSC process highlight how much of this advisory staff is shaped by the administration and by significant events. Although the NSC itself is codified in law, the organization and process of the council are left to the discretion of the administration and its designated National Security Advisor (NSA). Stephen Hadley, former NSA to President George W. Bush, underscored the impact of this executive discretion stating that "Presidents get the national security process they deserve."[205] Therefore, the management style and experience of the President, or lack thereof, will largely influence the NSC organization and process. The current framework of the NSC, which consists of three subgroups (Principals Committee, Deputies Committee, and subordinate interagency groups of varying names), was established by

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[202] Alan G. Whittaker, Frederick C. Smith, and Elizabeth McKune, *The National Security Policy Process: The National Security Council and Interagency System*, (Washington, DC: National Defense University, 2008), 9, http://handle.dtic.mil/100.2/ADA502949.

[203] "Excerpts from the Tower Commission's Report," The American Presidency Project, accessed October 2, 2017, http://www.presidency.ucsb.edu/PS157/assignment%20files%20public/TOWER%20EXCERPTS.htm.

[204] Schake and Wechsler, "Process Makes Perfect," 9.

[205] Schake and Wechsler, 3.

Brent Scowcroft during President George H.W. Bush's administration.[206] Supporting this framework is the NSC staff, which varies in size and focus with each administration as well. For example, the NSC Staff in 1991 was estimated at 45 personnel, compared to nearly 400 personnel at its zenith in 2016 under the Obama administration.[207] Former NSA and Secretary of State Condoleezza Rice attributed the increase to a merger with the Homeland Security Council, which formed following the 9/11 attacks, and also to the "intensification of emerging security challenges, from cyber threats to public health emergencies such as Ebola."[208] Public opposition to this immense interagency system within the White House has grown in recent years, culminating in the FY 16 NDAA mandate that the NSC Staff be limited to 100–150 staff members, including detailees.[209] While the "right-sizing" of the NSC is outside the scope of this research, its notable history of expansion and retraction demonstrates the volatility of this interagency environment.[210]

C. POLITICAL RISK AVERSION

The increased risk for STR and UW operations puts them in direct conflict with the culture of risk aversion that is firmly rooted in the democratic foundations and history of

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[206] President Trump renamed the subordinate interagency group known as 'Interagency Policy Committees' during President Obama's administration and reflected in JP 5–0, *Joint Operations Planning*, to 'Policy Coordination Committees' in National Security Presidential Memorandum-2, dated January 28, 2017;Kim R. Holmes, "Memo to a New President: How Best to Organize the National Security Council," *Backgrounder*, no. 3098, (April 2016), 5, http://www.heritage.org/defense/report/memo-new-president-how-best-organize-the-national-security-council.

[207] Mark Cancian, "Limiting the Size of the NSC Staff," Center for Strategic & International Studies, July 1, 2016, accessed October 2, 2017, https://csis-prod.s3.amazonaws.com/s3fs-public/publication/160902_Limiting_Size_NSC_Staff.pdf.

[208] Karen DeYoung, "Rice favors 'mean but lean' National Security Council," *The Washington Post*, January 17, accessed October 2, 2017, https://www.washingtonpost.com/world/national-security/rice-favors-mean-butlean-national-security-council/2017/01/16/6244aa3c-dc49-11e6-ad42-f3375f271c9c_story.html?utm_term=.73b15003f9e2.

[209] Kathleen J. McInnis, *Right-Sizing" the National Security Council Staff?* (CRS Insight No. IN10521) (Washington, DC: Congressional Research Service, 2016), https://fas.org/sgp/crs/natsec/IN10521.pdf.

[210] Further research on recommendations for the proper size and scope of the NSC Staff can be found at: Shawn Brimley, Dafna H. Rand, Julianne Smith, Jacob Stokes, *Enabling Decision: Shaping the National Security Council for the New President*, (Washington, DC: Center for a New American Security, June 2015), http://www.cnas.org/sites/default/files/publicationspdf/CNAS%20Report_NSC%20Reform_Final.pdf; Charles P. Ries, *Improving Decisionmaking in a Turbulent World*, (Arlington, VA: RAND Corporation, 2016), http://www.rand.org/pubs/perspectives/PE192.html.

the U.S. government. As outlined in JP 3–05 *Special Operations*, SOF's "smaller units" and "unique capabilities" are defining characteristics making Special Operations more palatable for elected officials than the employment of larger Conventional Forces.[211] Yet, in a similar fashion to covert action, the advantages of leveraging SOF in STR and UW will come with increased political risks inherent these operations. For this reason, military planners must fully understand and appreciate the culture of risk aversion within the U.S. government to ensure that the gains for any purposed military operations outweigh the risks involved. While many conflate risk aversion with political posturing or shortcomings, the Constitution provides a more comprehensive explanation for this aversion. To prevent potential misuse of the military, the nation's founding fathers explicitly divided administration and command of the military between Congress and the President, respectively. By dividing these powers between the two branches of government, the framers of the Constitution not only established a safeguard against the abuse of power vis-à-vis the military, but also demonstrated their intention to maintain these services as a defensive force.[212] Through maintaining a Navy and raising an Army, Congress could provide the necessary protection for America's commerce and limit the possibility that the Executive branch could misuse a standing Army against the American people or other foreign states for malign interests.

This defensive use of the Armed Forces is further reflected in both the *Federalist Papers* and President George Washington's Farewell Address. In Federalist Paper No. 3, the U.S. Secretary of Foreign Affairs John Jay states that "[t]he just causes of war, for the most part, arise either from violation of treaties or from direct violence."[213] By limiting justified armed engagement to these two central infringements, Jay promotes the Federalist position that military intervention should focus solely on the defense of U.S. interests. President George Washington echoed this Federalist concept during his 1796 Farewell Address. While this address primarily focused on urging Americans to remain cautious of

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[211] Joint Chiefs of Staff, JP 3-05, *Special Operations*, I-2.

[212] Walter Millis, "The Military Clauses of the Constitution," In *American Military Thought* (New York: Bobbs Merrill, 1966), 28.

[213] John Jay, "Federalist Paper No. 3: Concerning Dangers from Foreign Force and Influence," for the *Independent Journal*, November 3, 1787.

foreign alliances, Washington added that future American leadership would be well-served to "always to keep ourselves, by suitable establishments, on a respectably defensive posture."[214] Again, this forethought of the military as a defensive force clearly permeated the thoughts of the nation's founders.

Further evidence of America's efforts to limit risk is found within the War Powers Resolution of 1973. Near the end of the Vietnam War, Congress took action to establish statutory checks on the President's powers as Commander in Chief. Describing this period, legal scholar John Hart Ely writes that it was at this point in American history that Congress finally realized that "it had been dodging its constitutional duty to make the decision whether to commit American troops to combat" since the end of WWII.[215] To rectify this dereliction of duty, Congress passed the joint War Powers Resolution of 1973, overriding President Nixon's veto. This joint resolution attempted to clarify several "gray areas" under the authorities of the Legislative and Executive Branches concerning military action.[216] Specifically, the resolution intended to "insure that the collective judgement of both the Congress and the President will apply to the introduction of United States Armed Forces into hostilities."[217] Congress underpinned this "collective judgement" with several requirements for what it referred to as "undeclared wars." Examples of these requirements are a mandatory notification to Congress within 48 hours of deploying U.S. Armed Forces and a 60-day limit to this deployment of Armed Forces unless otherwise approved by Congress (other examples are discussed in Chapter VI [legal obstacles] of this research). While all subsequent Presidents have continued to challenge the constitutionality of this

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[214] George Washington, "Farewell Address," *American Daily Advertiser*, Washington, DC, September 9, 1796.

[215] John Hart Ely, *War and Responsibility: Constitutional Lessons of Vietnam and its Aftermath*, (Princeton: Princeton Univ. Press, 1993), 48.

[216] Additionally, the War Power Resolution of 1973, when combined with the Hughes-Ryan Amendment, asserts Congressional authority over the Central Intelligence Agency (CIA) and covert action through establishment of the House Permanent Select Committee and Senate Select Committee on Intelligence.

[217] 50 U.S.C § 1524 (2016).

resolution, the message sent by Congress to the Executive Branch was clear: prepare for restrained use of military intervention in the future.[218]

America's elected officials' risk aversion was further engendered by the country's checkered history with foreign intervention after Vietnam. Approaching the end of the Cold War, the United States experienced several impressive covert and overt military victories in the 1980s and early 1990s. Specifically, the United States' enabled the Mujahedeen's successful overthrow of the Soviet occupation in Afghanistan through nearly a decade of covert support in Operation Cyclone; militarily ousted Panamanian General Manuel Noriega in Operation Just Cause; and expelled Iraqi forces from Kuwait in Desert Storm. Through these successful overt and covert operations, multiple levels of the United States' instruments of national power appeared adept at foreign intervention.

Despite this pattern of successive victories at the end of the Cold War, the United States experienced limited success in military intervention after Desert Storm. Beginning in 1993, with the death of 19 military personnel during Operation Restore Hope in Somalia, both civil and military leadership began to view resolving the nation's "uncoordinated and unclear" foreign policies through intervention as a precarious measure.[219] This jarring experience in Somalia affected President William Clinton's and Congress' decisions not to intervene in the 1994 Rwandan genocide and, in 1995 to delay intervention in the Serbian massacre in Bosnia.[220] Moreover, the dawn of the 21st century reflected a similar aversion to intervention, as President George W. Bush's administration focused on a retaliatory response to 9/11 in Afghanistan and in Iraq in 2003 while genocide and civil war in the Sudan went unchecked for nearly a decade. Although scholars may argue about whether the United States' aversion to foreign intervention stems from concern over costs,

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[218] Further research on the comparing positions for and against the constitutionality of the War Power Resolution can be found at: Stephen L. Carter. "The Constitutionality of the War Powers Resolution," Virginia Law Review 70 (February 1, 1984); Matthew C. Weed, *The War Powers Resolution: Concepts and Practice*, CRS Report No. R42699, (Washington, DC: Congressional Research Service, 2017), https://fas.org/sgp/crs/natsec/R42699.pdf.

[219] Senate Armed Services Committee, Review of the Circumstances Surrounding the Ranger Raid on October 3–4 1993 in Mogadishu, Somalia (1995), 50.

[220] Cigdem V. Sirin, "Public Support for Military Interventions across Levels of Political Information and Stages of Intervention: The Case of the Iraq War," *Armed Forces & Society*, vol. 38, no. 2 (April 2012).

casualties, domestic support, or a combination thereof, America's difficult experience with foreign intervention in the post-Cold War era has contributed to the culture of aversion.[221]

In the modern interagency operating environment, political risk aversion ultimately transcends the boundary between civil and military leadership and now pervades senior military leadership as well. In his 2004 article from *The Weekly Standard* entitled "Showstoppers," international politics scholar Richard Schultz Jr. proposes that the diffusion of risk aversion throughout senior military ranks is one of several why the United States did not pursue terrorist organizations, such as al-Qaeda, prior to 9/11.[222] Schultz quotes a military official with special operations and Joint Staff experience, stating that "risk aversion emerges as senior officers move into higher positions …. They get caught up in interagency politics and the bureaucratic process, and get risk-averse."[223] Within the military, the penchant towards risk aversion promotes what has been coined a "zero-defects" mentality, which requires "perfect operations, no casualties, no failure."[224] Historical research from the Center for Strategic International Studies on American military culture in the 21st century found that this mentality of mandatory perfection within the military and civilian leadership soon leads to an environment of "dysfunctional conformity" and micromanagement.[225] With this in mind, it appears that military planners will need to confront risk aversion both outside and within their organization.

D. GEOPOLITICS

The fourth and final political obstacle military planners must contend with are the sensitivities of geopolitics given the likelihood of pervading regional, and potentially

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221 For further research on the causes of risk aversion, see: David L. Eckles, Brain F. Schaffner, "Risk Tolerance and Support for Potential Military Interventions," *Public Opinion Quarterly*, vol. 75, no. 3 (2011); Bruce W. Jentleson, Rebecca L. Britton, "Still Pretty Prudent," *Journal of Conflict Resolution*, vol. 42, no. 4 (August 1998).

222 Richard H. Shultz, Jr., "Showstoppers: Nine Reasons Why We Never Sent Our Special Operations Forces After al Qaeda Before 9/11," *The Weekly Standard* 9, no.19 (26 January 2004), http://www.weeklystandard.com/showstoppers/article/4846.

223 Shultz Jr., "Showstoppers."

224 Shultz Jr.

225 Joseph J. Collins, *American Military Culture in the Twenty-First Century: A Report of the CSIS International Security Program*, (Washington, DC: Center for Strategic International Studies, 2000), 34.

global, impacts triggered by any STR campaign. In his book *Geography and Politics in a Divided World*, American geographer Saul B. Cohen defined geopolitics as "the relation of international political power to the geographical setting."[226] In joint doctrine, this interaction of international political power and geography is captured within the definition of special operations as the environment of "hostile, denied, or politically and/or diplomatically" sensitivities in which SOF operates.[227] Furthermore, joint doctrine highlights that it is this degree of "political and/or diplomatic risk" that may separate special operations from conventional operations. Reflecting this fusion of political sensitivities and "specially trained" forces, Eliot Cohen notes that small wars, such as UW and STR campaigns, take their "peculiar coloration from the geopolitical circumstances which call it forth, and hence [require] special means for its conduct."[228] Accordingly, geopolitics are a central element to nearly all special operations.

During the Cold War, geopolitical fault lines propelled American foreign policy towards increasingly restrictive warfare. Former National Security Advisor and Secretary of State Henry Kissinger described geopolitics within the modern international system as an "equilibrium" or "balance of power."[229] Additionally, Kissinger maintained that the "nuclear age has destroyed [the] traditional measure" of maintaining this balance of power through "military polarity."[230] With this perspective in mind, limited war has emerged in the nuclear age as the precondition for all military engagements. In his 1957 book *Limited War*, foreign policy scholar Robert Osgood explains this concept of restrictive warfare as relegating military objectives to political objectives that "do not demand the utmost military effort of which belligerents are capable and that can be accommodated in a

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[226] Saul B. Cohen, *Geography and Politics in a World Divided* (London: Methuen, 1964), 24.

[227] Joint Chiefs of Staff, JP 3-05, *Special Operations*, I-1.

[228] Eliot A. Cohen, "Constraints on America's conduct of small wars," *International Security* 9, no. 2 (1984), 167.

[229] Henry A. Kissinger, *American Foreign Policy*, 3rd ed. (New York: W.W. Norton & Company, 1977), p.56.

[230] Kissinger, *American Foreign Policy*, 59.

negotiated settlement."[231] Consequently, by restraining military force in an armed conflict to below its fullest capabilities, the United States could accommodate for various geographical considerations in pursuit of its political objective by way of negotiated settlement.

Numerous historical cases in the post-World War II era demonstrate how geopolitical considerations have rightfully dictated the feasibility of the United States' intervention abroad. In Korea, President Truman chose a limited war military strategy to avoid overcommitting resources against the Chinese and North Koreans amid potential Soviet expansion in Europe. Similar geopolitical considerations of Soviet expansion led President Eisenhower to promulgate the "falling domino" principle as the source of South Vietnam's strategic importance and the imperative to defend it through U.S. military and economic support.[232] In the aftermath of the Vietnam War, although Presidents Carter and Reagan took ideologically different approaches to national defense, regional conflicts in both the Middle East and South America against communist influences continued to dominate America's foreign policy agenda. Finally, with the close of Cold War, the importance of geopolitics has expanded as "transnational issues," such as "terrorism, narcotics, proliferation of weapons of mass destruction, and international organized crime" now direct America's foreign policy outlook.[233] Given the expansive reach of these issues across traditional sovereign international, economic, and social border, the importance for military planners to understand and account for geopolitics cannot be overstated.

Globalization magnifies the impact of geopolitics on all foreign policy decisions requiring greater consideration for any STR planning effort. In its January 2017 report on global trends, the U.S National Intelligence Council found that "geopolitical competition is on the rise" as America's adversaries (e.g., China and Russia) "seek to exert more sway

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[231] Robert E. Osgood, *Limited War: The Challenge of American Strategy* (Chicago: Univ. of Chicago, 1957), 2.

[232] Dwight D. Eisenhower, "The President's News Conference," April 7, 1954, Online by Gerhard Peters and John T. Woolley, *The American Presidency Project*, http://www.presidency.ucsb.edu/ws/?pid=10202.

[233] William J. Daugherty, *Executive Secrets: Covert Action & The Presidency* (Lexington: Univ. of Kentucky, 2004), 214.

over their neighboring regions and promote an order in which U.S. influence does not dominate."[234] To sustain its global hegemony, the United States acknowledges and accounts for modern economic and social interdependence increasingly fueled by technological advances. Concurrently, military leadership must expand its focus beyond traditional boundaries to prepare for and, when necessary, address transnational threats that will undoubtedly define future conflicts. While discussing the nature of 21st century conflict, Chairman of the Joint Chiefs of Staff General Joseph Dunford concedes that "transregional, multidomain, multifunctional conflicts" are the future of modern warfare and will require the military to review its traditional "command-and-control construct in place to integrate joint capabilities."[235] Likewise, STR plans must account for the constraints posed by geopolitical issues against transregional threats to ensure viability in future conflicts.

E. SUMMARY

The collective impact of political obstacles to STR planning restrains the viability of these strategies. The history of civil-military disconnection between the interagency community and DOD demonstrates that efforts to improve this detachment, such as liaison officer networks, can be nullified by both an imbalanced promotion of one SOF capability over another and the perceived militarization of foreign policy. Furthermore, the dynamic NSC process, which can change with each Presidential election cycle, creates a volatile environment for military planners of irregular and high-risk Special Operations. While developers of Special Operations have dealt with similar issues while creating options for foreign intervention in the contemporary era (e.g., Afghanistan, Iraq, or Libya), it is important to note that increasing patterns of risk aversion and geopolitical sensitivities driven by globalization will likely exacerbate these obstacles in future conflicts. If military planners hope to enhance the viability of STR or UW operations in the future, they must

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[234] National Intelligence Council, *Global Trends: Paradoxes of Progress* (Washington, DC: Director of National Intelligence, 2017), https://www.dni.gov/files/documents/nic/GT-Full-Report.pdf.

[235] Jim Garamone, "Dunford: Command, Control Must 'Keep Pace' in 21st Century," *U.S. Department of Defense*, January 4, 2016, https://www.defense.gov/News/Article/Article/639844/dunford-command-control-must- keep-pace-in-21st-century/.

first acknowledge and assuage these concerns in concert with the legal and organizational challenges.

VIII. ORGANIZATIONAL OBSTACLES

To consider what constitutes an effective support to resistance organization, this study reviews William Donovan's 1941 vision for the Office of Strategic (OSS). The authors of this research selected the OSS, which grew out of the Coordinator of Information (CoI), because it was an innovative organization, built to "handle research, intelligence, propaganda, subversion, and commando and guerrilla operations in modern war"– the critical components of irregular warfare.[236] Although USSOCOM is a descendent of the OSS, as one might expect, many of Donovan's criteria, considerations, and challenges to building an effective special warfare organization remain relevant to USASOC and the broader SOF community today. In fact, "USASOC 2035," published in May 2017, identifies and attempts to address a number of the same challenges that Donovan faced, as the analysis will show. After reviewing the OSS' organization, this chapter will put the analysis into a contemporary context by comparing the OSS to its descendent organizations and, finally, consider the current relationship between SOF and the Central Intelligence Agency.

A. OFFICE OF STRATEGIC SERVICES ORGANIZATIONAL DESIGN ANALYSIS

It is important that Donovan's organization was 'purpose built' for irregular warfare because a specific type of organization–an 'adhocracy'–is optimal for the complex and unstable nature of the irregular warfare environment. The adhocracy model, coined by Henry Mintzberg in *Structure in Fives*, is characterized by mutual adjustment among those people carrying out the work; low formalization; high degrees of specialization, training, and acquired expertise; and the use of liaisons and multi-disciplinary teams formed based on the needs of specific projects.[237] The dominant part of an adhocracy is the support staff

[236] John Whiteclay Chambers II, *OSS Training in the National Parks and Service Abroad in World War II*. (Washington, DC: U.S. National Park Service, 2008), 22. https://www.nps.gov/parkhistory/online_books/oss/.

[237] Eric Jansen, "Summary of Mintzberg's Five Configurations," seminar handout for MN3121 Organizational Design for SOF, Naval Postgraduate School, Monterey, CA. 2015. Adapted from Henry Mintzberg, *Structure in Fives*, Englewood Cliffs, CA: Prentice Hall, 1993.

which provides support to both operations and administration; however, the lines between the staffs and operations often blur.[238]

Selecting the right personnel, both staff and operators, is important. An adhocracy is an adaptive learning organization that operates in a dynamically complex environment, and therefore requires innovative personnel who take initiative and think critically. When recruiting for the Coordinator of Information (CoI), Donovan valued these traits because he recognized that the organization would be "learning [its] way in new forms of warfare."[239] As such, Donovan wanted subordinates who were willing to try new things, take calculated risks and did not fear failure, but learned from it. He prioritized a person's ability to "think quickly and clearly and find innovative solutions to difficult situations" over previous military experience.[240] He also looked for individuals with existing language capability or expertise in cultural and international affairs. Members of the organization spanned the social strata from socialites, business professionals, and ivy-league academics to the lower classes.[241]

Aside from selecting the right personnel for his unique organization, Donovan cultivated an environment for initiative, unconventional thinking, and experimentation to grow.[242] In *Team of Teams*, General Stanley McChrystal cites the importance of cultivating this type of environment. Instead of the chess master of military strategy, McChrystal saw himself as a gardener that tirelessly maintained an environment for free-thinking and decentralization.[243] Donovan's subordinate, Arthur Schlesinger, recalls the

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238 Jansen, "Summary of Mintzberg's Five Configurations," 2015.

239 Chambers II, *OSS Training in the National Parks and Service Abroad in World War II*, 24.

240 Chambers II, 24.

241 Chambers II, 25.

242 Chambers II, 24.

243 Stanley A. McChrystal, Tantum Collins, David Silverman, and Chris Fussell, *Team of Teams: New Rules of Engagement for a Complex World* (New York: Portfolio/Penguin, 2015). 221–222. Cited in: Justin Bakal, Steven Crowe and Adam Wachob, "Innovative Practices for Special Warfare," (master's thesis, Naval Postgraduate School, 2015).

innovative culture that Donovan facilitated, stating "He was open-minded. He'd listen to anything. He'd try anything. He was adventuresome. He was not a conventional figure."[244]

As McChrystal and Donovan recognized, a critical component of an optimally functioning adhocracy is decentralized decision making, which requires a clear articulation of the organization's mission, vision, and priorities. Instead of becoming caught up in the minutia of daily operations and overloaded by the excess of information, this 'gardener' approach allowed McChrystal, as the Commander of Joint Special Operations Command, to consider the organization's strategic direction and to provide clear purpose and vision to the organization for the decentralized execution its tasks. For the OSS, decentralized decision making was part of the culture, but also a practical matter related to the speed of communications and nature of its operations. Unlike the current era of constant and real-time communications, OSS elements were often provided clear–albeit sometimes vague–guidance, requirements, and restrictions, and expected to innovate and adapt in the pursuit of those goals with limited direction. *Behind the Burma Road*, written by former OSS personnel Richard Peers and Dean Brellis, provides a first-hand account of Detachment 101's activities in Burma during World War II. This book is just one example of the necessity of decentralized decision making in an unconventional warfare environment and the results empowered subordinates can achieve, given a clear purpose and the appropriate degree of latitude to pursue those goals.[245]

Although the OSS began as an adhocracy, throughout World War II, it evolved into a hybrid structure (adhocracy and divisional) structure due to its size, the bureaucratic requirements of the USG, and the diversification of its functions and geographic regions.[246] However, the operating core (the OSS' tactical level elements) generally

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[244] Arthur M. Schlesinger, Jr., Oral History Interview, 9 June 1997, p. 4, conducted by Petra Marquardt-Bigman and Christof Mauch, OSS Oral History Transcripts, CIA Records (RG 263), Box 4, National Archives II. Cited in Chambers II, *OSS Training in the National Parks and Service Abroad in World War II*, 24.

[245] Dean Brellis and William Peers, *Behind the Burma Road: The Story of America's Most Successful Guerrilla Force*, (Boston, MA: Little, Brown, and Company, 1963).

[246] Schools and Training Branch, "Office of Strategic Services (OSS) Organization and Functions," Schools and Training Branch of OSS, June 1945. Transcribed to HTML by Patrick Clancy of the HyperWar Foundation. http://www.ibiblio.org/hyperwar/USG/JCS/OSS/OSS-Functions/index.html.

retained its ad hoc characteristics, even if their structures were codified in doctrine.[247] Mintzberg and several other organizational design scholars attribute the phenomenon of hierarchical and bureaucratic organizational growth to several "contingency factors" such as an organization's age and size, the centrality of a technical system to the work being performed, and power, which is a product of the managerial style of key leaders.[248] Larger, older organizations generally have more formalized behavior and a more elaborate structure resultant from increased specialization and differentiation among employees, which ultimately requires increased administration.[249] Regarding the centrality of technical systems, Mintzberg suggests that "…the more [the technical system] controls the work of the operators–the more formalized is their work and the more bureaucratic is the structure of the operating core." Moreover, the increase in size is directly correlated to the complexity of the technical system.[250] Finally, the leadership style of decision makers will contribute to the consolidation or decentralization of decision making authority.[251]

As the OSS expanded, it created all the functions necessary to carry out its intelligence and guerrilla warfare mandates under a single organizational hierarchy. In terms of mission, the OSS was "an agency of the Joint Chiefs of Staff charged with collecting and analyzing strategic information and secret intelligence required for military operations, and with planning and executing programs of physical sabotage and morale subversion against the enemy to support military operations."[252] This was a broad mission that required a considerable amount of resources to accomplish. The OSS, under Donovan's direction, grew to encompass all the necessities for irregular warfare and intelligence collections. At its height, intelligence collection and analysis personnel made

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[247] Brellis and Peers' book *Behind the Burma Road* provides an example of how the OSS' tactical elements built organizations from a core group of personnel and cobbled together additional personnel to meet the mission's requirements.

[248] Henry Mintzberg, "Structure in Fives: A Synthesis of the Research on Organization Design," *Management Science*, vol. 26, no. 3 (March 1980), 327–328. https://www.ics.uci.edu/~corps/phaseii/Mintzberg-StructureIn5s-MgmtSci.pdf.

[249] Mintzberg, "Structure in Fives: A Synthesis of the Research on Organization Design," 327.

[250] Mintzberg, 327.

[251] Mintzberg, 328.

[252] Schools and Training Branch, "*Office of Strategic Services (OSS) Organization and Functions*," 2.

up 25% of the organization (over 3,000 personnel), with Special Operations branch accounting for another 25%, administrative services accounting for 18%, and administration making up 14%.[253] On top of its operational duties, the OSS managed its own recruiting, training, research and development, research analysis, strategic planning, and even monitored the political tensions of ethnic minorities within the U.S.[254] Although the OSS remained a civilian agency, it was effectively another armed service, filling a strategic role for the U.S.[255]

Despite its increased hierarchy and bureaucratic expansion, the OSS continuously adapted to meet the changing circumstances and requirements of its mission and the war. As the OSS' manual on function and organization states, "the OSS is dynamic. It is constantly changing organizationally and in scope of activity. It is in a continual state of adaptation to the needs of the war in the United States and to peculiar conditions in the various theaters of operations." Figure 3 shows the final structure of the OSS in 1945.

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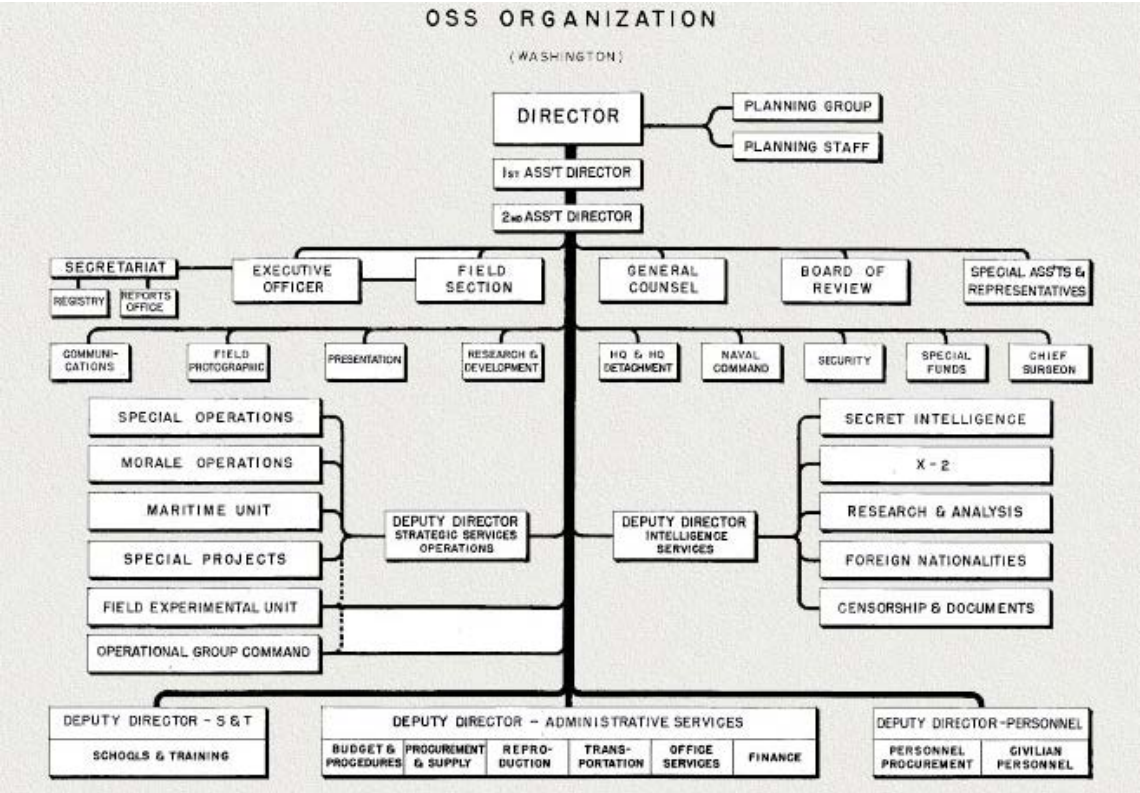
[253] Chambers II, *OSS Training in the National Parks and Service Abroad in World War II*, 35.

[254] Schools and Training Branch, "*Office of Strategic Services (OSS) Organization and Functions*," 4–6.

[255] Chambers II, *OSS Training in the National Parks and Service Abroad in World War II*, 22.

Figure 3. OSS Organization (1945)[256]



In terms of organizational design theory, a matrixed structure combines both divisional and functional forms. This combination necessitates horizontal and vertical information flow to allow the organization's functional and divisional entities to adjust to changes in the environment. Increasing information flow requires the appropriate degree of vertical and horizontal linkages to facilitate communication, adjustment, and control.[257] The degree of coordination necessary is directly relational to the complexity of the environment.[258] To increase vertical linkages, organizations can employ the following methods: hierarchical referral (sending decision requests up the chain of command), rules and plans (standardizing routine procedures or decisions, communicating a centralized

[256] Schools and Training Branch, "*Office of Strategic Services (OSS) Organization and Functions*," 4.

[257] Richard Daft, *Essentials Organizational Theory & Design*, (Mason, Ohio: South Western College Publishing, 2003). 124–127.

[258] Daft, *Essentials of Organizational Theory & Design*, 127.

plan), adding positions to the hierarchy (creating positions to decrease the span of control), or vertical information systems (increase the efficiency of reporting information). Mechanisms to increase horizontal linkages are information systems, direct contact (point-to-point discussions), task forces (a temporary group of representatives from the affected departments), full-time integrators (project managers), or teams (permanent task forces).[259]

To account for the uncertain nature of its environment, and to address the full breadth of its missions, the OSS used a matrixed structure.[260] By 1945 the OSS was functionally divided into two main branches, the intelligence services and strategic services operations, and a smaller catch-all branch consisting of the Headquarters, Schools and Training, communications, and research and development.[261] In these three branches, the OSS housed everything it routinely needed to execute its mission. The Intelligence Services and Strategic Services Operations were, again, functionally divided into sections such as: Special Operations Branch, Morale Operations, Secret Intelligence, X-2, etc.[262] Generally, these operational branches were divisionally structured and regionally oriented. The field components of the OSS's intelligence and special operations branches fell under the Theater Commander's hierarchy and took direction from the Strategic Services Officer (SSO). The SSO was a member of the Theater Commander's staff, but was effectively a coordinating mechanism (vertical and horizontal linkage) between OSS Headquarters, the Theater Commander, and the subordinate OG elements.[263] Finally, the various functional branches supported the OSS' field elements on an ad hoc basis with intelligence, personnel,

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[259] Daft, 125–129.

[260] Schools and Training Branch, "*Office of Strategic Services (OSS) Organization and Functions,*" 4, 8, 18.

[261] Schools and Training Branch, 4–6.

[262] Schools and Training Branch, 5–13.

[263] Director of Strategic Services, "*Special Operations Field Manual-Strategic Services,*" (Washington, DC: Office of Strategic Services Reproduction Branch, February 23, 1944), 10. http://www.soc.mil/OSS/assets/special-operations-fm.pdf.

materiel, and other functions as the missions required, giving it characteristics of a matrixed organization.[264]

As the organizational design scholar Henry Mintzberg suggests, a divisional structure's 'middle line' is the organization's center of gravity; however, the interplay between the organization's other components can inhibit its effectiveness. The role of the strategic apex (the OSS Headquarters) is to establish "mechanisms that coordinate the goals of the division with its own, without sacrificing divisional autonomy."[265] Mintzberg also discusses the tension between the strategic apex, the middle line, and the operational core. While the strategic apex attempts to centralize decision making, both the middle line and the operational core attempt to increase control and decrease the influence that the other components have over them. For the OSS, the Strategic Services (SS) Officers and their staffs formed the OSS' middle line and were directly subordinate to the Theater Commanders, and indirectly to OSS Headquarters.[266] The SS Officer's Staff was organized along the same lines as the OSS Headquarters in Washington. The Strategic Service Officer and Staff coordinated the activities of the Operational Group field elements and the Theater Command, as well as requesting support for the field elements from OSS Headquarters in Washington.[267] Like the role of today's Theater Special Operations Commands (TSOCs), the SS Officer and staff were responsible for translating strategic plans into operational and tactical results.

The Office of Strategic Services Headquarters enjoyed a substantial degree of control over its long-term operational direction, despite the fact that the Allied Theater Commanders maintained operational control (OPCON) over OSS' field elements. According to the 1945 manual, Operational Groups (OGs)the organization's operating core–supported the Theater Commander's priorities and were under the Theater

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[264] Schools and Training Branch, "*Office of Strategic Services (OSS) Organization and Functions,*" 5.

[265] Mintzberg, "Structure in Fives: A Synthesis of the Research on Organization Design," 335.

[266] Director of Strategic Services. "*Operational Groups Field Manual,*" (Washington, DC: Office of Strategic Services Reproduction Branch, April 25, 1945), 3. http://www.soc.mil/OSS/assets/operational-groups-fm.pdf.

[267] Schools and Training Branch, "*Office of Strategic Services (OSS) Organization and Functions,*" 28–29.

Commander's operational control (OPCON).[268] However, OSS Headquarters developed the long-term strategic plans for the utilization of both OG and Morale Branch operations, which were submitted to the Joint Chiefs of Staff for approval and subsequently sent to the theater commander.[269] This arrangement allowed 'conventional force' commanders to focus on their form of warfare, while the OSS could leverage its expertise in irregular warfare and special intelligence to shape long-term plans that supported theater commander's priorities, as well as Washington's.

Finally, despite being subordinated to the Joint Chiefs of Staff on paper, the OSS retained access to the President of the United States through General Donovan. When the Coordinator of Information was created in 1941, its purpose was to "collect and assemble information" pertaining to national security issues from the disparate–and sometimes, disconnected–intelligence agencies of the U.S., which was transformed into finished intelligence for the President's use.[270] Prior to this, no agency, except the White House, had ever filled such a role. This unique role gave Donovan, as Director of the CoI, a direct line to the President.[271] When the CoI evolved to into the OSS in 1942 it was placed under the "auspices of the Joint Chiefs of Staff," which provided mutual benefit to the military in the form of intelligence and to the OSS in the form of military resources. However, the OSS retained much of its autonomy as a civilian organization, and the Director of the OSS, General Donovan, still reported directly to the President.[272] As Ryan Agee and Maurice DuClos' Naval Postgraduate School thesis "Factoring the Decision Point for UW" found, the presence of an "extant UW capability" and a "positive unconventional warfare feedback loop," often in the form of a "UW experienced individual [with] direct access or

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[268] Director of Strategic Services, "*Operational Groups Field Manual*," 3.

[269] Schools and Training Branch, "*Office of Strategic Services (OSS) Organization and Functions*," 18.

[270] Central Intelligence Agency, "The Office of Strategic Services: Forerunner to Today's CIA," Central Intelligence Agency News & Information webpage, Accessed November 6, 2017, https://www.cia.gov/news-information/featured-story-archive/2008-featured-story-archive/office-of-strategic-services.html.

[271] Central Intelligence Agency, "The Office of Strategic Services: Forerunner to Today's CIA."

[272] Chambers II, *OSS Training in the National Parks and Service Abroad in World War II*, 31.

influence on the decision maker," increases the probability of employing UW.[273] This appears to be true for the OSS, as evidenced by the organization's meteoric growth during World War II and its extensive employment in the same war.

B. COMPARATIVE ANALYSIS OF THE OSS AND ITS DESCENDANTS

There are many structural similarities between the Office of Strategic Services and today's irregular warfare and intelligence organizations. The Central Intelligence Agency appears to be the most similar to Donovan's purpose-built organization; while U.S. Special Operations Command (USSOCOM), which has retained many OSS organizational characteristics, has adopted several characteristics of the military services. The CIA is a divisional organization with adhocracy-like characteristics that possesses strong horizontal and vertical linkages both internally and externally, and retains operational direction and control over its activities in support of the President. It specially selects all of its personnel; generally, houses all of the capabilities necessary to accomplish its foreign intelligence, counterintelligence, and covert action missions; and it reports directly to the President.[274]

Like the Office of Strategic Services and Central Intelligence Agency, U.S. Special Operations Command (USSOCOM) operates in an unstable and complex environment, but employs a divisional structure that leverages internal and external horizontal and vertical linkages. USSOCOM uses mechanisms, such as information systems, the chain of command, issuance of direct liaison authority (DIRLAUTH), and Theater Special Operations Commands (TSOCs) to promote internal control and coordination. External coordination is accomplished via liaisons, Joint Interagency Task Forces (JIATFs), Special Operations Command and Control Elements, and Special Operations Support Teams

[273] Ryan Agee and Maurice DuClos, "Factoring the Decision Point for UW," (master's Thesis, Naval Postgraduate School, 2012). 141–143.

[274] Central Intelligence Agency, "CIA Organization Chart," June 5, 2017, https://www.cia.gov/about-cia/leadership/cia-organization-chart.html; Central Intelligence Agency, "Unclassified Version of March 6, 2015 Message to the Workforce from CIA Director John Brennan: Our Agency's Blueprint for the Future," March 6, 2015, https://www.cia.gov/news-information/press-releases-statements/2015-press-releases-statements/message-to-workforce-agencys-blueprint-for-the-future.html; Stephen Slick, "Measuring Change at the CIA," *Foreign Policy*, May 4, 2016, http://foreignpolicy.com/2016/05/04/measuring-change-at-the-cia/.

(SOSTs), and various other mechanisms of the global SOF network.[275] With influence from Commanders of the Joint Special Operations Command (JSOC), like GEN Stanley McChrystal, USSOCOM has increased its use of horizontal linkages, or 'flat comms,' more so than its 'general purpose' counterparts. However, the organization still relies on the chain of command and standardized units of action, which can–and sometimes should–limit the development of adhocracy-like characteristics. While the global SOF network has many benefits, its expansiveness can present challenges to command and control. The volume of information produced and sent in such a vast network has the potential to overwhelm the organization's information processing power, convoluting decision making instead of enhancing it.

In contrast to the OSS and the CIA, USSOCOM exercises limited influence on the strategic direction of its operational elements, except in specific circumstances, which usually involve surgical strike operations.[276] The responsibility for strategy, policy, employment, and control of SOF operations is divided among three organizations, the Office of the Assistant Secretary of Defense for Special Operations and Low-intensity Conflict (ASD SO/LIC), USSOCOM, and the Theater Special Operations Commands.

In terms of access to the U.S. President, the USSOCOM Commander is several layers of contact from the White House, as compared to the OSS Chief, which limits the USSOCOM Commanders ability to directly inform policy and strategy. The National Security Act of 1947 created the Department of Defense and the National Security Council in order to improve the management of the national security apparatus. However, this also created layers between the decision makers and the SOF headquarters. As previously discussed, Agee and Duclos point out UW experienced individuals with access to the decision maker often contributes to the decision to employ UW. This distancing ultimately degrades USSOCOM's ability to inform and educate decision makers on the potential utility of STR options. In 2016, the CNA interviewed former Senior SOF Commanders and DOD officials to consider the next administration's use of SOF, which corroborates SOF's

[275] Joint Chiefs of Staff, JP 3-05, *Special Operations*, Chapter III.

[276] "Unified Combatant Command for Special Operations," 10 U.S.C. § 167.

lack of access to senior policy makers. According to the report SOF "often [relies] on non-SOF experts to represent their capabilities and interests" in policy and resource discussions.[277] To remedy this, the participants offered three suggestions for SOF. First, SOF needs to clearly articulate its narrative and expand the current narrative to encompass all of SOF's core activities, not just direct action. Second, SOF should "proactively engage influential civilians inside and outside to educate them on SOF capabilities, limitations, and requirements." Finally, SOF should "seek a more active voice when the use of SOF is considered as a policy option," potentially by placing a senior SOF officer on the National Security Council.[278]

Unlike OSS Headquarters, which exercised a direct role in strategic planning, development, and employment of its forces, the Office of the Assistant Secretary of Defense for Special Operations and Low-intensity Conflict (ASD SO/LIC) performs these functions indirectly. The ASD SO/LIC serves as the primary advisor to the Secretary of Defense for special operations and low-intensity conflict matters, and is responsible for informing and supervising policy, and administering to the organization, training, and equipping of Special Operations Forces.[279] Statutorily, the Office should be capable of assuming a role similar to OSS Headquarters; however, it has not. In a 2013 report on the future of special operations, defense analyst Linda Robinson attributes this to several reasons, two of which are addressed here. First, the office is insufficiently staffed to provide oversight, advice, and coordination for all of SOF's activities. Robinson asserts that this is partially due to the acquisition of new responsibilities, as well as, a misplaced focus on "counterterrorism and tactical and operational matters" instead of strategy and policy for the full range of special operations.[280] Second, the ASD SO/LIC is viewed as an advocate

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[277] Alexander Powell, "Advice from SOF on the Use of SOF for the Next Administration," (Arlington, VA: Center for Naval Analyses, October 2016), 4–5. https://www.cna.org/CNA_files/PDF/DOP-2016-U-014394-Final.pdf.

[278] Powell, "Advice from SOF on the Use of SOF for the Next Administration," 4–5.

[279] "Assistant Secretaries of Defense," 10 U.S.C. § 138, art. B,4.

[280] Linda Robinson, "The Future of U.S. Special Operations Forces," Council Special Report No. 66, (Washington, DC: Council on Foreign Relations, April 2013), 18–20. http://www.cfr.org/special-operations/future-us-special-operations-forces/p30323.

for USSOCOM, as opposed to "an independent source of advice and expertise," diminishing the ASD SO/LIC's influence on policy and defense strategy.[281]

Since Robinson's report, two developments occurred, which may enhance the ASD SO/LIC's role in policy and strategy development, oversight, and influence. First, the Department of Defense issued an Irregular Warfare (IW) directive in 2008 (and reissued in August 2014), which emphasized that Irregular Warfare is equal in importance to 'traditional warfare' and mandated that DOD "will be proficient in IW."[282] Second, congress enacted FY 17 legislation to establish a Special Operations Functional Integration and Oversight Team under the ASD SO/LIC's Office. The team is responsible for "develop[ing] and continuously improve[ing] policy, joint processes, and procedures that facilitate the development, acquisition, integration, employment, and sustainment of special operations capabilities."[283]

Similar to the Office of the ASD SO/LIC, U.S. Special Operations Command focuses on its responsibilities to organize, train and equip the force, but exercises limited control over SOF strategy and execution. Furthermore, when USSOCOM does exercise control, it focuses mainly on counterterrorism. Title 10 U.S.C. ordered USSOCOM to prepare SOF units for deployment in support of the Geographic Combatant Commanders, and "exercise command of a selected special operations mission if directed to do so by the President or the Secretary of Defense."[284] Based on these Title 10 responsibilities, USSOCOM and its subordinate elements primarily focus on their service-like responsibilities. The one exception under USSOCOM is Joint Special Operations Command, which, as a subordinate unified command, exercises operational control over

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[281] Robinson, "The Future of U.S. Special Operations Forces," 18–19.

[282] Office of the Secretary of Defense, "Department of Defense Directive 3000.7 (Irregular Warfare)," (Washington, D.C.: Office of the Secretary of Defense, August 28, 2014). https://www.hsdl.org/?view&did=757333.

[283] FY 17 National Defense Authorization Act, P.L. 114–328, Section 923 "Organization of the Department of Defense for the Management of Special Operations Forces and Special Operations," (2016).

[284] "Unified Combatant Command for Special Operations," 10 U.S.C. § 167.

its assigned forces in addition to carrying out its service-like responsibilities.[285] Unlike the OSS, which was responsible for the strategic planning for all of its operational activities, USSOCOM's unified command plan (UCP) authorities are limited to synchronizing global counterterrorism and counter threat finance planning and "integrating and coordinating" DOD's psychological operations activities.[286] This designation as 'global synchronizer' incentivizes SOCOM's focus on CT and CTF activities, leaving the direction of SOCOM's other special warfare missions, such as UW, Foreign Internal Defense, and counterinsurgency, under the purview and long-term direction of the Geographic Combatant Commanders and their staffs–albeit with advice and assistance from the Theater Special Operations Commands (TSOCs).

The United States Special Operations Command has attempted to gain more control over its operational forces, but Congress and the Geographic Combatant Commands have stymied those efforts. Some argue that the United States government and USSOCOM are inadequately organized to carry out its Special Warfare mission, and that an intermediate command which focuses on developing special warfare strategy, identifying policy requirements, and synchronizing TSOC operations across the GCCs is necessary.[287] Beginning in 2012, Admiral William McRaven, then USSOCOM Commander, attempted to rectify these challenges by initiating efforts to increase USSOCOM's control over the Theater Special Operations Commands (TSOCs).[288] Despite pushback from the Geographic Combatant Commands, Mcraven's efforts reportedly gave the USSOCOM Commander greater authority to directly interact with TSOC Commanders (as opposed to going through the GCCs), and to move SOF forces around the area of responsibility (AOR)

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[285] Joint Chiefs of Staff, JP 3-05, *Special Operations*, I-4.; A further description of subordinate unified commands can be found in Joint Chiefs of Staff, JP 1, *Doctrine for the Armed Forces of the United States*, V-9 - V-10.

[286] Edward J. Drea, *History of the Unified Command Plan 1946–2012*, (Washington, DC: Office of the Chairman of the Joint Chiefs of Staff, 2013) 91–109. http://www.jcs.mil/Portals/36/Documents/History/Institutional/Command_Plan.pdf.

[287] Authors' Interview, Former Senior U.S. Military Officer, telephonic interview, August 2017.

[288] Madden, Dan, Dick Hoffmann, Michael Johnson, Fred Krawchuk, Bruce R. Nardulli, John E. Peters, Linda Robinson and Abby Doll. *Toward Operational Art in Special Warfare*, (Santa Monica, CA: RAND Corporation, 2016). [Appendix C, "Resources and Authorities for Special Warfare," 23–25] https://www.rand.org/pubs/research_reports/RR779.html.

with the consent of the appropriate Ambassador and Geographic Combatant Commander.[289] However, as discussed in Chapter VII (political obstacles), Mcraven's efforts to establish a USSOCOM headquarters in the National Capital Region to liaise with the interagency communities were put on hold by Congress and ultimately abandoned in 2014.[290] Although Admiral McRaven partially realigned USSOCOM with the OSS' wartime command and control structure, challenges remain with regard to SOF's ability to control the strategic direction of its special warfare operations and integration with unified action partners.

The final entity to consider in the special operations hierarchy are the Theater Special Operations Commands (TSOCs) which form USSOCOM's 'middle line'–the most critical part of a divisional structure. Despite their criticality, the TSOCs are habitually under-resourced to optimally carry out this function.[291] Linda Robinson, in a 2016 RAND report titled "Toward Operational Art in Special Warfare," argues that the TSOC is "egregiously short of sufficient quantity and quality of staff and intelligence, analytical, and planning resources." Furthermore, the TSOCs are manned at 20% below the identified requirement; that the assigned personnel are on short tours or are reservists; and those assigned to TSOC have diminished chances for promotion. This, she asserts, makes it hard to recruit or retain talents and creates an ill-trained workforce with limited incentives to enhance performance.[292]

The Theater Special Operations Commands' personnel problems contribute to a lack of operational-level planning capability and creates obstacles to carrying out its function.[293] RAND's "Toward Operational Art in Special Warfare" points out that the

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[289] Kimberly Dozier, "Special Ops Commander Swears: I won't be Hillary's VP," *The Daily Beast*, August 29, 2014. https://www.thedailybeast.com/special-ops-commander-swears-i-wont-be-hillarys-vp.

[290] Andrew Feickert, *U.S. Special Operations Forces: Background and Issues for Congress*, CRS Report No. RS21048, (Washington, DC: Congressional Research Service, 2013). 17–18. www.dtic.mil/get-tr-doc/pdf?AD=ADA587142.

[291] Robinson, "The Future of U.S. Special Operations Forces," 15.

[292] Robinson, 15.

[293] As outlined in JP 3-05 *Special Operations* on pages III-5 to III-6, The TSOC's 3 roles are: planning and controlling SOF operations in support of the Geographic Combatant Commander, advise the Commander on the employment of SOF, and Special Operations Component Commander.

GCCs view the TSOCs as subordinate commands to be tasked, as opposed to incorporated in the initial development of broader theater strategy.[294] The study attributed some of these challenge to "rice bowl" issues, but the TSOC's operational-level planning challenges provide some justification. RAND's Study identified a lack of educated special warfare planners, a lack of special warfare planning culture, a lack of codified literature explaining how 'conventional' operational art is adapted for the uniqueness of special warfare, as major shortcomings.[295] As a response, SOF developed several programs, such as the Unconventional Warfare Operational Design Course (UWODC) and the Special Operations Campaign Artist Program (SOCAP), but these efforts have yet to achieve the intended effects.[296] Ultimately, the TSOC is responsible for coordinating tactical and operational actions to achieve strategic objectives, but these shortcomings prevent it from doing so. A former senior military officer summarized the problem with a musical analogy, "we're great at the tactical level because we're jazz musicians, but as that levels up [to the operational and strategic level] we all need a score to play off of."[297]

Unlike the OSS, USSOCOM–with the exception of Joint Special Operations Command–does not specially select its support personnel, which creates problems in quality and continuity. Although USASOC hand selects its SOF operators, the Army assigns its support personnel. The uniqueness of SOF operationsespecially STR activities–in contrast to conventional operations, means that support personnel require valuable time to understand SOF operations and culture, and to learn the SOF-specific nuances of their new position.[298] There is no formal training for non-SOF personnel entering SOF organizations; all of the knowledge is acquired on the job. Often, once support personnel become proficient in their duties, they are transferred back to the conventional force within

[294] Madden et al., *Toward Operational Art in Special Warfare*, 141–145.

[295] Madden, 144–145.

[296] Authors' interview, U.S. Military Officer, email correspondence, August 2017.

[297] Authors' Interview, Former Senior U.S. Military Officer, telephonic interview, August 2017.

[298] Authors' Interview, U.S. Military Staff Officer, Video teleconference, May 2017.

a few years to remain competitive for promotion.[299] This starts the process over again. In response to these concerns, the army created the K9 additional skill identifier (ASI) to designate personnel who have successfully served in SOF organizations, however, it does not mitigate the problem of changes in personnel every few years or a lack of SOF-specific formal education. "USASOC 2035" recognizes these challenges and is pursuing options to create alternative career models for its personnel and is developing systems to retain enabler personnel for longer portions of their careers.[300]

Similar to the Office of Strategic Services, USSOCOM and USASOC embrace decentralized decision making, or "mission command," but the politically sensitive nature of support to resistance activities and the Internet's ability to exponentially compound failure can cause leaders to increasingly centralize decision making. In this type of environment, the SOF maxim "humans are more important than hardware" should–and generally does–guide improvements to SOF mission command. Compared to combat zones, operating in denied and/or politically sensitive environments requires specially trained, educated, and experienced individuals. The 4th Battalion redesign intended to address these challenges by building such personnel and increasing Special Forces' organizational credibility with decision makers and other Joint and Interagency organizations.[301] Education, training, and experience increase the trust a commander has in his or her subordinates, however, trust is a two-way street. As the "ARSOF 2022 Operating Concept" states, "senior leadership must adopt new expectations of the type and volume of communications exchanged with operationally engaged ARSOF units…[which] involve accepting risk and empowering junior leaders to execute mission-type orders."[302]

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[299] Randal Nelson and Mike Gallagher, "Supporting Army and Joint Special Operations," *Army Sustainment*, (May-June 2016), 12–13. http://www.alu.army.mil/alog/2016/MayJun16/PDF/166176.pdf.

[300] United States Army Special Operations Command, "USASOC Campaign Plan 2035," USASOC, (May 2017), 9, 12.

[301] Authors' Interview, Former Senior U.S. Military Officer, telephonic interview, August 2017.

[302] United States Army Special Operations Command, "ARSOF Operating Concept 2022," USASOC, (September 26, 2014). http://www.soc.mil/Assorted%20Pages/ARSOF%20Operating%20Concept%202014.pdf.

SOF commanders must balance trust and decentralization with synchronization of operations to achieve effects. SOF Commanders recognize that the 'guy on the ground' often has the best situational awareness and issue broad guidance to give those subordinates the necessary latitude to determining what needs to be done. However, this may result in disjointed operations and a lack of unity of effort.[303] An operational-level command's purpose is to link tactical actions to achieve operational and strategic effects. Thus, balancing decentralization and unity of effort requires a clear articulation of the Commander's goals, vision, and priorities and two-way feedback mechanisms that promote 'mutual adjustment.'

While technical systems can facilitate mission command, they can simultaneously inhibit both mission command and situational understanding if not properly managed, supported with personnel, and judiciously employed. The availability of real-time communications platforms and information systems tends to increase centralization and can pose challenges to managing the increased volume of information, which may in turn cloud decision making, as opposed to facilitating it.[304] Horizontal linkages ('flat comms') are ideal for adaptive organizations, but these linkages require the analytical capacity to manage, process, and disseminate the information acquired.[305] As discussed, SOF's middle line (i.e., TSOCs) are habitually undermanned meaning that more information must be processed with less personnel, which degrades the quality and quantity of outputs. Ultimately, SOF must find a balance between investing in personnel who can operate reliably in ambiguous and politically sensitive environments and mission commands systems and processes which facilitate the appropriate degree of mutual understanding and control. The strategic documents, "ARSOF 2022" and "USASOC 2035," are attempting to find this balance. "ARSOF 2022," published in 2014, focused on the organizational command and control structures, both scalable and hybrid, that facilitate mission command

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[303] Madden et al., *Toward Operational Art in Special Warfare*, 145.

[304] John Bolton, "Overkill: Army Mission Command Systems Inhibit Mission Command," *Small Wars Journal*, (August 29, 2017). http://smallwarsjournal.com/jrnl/art/overkill-army-mission-command-systems-inhibit-mission-command.

[305] Mintzberg, "Structure in Fives: A Synthesis of the Research on Organization Design," 327.

in a variety of environments, with a variety of unified action partners.[306] "USASOC 2035" is a continuation of these efforts to improve mission command, but the strategy transitions from improving organizational structures toward in personnel and mission command systems. These efforts include education for operating in ambiguous, technical systems, information systems, and processes to increase situational understanding, improve information processing, and empower decision making at lower levels.[307] It appears that USASOC clearly understands what must be done, but the challenge of implementing these changes remains.

C. SOF-CIA RELATIONSHIP: DIVERGENCE AND CONVERGENCE AMONG OSS DECEDENTS

What began as a single agency responsible for collecting intelligence and conducting irregular warfare, the OSS, was split into two distinct entities, the Central Intelligence Agency (CIA) and USSOCOM. These entities are separated by legal, bureaucratic, and institutional obstacles. The closeness of the CIA's relationship with SOF has vacillated over time based on the nation's security requirements, statutory legislation, and bureaucratic posturing between the CIA and Department of Defense. Despite their separations, the CIA and SOF are natural partners and complementary elements in the prosecution of irregular warfare, and more specifically STR. This portion determines that the contemporary environment requires greater collaboration and 'convergence' between the CIA and SOF in the special warfare and support to resistance, on top of the current counterterrorism-focused collaboration. The following section examines the history of the CIA and SOF's relationship, complementary capabilities among the two, and use of coordinating mechanisms.

The peacetime-wartime division of responsibilities between the CIA and the U.S. military was established early in the Cold War and generally remains in place today. Although the Army recognized the utility of unconventional warfare, it ceded control over

[306] United States Army Special Operations Command, "ARSOF 2022 Part II: Changing the Institution," USASOC, (2014), 24–25.

[307] USASOC, "USASOC Campaign Plan 2035," USASOC, (May 2017), 8–12.

peacetime covert operations and psychological warfare to the CIA in 1949, choosing to focus on conventional warfare as a result of resource and personnel constraints.[308] Thus, the CIA's Office of Policy Coordination (OPC) assumed responsibility for all aspects of these activities to include: political warfare, non-attributed and mis-attributed propaganda, economic warfare, guerrilla and partisan warfare, and sabotage and counter-espionage.[309] This was a relatively harmonious period between the military the CIA, until the Korean War caused the Army to reconsider the need to establish its own psychological and unconventional warfare capabilities. In 1950, General Robert McClure was appointed to lead of the Office of the Chief of Psychological Warfare, where he championed the notion that psychological and unconventional warfare were interrelated fields. This allowed him to expand the office's purview to unconventional warfare, and eventually led to the establishment of the Psychological Warfare Center and 10th Special Forces Group at Ft. Bragg, NC, which the OPC opposed.[310] As part of the OPCW staff, LTC Russell Volckmann offered the initial definition of what 'special forces operations' entailed, which, in his estimation, included guerrilla warfare, sabotage and subversion, evasion and escape, commando-like operations, long-range or deep penetration reconnaissance, and psychological warfare (through these activities).[311] Volckmann's definition created overlap in between the OCPW's forces and the CIA's role in Korea, which created an initial tension between the two organizations.

Although title 10 and 50 U.S.C. attempt to separate the CIA and SOF activities, the inherent overlap in their missions inevitably causes convergence between the two organization, especially in today's "gray zone" environments. The most significant area of overlap, or 'convergence,' is intelligence. DOD has relied on the CIA for intelligence support to its operations, but the CIA's has a finite number of personnel and cannot fulfil every intelligence requirement, which has caused DOD to establish its own intelligence

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[308] Alfred H. Paddock, *U.S. Army Special Warfare: Its Origins*, (Lawrence, KS: University of Kansas Press, 2002), 68–76.

[309] Paddock, *U.S. Army Special Warfare: Its Origins*, 71.

[310] Paddock, 93–95.

[311] Paddock, 122.

capabilities.[312] In *Eyes, Ears, and Daggers*, Thomas Henriksen identifies Operations Eagle Claw as the catalyst for SOF's pursuit of a unilateral intelligence capability. As Delta Force prepared to rescue America hostages in the U.S. Embassy in Tehran, the CIA stated that it had pulled its case officers and did not have assets to support the military's intelligence requirements for the rescue. In response, a recently retired Richard Meadows, with Special Forces members from Berlin's 'Det-A,' volunteered to go to Tehran to gather the required intelligence. Many considered this to be the low point of SOF-CIA relations.[313]

In early 1980s Army's Chief of Staff, General Edward "Shy" Meyer, lamented that America's "adversaries were affecting us below the threshold of war," and suggested that the United States should build its capacity to address the threat. Instead of advocating for an expansion of the CIA's role, Meyer felt the military should "expand its capacity to fight in the shadows," ultimately authorizing the creation of the DOD's Intelligence Support Activity to satisfy DOD's intelligence requirements.[314] In many ways, the 9/11 Commission report confirmed Meyer's prescient assessment. The report attributed Al Qaeda's successful attack to the CIA's dispersion across its three missions "flat budgets, and outmoded structure," preventing the allocation of sufficient resources to foreign intelligence and creating vulnerabilities. The committee also suggested that the CIA transfer some of its covert action requirements to the DOD to allow for a reallocation of intelligence resources.[315]

The Department of Defense alone in over-stepping its boundaries, as the Central Intelligence Agency also encroached on the DOD's territory, conducting lethal operations of its own. As Robert Chesney points out, the CIA's employment of lethal force was not new, but it was generally used to pursue foreign policy aims. However, the increase of

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[312] Thomas Henriksen, *Eyes, Ears, and Daggers: Special Operations Forces and the Central Intelligence Agency in America's Evolving Struggle against Terrorism*, (Stanford, CA: Hoover Institution Press, 2016), 54–55.

[313] Henriksen, *Eyes, Ears, and Daggers*, 55–56.

[314] Robert Chesney, "Military-Intelligence Convergence and the Law of the Title 10/Title 50 Debate," 545–547.

[315] National Commission on Terrorist Attacks upon the United States, "The 9/11 Commission Report," Executive Summary, (Washington, DC: National Commission on Terrorist Attacks upon the United States, 2004).

terrorism in the 1980s changed the dynamics of the situation, causing the CIA to use lethal force to prevent terrorist plots, which was a self-defense justification traditionally associated with military action.[316] Although these activities were often criticized, they have drastically expanded in the post-9/11 era with the CIA's controversial drone program.[317] Moreover, the CIA and DOD's special mission units have developed a synergistic relationship to find, fix, and finish terrorist threats, however some would argue that these valiant efforts are not back-stopped with a more comprehensive, and costly effort to stop the threat of terrorism.[318] As Henriksen concludes his book, "the SOF-CIA weapon can hold terrorism at bay until the unlikely prospect that the Islamist fervor burns itself out before an unforeseen catastrophic event takes place. Or the United States and its allies can resolve to win the war on terrorism."[319]

The 9/11 Commission's recommendation and the subsequent changes offer insight into the Central Intelligence Agency and Special Operations Forces' relationship in paramilitary covert action, a component of support to resistance. In 2004, the commission recommended that the "responsibility for directing and executing paramilitary operations, whether clandestine or covert, should shift to the Defense Department. There it should be consolidated with the capabilities for training, direction, and execution of such operations already being developed by [USSOCOM]."[320] The commission justified this assertion arguing that the CIA's paramilitary skills had atrophied and that its operatives did not have the necessary training, and that the United States government could not afford to have duplicative organizations for the conduct of these activities. However, the commission commended the joint CIA-SOF collaboration in response to 9/11, stating that complementary activities should be pursued to increase the US' comparative advantage,

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316 Chesney, "Military-Intelligence Convergence and the Law of the Title 10/Title 50 Debate," 549.

317 Chesney, 562–563.

318 Henriksen, *Eyes, Ears, and Daggers*, [Ch. 6, "The SOF-CIA Fusion Concept in Two Theaters," 113–128].

319 Henriksen, 164.

320 National Commission on Terrorist Attacks upon the United States, "The 9/11 Commission Report," (Washington, DC : National Commission on Terrorist Attacks upon the United States, 2004), 415–416.

that operations should be planned jointly in the early stages, and that "the CIA's experts should be integrated into the military's training, exercises, and planning."[321] In 2011, a Washington Times article reviewed the implementation of these recommendations. The CIA did not relinquish control of paramilitary covert action, but agreed to support SOF as necessary with facilities and resources. The article quoted retired General Gerry Boykin, who stated that turf wars played a role, suggesting that the CIA feared relinquishing control would "result in a reduction of resources…[and] authority." Boykin also highlighted USSOCOM's concerns that assuming responsibility "would absorb huge amounts of time and resources and would be a distraction."

For the purposes of this study, it is important to delineate those Special Operations Forces and Central Intelligence Agency capabilities that complement one another to provide a competitive advantage in support to resistance operations, and should therefore be enhanced. USSOCOM's advantages in STR are its expertise in training and organizing paramilitary and guerrilla forces, access to military resources, a large volume of manpower trained in special warfare, and a greater ability to transition the conflict from covert operations to overt operations, such as Foreign Internal Defense, as the situation evolves. The CIA excels and complements USSOCOM's in the following areas: intelligence collection and analysis in support of UW, interagency integration, subversion, political action, 'black' and 'gray' propaganda, leveraging the cyber domain and social media, and insurgency and counterinsurgency research. Nearly all of these capabilities are acknowledged by USASOC as required capabilities to improve ARSOF's posture for UW. Another point to consider is that "there has been a growing interest in UW operations that leverage existing social movements, and non-violent, civil resistance-based movements" that have enjoyed more favorable outcomes compared to armed movements, as Generals Joseph Votel and Charles Cleveland point out in a *Joint Forces Quarterly* article.[322] ARSOF's civil affairs and psychological operations are currently evaluating their role in

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[321] National Commission on Terrorist Attacks upon the United States, "The 9/11 Commission Report," 415–416.

[322] Joseph L. Votel, Charles T. Cleveland, Charles T. Connett, and Will Irwin. "Unconventional Warfare in the Gray Zone." *Joint Forces Quarterly*, no. 80, 1st Quarter, (2016).

UW to develop doctrine for their respective communities. As such, these elements may do well to leverage the CIA's knowledge and expertise as they chart their course forward.

A final consideration in the Central Intelligence Agency-Special Operations Forces relationship are the coordinating mechanisms that contribute to successful cooperation between the two organizations. The main mechanisms are liaisons, joint interagency task forces, and the CIA's Associate Director for Military (ADMA) Affairs.[323] This research has found that most of the liaison efforts are oriented toward lethal strike operations and are filled by SOF personnel experienced in surgical strike. *Eyes, Ears, and Daggers* provided several examples of this issue. According to Henriksen, the CIA Deputy Director for the Special Activates Division has habitually been a JSOC officer.[324] Additionally, Henriksen details General Stanley McChrystal's success in establishing JIATFs to increase interagency collaboration and synergy in the fight against terrorism.[325] Additionally, USSOCOM established Interagency Task Forces (IATF) USSOCOM in 2004 which consists of over 100 interagency personnel.[326] In a 2009 posture statement to Congress, Admiral Eric Olson stated the IATF's purpose was "to rapidly facilitate CT collaboration within the U.S. government against trans-regional, functional and strategic level problem sets and opportunities."[327] The last coordinating mechanism, the ADMA, is staffed with a large proportion of DOD personnel, and is charged with advising CIA leaders on DOD issues, representing the CIA to DOD leaders, and facilitating mutual support (personnel,

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[323] The CIA's Office of the Associate Director of Military Affairs (originally the Office of Military Affairs) was created as a result of lessons learned regarding intelligence support to military operations during Operation Desert Storm. Examples of the ADMA's support activities are: assigning CIA representative to some of the military's unified commands, assigning CIA faculty representatives to the Senior Service Colleges, deploying intelligence teams in support of military operations, participating in military exercises, and hosting collaborative seminars and information exchanges. Central Intelligence Agency, "CIA Support the Military during the Persian Gulf War," June 16, 1997, last updated April 24, 2007. https://www.cia.gov/library/reports/general-reports-1/gulfwar/061997/support.htm.

[324] Henriksen, *Eyes, Ears, and Daggers*, 66.

[325] Henriksen, 3.

[326] David Doyle, "Interagency Cooperation for Irregular Warfare at the Combatant Command," monograph, Command and General Staff College School of Advanced Military Studies, 2009. http://usacac.army.mil/CAC2/cgsc/SAMS/media/Monographs/DoyleD-21May09.pdf.

[327] U.S. Congress, Senate, Statement of Admiral Eric T. Olson, U.S. Navy Commander, United States Special Operations Command before the Senate Armed Services Committee on the Posture of Special Operations Forces‖ (March 4, 2008). 11. http://ogc.osd.mil/olc/docs/testOlson080304.pdf.

logistics, equipment) between the two agencies, based on priorities established by the Director of the CIA.[328] Regarding special warfare, it appears that collaboration occurred on an as needed basis. The quintessential example of this is the joint CIA-SOF UW campaign in Afghanistan in 2001. Relying on solely open source information, it is unclear to if there are enduring collaboration mechanisms for special warfare.

D. SUMMARY

This summary chapter considers the organizational design and characteristics of the Office of Strategic Services, the antecedent for the United States Special Operations Command and the Central Intelligence Agency. The analysis found that the OSS was purpose built for its function and environment, eventually assuming a hybrid structure of a divisional adhocracy and employing decentralized decision making. The OSS had direct access to the President, exercised control over the strategic direction of it operations, contained all of the necessary functions for its assigned mission, and hand selected all of its personnel. When compared to the OSS, USSOCOM exhibited many of the same characteristics, however there were important differences. The most significant discrepancies in relation to STR are that USSOCOM lacks direct access to inform and educate high-level decision makers, its organizational priorities and resources tend toward counterterrorism. Additionally, the TSOCs are under-resourced to carry out their critical function within the structure, and USSOCOM faces challenges in the selection and management of its non-SOF personnel. Finally, in terms of the CIA-SOF relationship, the two organizations enjoy the best relationship since the days of the OSS, although the inter-organizational linkages tend toward counterterrorism and lethal operations. Both organizations offer complementary capabilities in STR and Special Warfare that must be recognized, developed, and integrated to provide policymakers with more effective STR options.

[328] Central Intelligence Agency. "Military Affairs," November 30, 2016. https://www.cia.gov/offices-of-cia/military-affairs.

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IX. SYRIA CASE STUDY

The United States' approach to the Syrian conflict provides a modern example of the obstacles to ARSOF's execution of support to resistance and unconventional warfare, highlighting how the combined influence of legal, political, and organizational obstacles can preclude unconventional methods of military intervention. Beginning as a popular social movement spurred by the "Arab Spring" of 2011, the unrest in Syria quickly immersed the country in a civil war that affected both American allies and adversaries in the Middle East. Though repeatedly calling for Syrian President Bashar al-Assad to "step aside," President Barack Obama resisted military intervention, stating that America "cannot resolve someone else's civil war through force, particularly after a decade of war in Iraq and Afghanistan."[329] Despite a textbook environment for STR operations where the local population endured oppression from Assad's hostile government and the occupying power of ISIS, the Obama administration chose instead to combat this issue through diplomacy and covert action, rather than direct military intervention, for approximately three years. Although this decision was primarily based on the absence of legal justification to support intervention, this choice was not without ramifications. As conditions in both Syria and neighboring Iraq deteriorated, enabling ISIS to gain control over large swaths of territory between the two countries, the administration's strategy transitioned to military intervention through coalition airstrikes and an overt "Train and Equip" (T&E) program to advise and assist moderate indigenous partners under Operation Inherent Resolve (OIR). While the coalition effort reached its stated objective of "defeat[ing] ISIS in designated areas of Iraq and Syria" (e.g., Mosul and Raqqa) by the fall of 2017, the issues encountered along the course of this U.S. intervention provide additional credibility to the obstacles previously discussed this research.[330]

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[329] Steven Lee Myers, "U.S. and Allies Say Syria Leader Must Step Down," *New York Times*, August 18, 2011, accessed October 16, 2017, http://www.nytimes.com/2011/08/19/world/middleeast/19diplo.html.

Barack H. Obama, "Obama's Remarks on Syria," September 10, 2013, *New York Times*, http://www.nytimes.com/2013/09/11/world/middleeast/obamas-remarks-on-syria.html.

[330] "About CJTF-OIR," Operation Inherent Resolve, accessed November 16, 2017, http://www.inherentresolve.mil/About-Us/.

A. LEGAL OBSTACLES TO U.S. INTERVENTION IN SYRIA

To understand the legal considerations to support to resistance movements (STR), this section outlines the international and domestic legal factors that led up to intervention and eventually influenced the execution of the Train and Equip Program. To summarize, this research team found the major legal obstacles to STR activities in Syria to be: (1) necessary adherence to international and domestic laws; (2) delays in authorities and appropriations to act in Syria once intervention was legally justified; and (3) the influence of CT policy, authorities, and funding on strategy.

The U.S. government's adherence to International law was arguably the largest factor that influenced if, when, and how the United States decided to intervene in Syria. As conditions in Syria evolved, new legal pathways opened for United States and international intervention, resulting in an escalatory response. There were two seminal periods that triggered pathways to intervention and changes in strategy, the creation of a humanitarian crisis in 2011 and the Islamic State's territorial expansion in mid-2014. Of note, although the Assad regime's use of chemical weapons in 2013 was a breach of international law, it did not result in any significant UNSC resolutions that authorized the use of force. This was because the United States and Russia's diplomatic efforts facilitated a plan that led to the verification and destruction of those chemical weapons by 2015, and was therefore omitted as a seminal event.[331]

The Assad regime's use of lethal force against its population, beginning in 2011, created a humanitarian crisis and triggered the Responsibility to Protect Principle.[332] Although the UNSC did not authorize the use of force to stop the crisis or enact regime change–largely, because China and Russia exercised their veto powers during early resolution votes–it eventually authorized states to provide humanitarian aid to the Syrian

[331] Christopher Blanchard, Carla Humud, and Mary Beth Nikitin, *Armed Conflict in Syria: Overview and U.S. Response*, Congressional Research Service Report No. RL33487 (Washington, DC: October 9, 2015), 2. https://www.hsdl.org/?view&did=787917.

[332] U.N. Department of Public Information, "The Responsibility to Protect," Background Note, (2012).

population in July 2014.[333] Despite a delayed UNSC resolution, President Barack Obama authorized U.S. intervention in Syria in early 2013–as did other European states–with the provision of non-lethal aid to the Syrian Rebels under the auspices of humanitarian intervention to protect civilians.[334] This action violated the customary international principle of non-intervention, but did not constitute a 'use of force,' which would have allowed Syria to respond in self-defense with necessary and proportionate use of force actions. Without access to the White House Legal Council's opinions, the exact legal justification for sending non-lethal humanitarian aid to the Syrian Rebels are not entirely clear, but as Wall and Schmitt suggest, states are generally ambivalent to breaches of the non-intervention principle, except when it is contrary to their interests.[335] Syria was no exception; Russia and Iran were outraged, but the rest of the international community generally accepted or directly supported the intervention.

The United States' alleged covert action program targeting the Syrian regime potentially violated the 'use of force' principle. According to wide-spread reporting from independent media outlets, President Obama's 2013 authorization for humanitarian aid in Syria was accompanied by a covert action program to "help moderate Syrian rebels fight the Assad regime."[336] Without knowing the full details of the size, scope, and intent of this program, it is difficult to assess whether or not President Obama's authorization constitutes a violation of international law under the 'use of force' principle. If it were determined later that this program focused on providing non-lethal assistance, such as leadership/organizational training and intelligence sharing, to Syria opposition forces, then the program would not constitute a 'use of force' violation. However, if it were determined that the program provided lethal means, such as lethal training and materiel (i.e., military

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333 The Russian Federation and China vetoed draft resolutions S/2011/612, S/2012/77, and S/2012/538. Dag Hammarskjold Library. "Security Council Veto List," accessed October 20, 2019. http://research.un.org/en/docs/sc/quick; U.N. Security Council, Resolution 2165, July 14, 2013. http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/Syria%20SRES%202043.pdf.

334 Christopher Blanchard et al., *Armed Conflict in Syria: Overview and U.S. Response*, 22.

335 Schmitt and Wall, "The International Law of Unconventional Statecraft," 355.

336 Adam Entous, "Covert CIA Mission to Arm Syrian Rebels Goes Awry," *The Wall Street Journal*, January 26, 2015, https://www.wsj.com/articles/covert-cia-mission-to-arm-syrian-rebels-goes-awry-1422329582.

arms, vehicles, and communications), to the Syrian opposition forces, then America's adversaries (e.g., China, Russia, or Iran) could argue that this covert program was an unlawful foreign intervention. This fine line dividing non-lethal and lethal assistance under the 'use of force' principle highlights a key legal consideration the United States' decision to intervene in Syria. Furthermore, this consideration demonstrates that providing lethal materiel to rebels, in Syria or elsewhere in future conflicts, is new stage within the STR construct: Under the legal guidelines of international law, this stage appears closer to military support than diplomatic or humanitarian assistance.

The rise of ISIS and its establishment of a physical caliphate in mid-2014 jump-started direct U.S. intervention in Syria. Based on this development, the U.S. government reoriented its strategy from away Bashar Al Assad's removal, toward a CT-centric effort to defeat ISIS. In legal terms, ISIS' territorial expansion into Iraq triggered the collective self-defense principle, Article 51 of the UN Charter. Additionally, ISIS' plotting against western targets created an imminent threat to the United States, which presented a self-defense justification for use of force against the group, specifically its affiliate ISIS-Khorasan (ISIS-K).[337] These structural changes in the situation opened the door to existing CT legal pathways for action (e.g., the 2001 AUMF; the 2003 Iraq AUMF; and U.S.C. 10, 127e).

Until this time, "the President and some members of Congress" had been reticent about authorizing an overt Train and Equip program for Syria, partly out of concern that the United States would become excessively entangled in nation-building efforts within Syria. However, the failure of a UN-facilitated negotiation to end the Syrian Conflict and the rise of ISIS caused a shift in U.S. policy. In June 2014, these new dynamics led President Obama to request Congress grant authorizations and appropriations to overtly train and equip vetted members of the opposition.[338] It was not until September 2014 that

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[337] Douglas Cantwell, "The ETF and the Legality of U.S. Intervention in Syria Under International Law," *Lawfare*, March 28, 2016. https://www.lawfareblog.com/etf-and-legality-us-intervention-syria-under-international-law.

[338] Amy Belasco and Christopher M. Blanchard, *Train and Equip Program for Syria: Authorities, Funding and Issues for Congress*. CRS Report No. R43727, (Washington, DC: Congressional Research Service, 2015), 2–4. https://fas.org/sgp/crs/natsec/R43727.pdf.

Congress issued temporary approval of the program as part of an FY 15 continuing resolution (CR). In contrast to the President's initial request, the CR limited the program's purpose to defending the Syrian population from ISIS and other terrorist threats, and avoided explicit authorizations to take action against Assad Regime forces.[339] Concurrently, the President authorized the first round of airstrikes against ISIS and ISIS-K targets within Syrian in late September 2014.[340]

The final shift in policy and strategy followed the UNSC's passage of Resolution 2249, on November 20, 2015. This resolution called upon member states to "take all necessary measures" to "prevent and suppress terrorist acts" from ISIS, Al Nusra Front, Al Qaeda, and other UN-designated terrorist organizations and "to eradicate the safe haven they have established over significant parts of Iraq and Syria."[341] Until this point, there were 'one-off' special operations missions into Syria, but in November 2015, President Obama authorized an enduring U.S. advisory presence on the ground in Syria.[342] Previously, overt train and equip activities were based in countries adjacent to Syria, as were the staging areas for raids and bombing efforts.[343] Although there are likely pragmatic security and logistics purposes for executing the effort from these locations, a significant consideration was the legal status of forces operating in Syria. Operating under the protection of the internationally recognized UNSCR afforded service members a clear legal status, as opposed to a more disputed and ambiguous one afforded by the United States' unilateral interpretation of international law. Until the UN resolution was passed, it could

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339 Belasco and Blanchard, *Train and Equip Program for Syria: Authorities, Funding and Issues for Congress*, 2–4

340 Mariano Castillo, Jim Sciutto, and Holly Yan, "US Airstrikes hit ISIS inside Syria for the First Time," *CNN*, September 23, 2014. http://www.cnn.com/2014/09/22/world/meast/u-s-airstrikes-isis-syria/index.html.

341 UN Security Council, Resolution 2249, November 20, 2015. http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s_res_2249.pdf.

342 Jeremy Diamond and Barbara Starr, "Syria: Obama Authorizes Boots on the Ground to Fight ISIS," *CNN*, October 30, 2015. http://www.cnn.com/2015/10/30/politics/syria-troops-special-operations-forces/index.html.

343 Belasco and Blanchard, *Train and Equip Program for Syria: Authorities, Funding and Issues for Congress*, 5.

be argued that service members captured by the Syrian Regime, Russians, or Iranians would be operating outside Geneva Convention protections and could be treated as spies.

The fact that Train & Equip efforts were not approved until late-2014, coupled with Turkish reticence supporting to Kurdish forces and the vetting restrictions imposed in the fiscal year 2015 authorization, effected the availability of viable partner forces capable of effectively supporting the United States' counter-ISIS strategy. The delay in authorization meant that the United States was "late to the dance," further constraining its already limited options in terms of resistance partners.[344] As the conflict dragged on between 2011 and 2014, those would-be-US-partners began forming coalitions, factionalizing or even fighting one another.[345] In the absence of U.S. support, some of those same groups searched for materiel, financial, and personnel support, often cooperating with terrorist affiliated groups as a pragmatic way to sustain their fight. When Congress finally authorized the T&E effort in 2014, it mandated a vetting requirement to deny assistance to forces with terrorist ties or to Shi'a militias supporting Iran or Syria. Furthermore, this vetting process required that prospective partners make a commitment to adhere to human rights laws and the law of armed conflict and only target ISIS.[346] Aside from excluding those groups that made seemingly pragmatic alliances, the authorization formalized a shift away from anti-Assad efforts, which forced prospective fighters to prioritize fighting ISIS over ousting Assad.[347] The disconnect between vetting policy and the reality on the ground–among other factors–limited the size and effectiveness of T&E forces, leading the former Commander of U.S. Central Command (USCENTCOM) General Lloyd Austin's statement to Congress that there were only "four or five [rebels]…still in the fight."[348] This testimony resulted in a general revamping of the T&E program. The program shifted away from recruiting and

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344 Authors' Interview, Former U.S. Military Official, Naval Postgraduate School, May 2017.

345 Authors' Interview, Former U.S. Military Official, Naval Postgraduate School, May 2017.

346 Belasco and Blanchard, *Train and Equip Program for Syria: Authorities, Funding and Issues for Congress*, 15.

347 Aaron Stein, "Partner Operations in Syria: Lessons Learned and the Way Forward," *The Atlantic Council*, July 2017. 1,10. http://www.atlanticcouncil.org/publications/reports/partner-operations-in-syria.

348 GEN Lloyd Austin. Testimony before the U.S. Senate Armed Service Committee (Washington, DC Senate Armed Service Committee. September 16, 2015).

training individuals to create new units, and toward supporting existing units and only vetting the leaders of those units.[349] Finally, as a 2017 Congressional Research Service report states, the approach became "transactional and performance-based, with Syrian beneficiaries receiving U.S. support as opportunities presented themselves and relative to their effectiveness on the battlefield and the alignment of their actions with U.S. interests."[350]

For many STR activities, the decision authority resided at the strategic level, which meant that proposed activities or operations had to filter through both U.S. Central Command and/or the National Security Council Staff before reaching the strategic decision makers, which extended approval timelines and degraded operational flexibility. Additionally, many activities were approved via individual 'CONOPs,' as opposed to an overarching operations order (OPORD) that would have provided the guidance and latitude necessary to adapt to conditions on the ground.[351] The use of CONOPs created additional requirements that had to matriculate through the approval process. Stein's report states that "the T&E program appears to have had a reporting line that made it susceptible to micromanagement from the National Security Council and CENTCOM." Former Secretary of Defense Robert Gates corroborated this in a televised interview stating "it was the operational micromanagement that drove me nuts. Of White House and NSC Staffers calling Senior Commanders in the field, asking questions, [and] second guessing commanders."[352] In the interview, Secretary Gates elaborates on his efforts to curtail what he saw as staffers' efforts to bypass the appropriate chain of command.[353] Stein and Secretary Gates' comments, describing operations during the Obama Administration, contrast with President Trump's hands-off approach. In an August 2017 White House press

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349 Christopher Blanchard et al., *Armed Conflict in Syria: Overview and U.S. Response*, 8.

350 Christopher Blanchard et al., 27.

351 Authors' Interview, Former U.S. Military Official, Naval Postgraduate School, May 2017.

352 "Secretary Gates: It was the operational micromanagement that drove me nuts," television interview, 2:34, posted by Bret Baier of FOX News, October 16, 2015, https://www.youtube.com/watch?v=guT5x_KKnwU.

353 "Secretary Gates: It was the operational micromanagement that drove me nuts," television interview, 2015.

briefing to discuss the recent gains against ISIS, Brett McGurk, the Special Presidential Envoy for the Global Coalition to Counter ISIS, stated that "the delegation of tactical authority from the White House, from Washington, down through the chain of command to our commanders on the ground…has made a fairly tremendous difference in our ability to actually seize opportunities from ISIS."[354]

B. POLITICAL OBSTACLES TO U.S. INTERVENTION IN SYRIA

This section chronologically follows the sequence of events contributing to the political challenges for U.S. intervention in Syria beginning with the planning for Operation Inherent Resolve in 2014. In summary, this research team found the major political obstacles to UW and STR activities in Syria were: (1) a general lack of support for foreign intervention; (2) an over-dependence on CT-strategy; (3) dysfunctional NSC management; (4) prohibition of accompaniment authorities; and (5) geopolitical sensitivities surrounding a capable indigenous partner.

The largest political factor affecting the Obama administration's initial decisions in Syria was a general lack of support for foreign intervention. When the popular movement in Syria devolved into a civil war by late 2011, the United States was simultaneously drawing down military forces in Iraq. President Obama viewed this drawdown as the initial fulfillment of his campaign pledge to end U.S. commitments to the wars in Iraq and Afghanistan; committing resources in Syria could possibly contravene this obligation.[355] Adding to the administration's apprehension to commit more resources abroad, historical research from this period reveals a lack of political will among the populace with only 25% of Americans supporting intervention in Syria.[356] This combined trepidation between the

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[354] Ambassador McGurk was appointed to Special Presidential Envoy by the Obama Administration in November of 2015. Before that he was the Deputy Special Presidential Envoy from September 2014 until his appointment as the principal envoy. Brett McGurk, White House Press Briefing (Washington, DC: U.S. Office of the Special Presidential Envoy for the Global Coalition to Combat ISIS, August 4, 2017). https://www.state.gov/r/pa/prs/ps/2017/08/273198.htm.

[355] Jeffrey Goldberg, "The Obama Doctrine," *The Atlantic Magazine*, April 2016, http://www.theatlantic.com/magazine/archive/2016/04/the-obama-doctrine/471525/.

[356] "Little Support for U.S. Intervention in Syrian Conflict," Pew Research Center, Washington, DC, (March 15,2012), http://www.people-press.org/2012/03/15/little-support-for-u-s-intervention-in-syrian-conflict/.

highest levels of government and the general sentiment of the American people shows that there was little appetite for any form of intervention in Syria.

At the outset of planning for Operation Inherent Resolve, the global SOF network proved unable to overcome the country's dependence on counter-terrorist strategy as the singular valid military option for ground intervention. Beginning with a campaign of targeted airstrikes against terrorist locations, the multi-national coalition under this operation made it clear that its military operations would focus on CT efforts against ISIS and not on the Assad regime.[357] Moreover, General Lloyd Austin highlighted, in his 2015 speech to Congress, that coalition operations would focus on the "ultimate defeat of ISIL and the possibility of a negotiated settlement with the Assad Regime."[358] This reliance on a CT strategy appears to contradict the recognized linkage between the oppression and insecurity created by the authoritarian Syrian government and rise of ISIS. Providing further emphasis on the limitations of continued dependence on CT, a recent report from the Atlantic Council's "Middle East Strategy Task Force" found that "[a] strategy for the region cannot focus solely on counterterrorism."[359] Furthermore, the report notes that "[e]ven if these groups disappeared tomorrow, the conflicts of the region would continue to burn, and other groups would arise in their place."[360] By continuing dependence on a CT strategy in Iraq and Syria, Operation Inherent Resolve failed to address the underlying issues which perpetuate insecurity and permitted the rise of ISIS in the first place. As a result, while the global SOF network was properly embedded within the interagency community, and while it was completely capable of advising the country's leadership on the full range of capabilities available to both destroy the enemy and address the underlying issues that lead to its development, the political leadership's myopic focus on CT was one

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[357] Paul Mcleary, "The Pentagon Wasted $500 Million Training Syrian Rebels. It's About to Try Again," *Foreign Policy*, March 18, 2016, accessed October 20, 2016, http://foreignpolicy.com/2016/03/18/pentagon-wasted-500-million-syrian-rebels.

[358] Lloyd J. Austin III, "The Posture of U.S. Central Command," House Armed Services Committee, April 3, 2015.

[359] Madeleine Albright and Stephen Hadley, *Middle East Strategy Task Force: Final Report of the Co-chairs* (Washington, DC: Atlantic Council, 2016), 46, http://mest.atlanticcouncil.org/final-report-co-chairs/.

[360] Albright and Hadley, *Middle East Strategy Task Force: Final Report* (2016), 46.

of several factors that ruled out the feasibility of UW or STR for intervention in Iraq and Syria.

Additionally, operational inflexibility was further deepened by the Unites State's disproportionate emphasis on a kinetic counter-terrorist strategy. In retrospect, it appears the CT strategy was facilitated by political priorities, an outdated AUMF, and the availability of CT funding and authorities, as compared to other funding and authorities which may have supported indirect approaches. As result, this inadvertently forced the adoption of a CT-focused strategy–making the number of bombs dropped, body counts, and terrain re-captured the primary measures of effect–while doing little to address the underlying causes of the conflict or move toward a sustainable solution. The degradation of ISIS, coupled with Russia and Iran's support to degrade opposition forces, created options for the Assad Regime instead of constraining them. In contrast, a bifurcated approach that prioritized ISIS' defeat in the near-term, while laying the groundwork to advantageously position the Syrian opposition for negotiations with the Assad regime following the collapse of the terrorist organization may have achieved better outcomes for the US.

In formulating the United States' counter-ISIS strategy, President Obama's National Security Council proved resistant to any option of unconventional special operations for intervention in Syria. In his first inaugural address in 2009, President Obama highlighted that a clear objective for his time in office was focusing the United States' foreign policy around the "tempering qualities of humility and restraint."[361] Under this maxim, it was clear that President Obama and those he selected to advise him would attempt to reverse the previous administrations' culture of haphazard intervention abroad vis-à-vis Iraq. When faced with both international and domestic calls for the United States to confront the insecurity in Syria that fed the development of ISIS, President Obama was reticent to commit U.S. forces to potential ground combat.[362] With this in mind, the military planners developing options for Operation Inherent Resolve to present to the NSC

[361] Barack H. Obama, "Barack Obama's Inaugural Address," January 20, 2009, *The New York Times*, http://www.nytimes.com/2009/01/20/us/politics/20text-obama.html.

[362] Goldberg, "The Obama Doctrine."

viewed UW as a "toxic term."[363] Consequently, this led to the initial development and implementation of the overt T&E program which limited military ground efforts to third-party countries outside of Syria, restricted operations to "advise and assist" but not accompany operations, and implemented a multinational chain of command with, at times, conflicting objectives.[364] While a portion of Special Forces leadership may argue that these are, in fact, UW activities, regardless of the designation of the boarder campaign, this fails to acknowledge the NSC's clear reluctance to consider fully supported UW as a potential military option. Analyzing these issues, foreign policy professor David Rothkopf finds that the "poorly functioning NSC process" under the Obama administration was as bad as "we have seen since Donald Rumsfeld and Dick Cheney back-doored the process in the early years of the Bush administration."[365] Under these conditions, it was clear early on that UW would not be a viable option for military intervention in Syria.

Risk aversion on the part of the Obama administration played a significant role in prohibiting accompaniment authorities to coalition advisors at the start of Operation Inherent Resolve. Among the first official authorizations for this operation was Congress' approval of the National Defense Authorization Act for Fiscal Year 2015. Under Section 1209 of this NDAA, Secretary of Defense was authorized to provide "assistance, including training, equipment, supplies, stipends, construction of training and associated facilities, and sustainment, to appropriately vetted elements of the Syrian opposition and other appropriately vetted Syrian groups and individuals."[366] Noticeably absent from this litany of authorized activities is the ability to accompany "vetted elements of the Syrian opposition" into the operational environment, reflecting the White House's goals of

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[363] Authors Interview, Former U.S. Military Official, Naval Postgraduate School, May 2017.

[364] Sean D. Naylor, "The Pentagon Ups the Ante in Syria Fight," *Foreign Policy Report*, March 30, 2015, http://foreignpolicy.com/2015/03/30/the-pentagon-ups-the-ante-in-syria-fight-iraq-islamic-state-delta-force/.

[365] Jeffrey Goldberg, "A Withering Critique of Obama's National Security Council," *The Atlantic Magazine*, November 12, 2014, https://www.theatlantic.com/international/archive/2014/11/a-withering-critique-of-president-obamas-national-security-council/382477/.

[366] Carl Levin and Howard P.''Buck''Mckeon National Defense Authorization Act for Fiscal Year 2015, Public Law 113–291, *U.S. Statutes at Large* 1209 (2014): 3541. https://www.congress.gov/113/plaws/publ291/PLAW-113publ291.pdf.

prohibiting "American boots on the ground in Syria" to avoid an "open-ended action like Iraq or Afghanistan."[367] When pushed by members of his Cabinet for military action in Syria, President Obama evoked the memory of the United States' protracted involvement in Vietnam, stating America's involvement in that conflict began under similar circumstances.[368] As a result, U.S. advisors to indigenous ground forces turned to an emerging concept coined as "remote advise and assist" operations, which leveraged modern technology to enhance partnered advisor connectivity to "bridge the gap between a direct combat advisory mission" and prohibited accompaniment.[369]

When the strategy for the U.S. led coalition against ISIS failed to gain momentum in the fall of 2015, Turkey's geopolitical sensitivities concerning the Kurdish rebels in Syria impeded transition to a more effective indigenous partner. On July 31, 2015 the first tranche of fighters from the T&E program were overrun by insurgents of the Al Nursa Front, an Al Qaeda-linked terrorist organization.[370] Within two months, Russian officials announced the introduction of both ground and air forces into Syria to reinforce the Assad regime and target terrorist organizations such as ISIS.[371] The impacts of these two events left the coalition searching for a new strategy. Operating mainly in Northeastern Syria, the Syrian Democratic Forces (SDF) had already proved themselves as a capable indigenous force defeating ISIS in Kobani, Hasakah, and Tal Abyad. However, with a majority of this force comprised of Syrian Kurdish People's Protection Forces (YPG) and Women's Protection Units (YPJ), Turkey remained adamantly opposed to any provision of assistance to this organization.[372] The basis of Turkish opposition stemmed from the Kurdish groups'

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[367] Obama, "Obama's Remarks on Syria," 2013.

[368] Goldberg, "The Obama Doctrine."

[369] Christopher Thielenhaus, Pat Traeger, and Eric Roles, "Reaching Forward in the War against the Islamic State," *Prism*, vol. 6, no. 3 (September 1, 2016), 107.

[370] Tom Perry and Naline Malla, "Nusra Front attacks Western-backed rebels in northern Syria," *Reuters*, July 31, 2015, accessed October 20, 2017, http://www.reuters.com/article/us-mideast-crisis-syria-nusra/nusra-front-attacks-western-backed-rebels-in-northern-syria-idUSKCN0Q50TL20150731.

[371] Andrew W. Kramer, Anne Barnard, "Russia Soldiers Join Syria Fight," *The New York Times*, October 5, 2015, accessed October 20, 2017, https://www.nytimes.com/2015/10/06/world/middleeast/russian-soldiers-join-syria-fight.html.

[372] Stein, "Partner Operations in Syria" 10

familial affiliation with the Kurdistan Workers Party (PKK), an acknowledged terrorist organization by the United States, which has maintained an active insurgency in Turkey since the mid-1980s.[373] Discussing this geopolitical obstacle to prospective support to the SDF, Atlantic Council senior fellow Aaron Stein suggests that this relationship, born of tactical necessity, to achieve immediate objectives risked compromising long-term U.S.-Turkey relations.[374] Prioritizing speed and effectiveness over politics, the United States increasingly ignored Turkish reticence to the new partnership, especially as the Kurdish groups joined forces with the Syrian Arab Coalition (SAC) to form the Syrian Democratic Forces (SDF) and began seizing control of ISIS occupied territories in Northern Syria.[375] Yet, this fissure in the coalition, which centered around support to the SDF, encapsulates the larger geopolitical issues at work in Syria where the importance for "boarder U.S. national security policy objectives may be linked more to its consequences for regional and global stability than to the details and outcome of the Syrian conflict itself."[376] While President Trump officially authorized the provision of military assistance to the Kurdish forces in Syria in May 2017, the coalition to defeat ISIS remains fractured over this controversial support.[377]

C. ORGANIZATIONAL OBSTACLES TO U.S. INTERVENTION IN SYRIA

To analyze the organizational challenges to the United States' intervention in Syria, this section will discuss a short history of Combined Joint Interagency Task Force-Syria (CJIATF-S), as well as the events surrounding the SDF's contentious seizure of Manbij, Syria in the summer of 2016 and the subsequent backlash from Turkey. In summary, this research team found the major organizational obstacles to STR activities in Syria were: (1)

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373 Stein, 2.

374 Stein, 2.

375 Stein, 1; 22.

376 Christopher M. Blanchard and Jeremy M. Sharp, *Possible U.S. Intervention in Syria: Issues for Congress*, CRS Report No. R 43201, (Washington, DC: Congressional Research Service, 2013), 49, https://fas.org/sgp/crs/mideast/R43201.pdf.

377 Phil Stewart,"U.S. to arm Syrian Kurds fighting Islamic State, despite Turkey's ire," Reuters, May 9, 2017, accessed November 15, 2017, https://www.reuters.com/article/us-mideast-crisis-usa-kurds/u-s-to-arm-syrian-kurds-fighting-islamic-state-despite-turkeys-ire-idUSKBN18525V.

separating special operations commands by geography instead of function, (2) overloading a Theater Special Operations Command, and (3) delays in achieving a unity of effort between adjacent organizations.

CJIATF-S' history in Syria demonstrates the effects of an organizational structure that fails to match the conditions of its operational environment. From its formation in 2014, CENTCOM assigned CJIATF-S the responsibility of "vetting, training, and equipping moderate Syrian opposition forces to defend the Syrian people, defend opposition-controlled areas in Syria, counter ISIL, and promote the conditions for a negotiated settlement of the conflict in Syria."[378] Notably absent from this mandate were mission command responsibilities for special operations in Iraq, where ISIS controlled an estimated one-third of the country.[379] Instead, CENTCOM planners chose to allocate these responsibilities to a separate newly established command, Combined Joint Special Operations Task Force-Iraq (CJSOTF-I). By dividing the mission command of special operations against ISIS into separate headquarters, CENTCOM planners ignored the clear interconnection between these two countries and the combined effort required to defeat ISIS in both areas. Specifically, this geographic division of responsibilities failed to understand how the insecurity of both Iraq and Syria fueled the rise and sustainment of ISIS and the synchronization required to defeat the enemy. International relations professor Fawaz Gerges described the significance of the connection, stating that ISIS' ability to appeal to disenfranchised Sunni communities in both Iraq and Syria enabled "a systematic effort to build a solid foothold and to expand their influence."[380] In other words, the marginalization of Sunni communities and insecurity within both Iraq and Syria was a catalyst for ISIS control. Therefore, both countries required commensurate and integrated efforts to degrade and defeat the growing influence of ISIS.

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[378] U.S. Central Command (USCENTCOM) Execute Order Operation Inherent Resolve, Establishing CFC (Combined Forces Command), CJTF-OIR and CJIATF (Combined Joint Interagency Task Force), October 17, 2014; Lt. Doug Gates, "Combined Joint Task Force Operation Inherent Resolve," *The Navy Reservist*, (July 2015), 19.

[379] Staff writer, "ISIS controls an area the size of Britain: Syria expert, *"AL Arabiya News*, November 2, 2014, http://english.alarabiya.net/en/News/middle-east/2014/11/28/ISIS-controls-an-area-the-size-of-Britain-Syria-expert.html.

[380] Fawaz Gerges, *ISIS: A History* (Princeton; Princeton Univ. Press, 2016), 175.

This separation of operations by geography further complicated the logistical and operational support for indigenous operations, which failed to recognize these boundaries. As the operational tempo increased, the negative impact of this decision was evident in continuous disputes over finite resources, such as surveillance asset allocation, and laborious adjacent unit coordination. With CJIATF-S authorized as a two-star command and CJSOTF-I commanded by a colonel, there was a noticeable disparity in representation that affected competition for resources and expedient coordination. Ultimately, CENTCOM and DOD corrected this error in January 2016 with the Pentagon authorizing the reorganization of CJIATF-S into what would become Special Joint Operations Task Force-OIR (SOJTF-OIR). The reformed two-star command would assume responsibility for "synchroniz[ing] the effects and activities of multiple subordinate commands in the fight against ISIS across Syria and Iraq."[381] Although this reorganization improved efficiency and coordination activities for special operations in both countries, the previous 15 months of geographically separating operations would take additional time to fully resolve. Meanwhile, the fight against ISIS had yet to gain momentum in either country.

Additionally, CENTCOM planners tasked the Theater Special Operations Command (TSOC) as the headquarters element for CJAITF-S. As the lead component for all special operations within the CENTCOM area covering 20 countries within the "least secure and stable regions of the world," Special Operations Command Central (SOCCENT) is among the most active commands in the U.S. military.[382] While it is not uncommon for military planners to identify a TSOC as the lead component for initial establishment of operations under the Joint Task Force, retaining both command responsibilities at this headquarters beyond the development phase can quickly overwhelm an organization. In the case of CJIATF-S, SOCCENT was quickly engulfed by what its Commander, Major General Michael Nagata, describes as "start-up" costs, such as land

[381] United States Army Special Operations Command, "USASOC 2035: Communicating the ARSOF Narrative and Setting the Course to 2035," (USASOC, 2017), 7.

[382] "Area of Responsibility," *U.S. Central Command*, accessed November 6, 2017, http://www.centcom.mil/AREA-OF-RESPONSIBILITY/.

agreements, facilities production, vetting procedures, and adjacent unit coordination.[383] Furthering complicating SOCCENT's ability to address these start-up costs were the TSOC's daily responsibilities managing the region's wide-ranging special operations activities, such as joint combined exchange training, civil-military engagement, military information support, and other sensitive special operations.

To help support this increase in mission command responsibilities in the headquarters, CJIATF-S filled the majority of its staff positions through joint individual augmentees, which did not require any prior experience or education in special operations. While this manning processing is also not uncommon, especially when establishing a joint task force for contingency operations, it limits the optimization of special operations, given that the headquarters staff will likely have minimal, if any, experience in working special operations.[384] The extent of this issue was soon visible within CJIATF-S as the operational and legal complexities of vetting indigenous forces, divestiture of military equipment, and battle-tracking within a denied area quickly consumed the staff capacity. For example, with regard to vetting, the established process required screening the indigenous fighters through multiple means, to include "psychological evaluations, biometrics checks[,] stress tests," and extensive interagency coordination and deconfliction.[385] While details on the average length of this process are not available at the unclassified level, it is fair to assume that this process required a considerable amount of time since many of the staff personnel responsible for operationally managing this process were inexperienced with these procedures and, more broadly, special operations.

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[383] Lead Inspector General for Contingency Operations, "Interview With General Michael Nagata: Syrian Train and Equip Program and the U.S. Strategy To Counter ISIL," *Quarterly Report to Congress: October 1, 2015-December 31, 2015*, accessed November 6, 2017, https://oig.usaid.gov/sites/default/files/other-reports/operation_inherent_resolve_12312015_0.pdf.

[384] Contemporary lessons learned for manning and equipping joint task forces can be found in a publication from the Deployable Training Division (DTD) of the Joint Staff J7 within "Insights and Best Practices Focus Paper: Forming a JTF HQ," Deployable Training Division J7, (September 2015), http://www.dtic.mil/doctrine/fp/fp_jtfhq.pdf.

[385] Missy Ryan, "U.S. will use psych evaluations, stress tests to screen Syrian rebels for training," *Washington Post*, November 28, 2014, https://www.washingtonpost.com/world/national-security/us-military-will-use-psych-evals-stress-tests-to-screen-syrian-rebels-for-training/2014/11/28/39bb9362-7712-11e4-bd1b-03009bd3e984_story.html?utm_term=.8a1a42521c22.

CENTCOM addressed these issues following Secretary of Defense Ash Carter's October 9th, 2015 announcement that the focus of the Train and Equip program would shift to enabling indigenous groups already fighting ISIS in Syria.[386] As a part of this strategy shift, the reformation of CJIATF-S into SOJTF-OIR required the transition of responsibilities for the counter-ISIS headquarters element to 1st Special Forces Command (Airborne). By removing SOCCENT's mission command responsibilities, CENTCOM acknowledged the need to relieve SOCCENT of the pressures of manning two operational headquarters elements. At this point, President Obama removed the prohibition against American advisors entering Syria.[387] While these two decisions were most likely disconnected, the benefit of this coincidence was soon clear as indigenous forces gained momentum against ISIS in several key areas, such as the Tishreen Dam, Al-Shaddai, and Ramadi, in the beginning of 2016.

As ISIS began to lose terrain in Syria, the importance of thorough coordination between advisors of disparate indigenous forces intensified. This issue came to the forefront on August 12, 2016 when the SDF cleared the remnants of ISIS from Manbij, a little-known outpost located approximately 38 km south of a main border crossing point between Syria Turkey at the city of Jarabulus.[388] Within two weeks, Turkey, a member of the OIR multi-national coalition, sent tanks, special forces, separate rebel forces with Turkish affiliations into Syria to secure the border crossing and establish a bulwark against further SDF advances under what the Turks referred to as Operation Euphrates Shield.[389] With U.S. SOF advisors on both sides of this conflict, the United States faced the dilemma

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[386] Lisa Ferdinando, "Pentagon Shifts Focus in Syria," U.S. Department of Defense, October 9, 2015, accessed November 13, 2017, https://www.defense.gov/News/Article/Article/622663/pentagon-pauses-moderate-syrian-train-and-equip-mission/.

[387] Josh Earnest, "Daily Press Briefing by the Press Secretary Josh Earnest 10/30/15," Obama White House Archive, October 30, 2015, accessed November 13, 2017, https://obamawhitehouse.archives.gov/the-press-office/2015/10/30/daily-press-briefing-press-secretary-josh-earnest-103015.

[388] Faysal Imani, "Why Turkey Went to War in Syria," *Foreign Policy Magazine*, August 24, 2016, http://foreignpolicy.com/2016/08/24/why-turkey-finally-went-to-war-in-syria-jarablus-invasion-kurds/.

[389] Tim Arango, Anne Barnard, and Ceylan Yeginsu,"Turkey's Military Plunges Into Syria, Enabling Rebels to Capture ISIS Stronghold," *The New York Times*, August 24, 2016, https://www.nytimes.com/2016/08/25/world/middleeast/turkey-syria-isis.html.

of quelling heated rhetoric and rebuilding trust between indigenous partners. Turkey's actions in Syria in response to the SDF's victory in Manbij demonstrate the impact that a lack of unity of effort within a coalition can have on dynamic operating environments. Although the establishment of SOJTF-OIR as the single SOF headquarters for the fight against ISIS in Iraq and Syria did improve the coordination and synchronization of most special operations, there was still a large gap in cooperation and coordination of objectives between multi-national units at the tactical level. With advisors collocated to both SDF and Turkish forces, U.S. SOF were central to enabling a collective understanding of both partners' intent and planned future operations. However, the history of enmity between these partners appears to have restricted any feasibility for coordination leading up to the Turk's Operation Euphrates Shield. This lack of a common objective and coordination between the separate elements of the SOF coalition took time and resources away from the fight against the common enemy, ISIS.

D. SUMMARY

By examining the Syrian conflict, the legal, political, and organizational challenges to support to resistance operations become clear. From the onset of the civil war to the emergence and decline of ISIS, the international and domestic legal requirements played a large role in controlling the pace and scope of U.S. intervention. While many of the political challenges were subjective to contemporary circumstances surrounding this conflict, rigid strategy and NSC conditions for intervention, as well as the reluctance to commit U.S. forces and vacillating U.S. policy are enduring difficulties facing any potential military intervention. Finally, the organizational challenges reveal the necessity for adaptive mission command structures that match the rate of evolution for the operating environment. While the territory under ISIS control had declined significantly since the fall of Mosul in 2014, there are clearly several issues that stymied the progress of this effort along the way.

E. WHAT IF?

Despite the collective impact of these challenges on the U.S. strategy for Syria, this case study analysis leads to a fundamental question: could the United States have achieved its stated policy objectives if it had mitigated these obstacles and employed a support to

resistance-focused strategy earlier?[390] To briefly explore this counterfactual, the authors of this research will divide the periods of potential U.S. intervention into two phases reflecting the shifts in U.S. policy for Syria (i.e., focused on dislodging the Assad regime versus defeating ISIS). Phase One is defined as immediately following the initial declaration on August 18, 2011 by President Obama that the "time has come for President Assad to step aside."[391] Phase Two is defined as immediately following ISIS' successful capture of Mosul in June 2014.

1. Phase One: Assad Must Go

The strategic value that Iran has placed on maintaining the Assad regime makes it unlikely that any U.S. strategy for phase one, short of direct military intervention, would have succeeded. The strategic importance of Syria to Iran is well documented. Regarding Iran's strategic relationship with Syria, national security professor Afshon Ostovar notes that Syria is a "vital intermediary for its support to Hezbollah in Lebanon."[392] Supporting the argument that Syria is critical to Iran, Dr. Ostovar quotes, among other evidence, a September 2013 interview with a former Iranian Basij Commander, stating "Syria is the 35th province and a strategic province for [Iran]…if Syria were lost, we [Iran] would not be able to keep even Tehran."[393]

Iran demonstrated the strategic value of Syria further in 2015 by soliciting the intervention of Russian forces to bolster the failing defense of the Assad regime. Faced with mounting losses among its IRGC advisors and a "depleted and exhausted" partner force in the Syrian army with desertions on the rise, Iran overcame its modern aversion foreign alliances with world superpowers by assisting with the introduction of Russian

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[390] Thorough analysis of similar counterfactuals addressing whether "different U.S. policy choices have forestalled ISIS's rise, or at least prevented it from becoming so powerful and destructive?" can be found in Hal Brands and Peter Feaver's "Was the Rise of ISIS Inevitable?" *Survival*, vol. 59, no. 3 (2017).

[391] Barack H. Obama, "Statement by President Obama on the Situation in Syria," August 18, 2011, *The Obama White House Archives*, https://obamawhitehouse.archives.gov/the-press-office/2011/08/18/statement-president-obama-situation-syria.

[392] Afshon Ostovar, *Vanguard of the Imam: Religion, Politics, and Iran's Revolutionary Guards* (New York: Oxford Univ. Press, 2016), 192–193.

[393] *BBC News* (Persian Service), February 14, 2013, http://www.bbc.com/persian/iran/2013/02/130214_nm_tayeb_syria_basij.shtml.

forces.[394] Following the IRGC's Quds Force Commander's visit to Moscow in July 2015, Russia announced its intervention to reinforce the pro-Assad coalition by early October.[395] Within weeks, the Iranians' decision proved indispensable as the tides had turned in favor the Assad regime.[396] Based on these examples, Iran showed it was willing to risk direct military confrontation with the United States when the Assad Regime's survival hung in the balance. Whereas, the United States' brinksmanship in Syria would have most likely stopped short of direct military confrontation. For this reason, it is doubtful that support to resistance operations would have achieved the United States' policy objectives in Syria during phase one. Finally, this research also found that 'the problem of transition' (e.g., what happens after Assad goes?) was a complicating factor in the United States' brinksmanship calculus.

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394 Ostovar, *Vanguard of the Imam*, 231; Edward Wastnidge, "Iran and Syria: An Enduring Axis," 152.

395 Ostovar, 231; Andrew W. Kramer, and Anne Barnard, "Russia Soldiers Join Syria Fight," *The New York Times.*

396 Paul Bucala and Frederick W. Kagan, *Iran's Evolving Way of War: How the IRGC Fights in Syria*, 13.

2. Phase Two: ISIS Must Go

Given the proven effectiveness of external intervention against the Islamic State in Iraq and Syria (ISIS) in both Iraq and Syria, it likely that the United States could have defeated the Islamic State sooner, with earlier and more efficient support to resistance operations. A 2017 RAND report entitled *Rolling Back the Islamic State* found that "a combination of Syrian, Turkish, Kurdish, and allied military operations" reduced approximately 55% of the population and 37% of the territory controlled by ISIS over a 3-year period (Figure 4 provides a depiction of the reduction of ISIS control over this period).[397] Through such external intervention as the "United States in the north, and, to a lesser degree, from Russia, Iran, and Lebanese Hezbollah in the west," ISIS has declined to the point of near-territorial extinction in 2017.[398] For this reason, it is probable that fully enabled support to resistance operations would have achieved the United States' policy objective in Syria for phase two. However, it is worth mentioning that the physical defeat of ISIS is only one side of the equation. Again, the transition from conflict to stability is the other half. As witnessed from the removal of ISIS from large urban areas, such as Mosul and Raqqa, restoring security to these liberated areas and ensuring regional stability following the removal of ISIS is a considerable challenge, to say the least. With President Trump declaring that the United States is "not nation-building" in Afghanistan, it seems unlikely that the current administration will support separate large-scale reconstruction efforts in Syria.[399]

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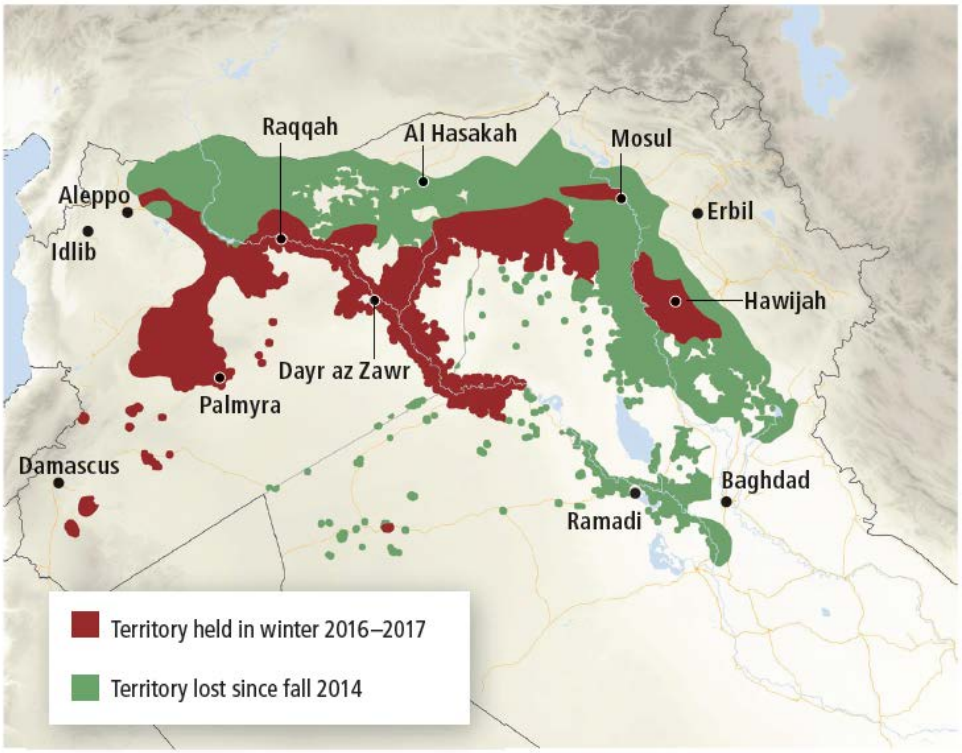
[397] Seth G. Jones, et al., *Rolling Back the Islamic State* (Santa Monica, CA: RAND Corporation, 2017), 100 https://www.rand.org/pubs/research_reports/RR1912.html.

[398] Seth G. Jones, et al., *Rolling Back the Islamic State*, 99.

[399] Donald J. Trump, " Remarks by President Trump on the Strategy in Afghanistan and South Asia," August 21, 2017, The White House, https://www.whitehouse.gov/the-press-office/2017/08/21/remarks-president-trump-strategy-afghanistan-and-south-asia.

Figure 4. RAND Estimates of the Decline of ISIS-Controlled Territory in Iraq and Syria (2017)[400]



[400] Seth G. Jones et al., *Rolling Back the Islamic State*, xii.

X. CONCLUSION/RECOMMENDATIONS

This thesis shows that the legal, political, and organizational obstacles to ARSOF's employment of STR operations vary in their origin, scope, and impact. Moreover, as seen in the Syrian case study, the various facets of each category may not apply to all U.S. interventions. Certain aspects of these obstacles (e.g., authorizations, funding, and organizational culture) can be addressed through the following recommendations; however, confrontation of these issues must occur at the appropriate organizational level and must have full support of, and emanate downward from, the requisite echelon in the military chain of command. Some obstacles may require USSOCOM and USASOC to inform, educate, and build consensus to garner external support from Congress and the interagency community. On the other hand, some obstacles, such as international law and geopolitics, are outside of the United States' control and will pose enduring challenges to all potential STR operations. In these instances, studying and accounting for these variables, and implementing necessary changes will posture USASOC to provide policymakers with effective and appropriate STR policy options.

To address ARSOF's preparation for future conflict, the United States Army Special Operations Command (USASOC) published its "USASOC 2035 Strategy" in April 2017, focusing primarily on the "further development of ARSOF institutional and operational capabilities needed to counter future threats across the spectrum of conflict, especially in gray zones between peace and overt war."[401] Additionally, the USASOC commander's vision repeatedly highlights the imperative for ARSOF to provide a "portfolio of complementary capabilities to address future hybrid threats."[402] This reflects the DOD policy on irregular warfare outlined in DOD Directive 300.07, which acknowledges that irregular warfare, which encompasses UW, "is as strategically

[401] United States Army Special Operations Command, "USASOC 2035: Communicating the ARSOF Narrative and Setting the Course to 2035," *Special Warfare*, vol. 30 (2017), 2, http://www.soc.mil/swcs/SWmag/archive/SW3003/USASOC%202035.pdf.

[402] USASOC, "USASOC 2035," 38.

important as traditional warfare and [DOD] must be equally capable in both."[403] This study's research occurred concurrently with the development and publishing of "USASOC 2035." As a result, this research reiterates many of the obstacles captured in "USASOC 2035," such as "identify more responsive mechanisms to deploy forces when needed" (i.e., develop proactive authorizations and funding), "improve understanding of the full range of ARSOF capabilities with external audiences" (i.e., decrease civil-military disconnection), and "develop and integrate systems and processes that enable operator/leader level decision making" (i.e., empower decentralized decision making). Furthermore, the Commander's vision outlines several other aspects of STR that fell outside this paper's scope, such as technology modernization, cyber integration, training, and career management. While it is imperative that all commands within USASOC pursue directives and, as necessary, update the USASOC Commander on issues requiring command leverage, they must also account for persistent implementation challenges.[404]

A bias toward counterterrorism operations was the most significant challenge identified by this research, however, "USASOC 2035" does not address this point. Acknowledging the persistent issue of strategic imbalance, the "SOCOM 2020 Strategy" states that "USSOCOM must not only continue to pursue terrorists wherever we may find them, we must rebalance the force and tenaciously embrace indirect operations in the Human Domain."[405] However, multiple areas throughout this analysis have revealed that the current U.S. policy, authorities, resources, and organizational structures disproportionately focus on CT operations, sustaining a strategic imbalance towards a short-term, direct approach, as opposed to the complementary application of the direct and indirect approach (i.e., Surgical Strike and Special Warfare). While the terrorist threat to the U.S. and its interests abroad is certainly valid, this myopic focus on terrorism has left

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403 Department of Defense, Irregular Warfare, DOD Directive 3000.07, (Washington, DC: Department of Defense, 2014), https://www.hsdl.org/?abstract&did=757333.

404 USASOC 2035 Campaign Plan outlines three venues for these assessment forums: 1. USASOC Commanders' Conference; 2. Executive Oversight Council; 3. Strategic Planning Process Council of Colonels. Although these venues vary in frequency and focus, their combined effect intends to provide proper analysis, review, and recommendations to the USASOC Commander's strategy. Further information can be found at http://www.soc.mil/Assorted%20Pages/USASOC%20CAMPLAN2035%20Final.pdf.

405 United States Special Operations Command, "SOCOM 2020: Forging the Tip of the Spear," USSOCOM, May 2013.

the door open for actors like Russia, Iran, and China to assert themselves through both conventional and unconventional means.

Two other sources of this asymmetry in authorities, resources, and organization between the direct and indirect approach stem from a lack of a unified SOF narrative and a 'path of least resistance' to employ CT Forces. Currently, the disjointed SOF narrative fails to inform and educate policymakers on the full spectrum of SOF core activities. Armed with partial information, policymakers may inadvertently limit military intervention to a single SOF capability or organization. Eventually, this limitation increases organizational credibility and creates a positive feedback loop for employment. Additionally, with accelerated funding and approval streams, prioritization within the global SOF network, and adaptive mission command structures, USSOCOM's internal disproportionate support towards this single core activity transcends all three categories of obstacles to STR. Over time, this lack of optimized efficiency for all other special operations outside of CT creates a "path of least resistance" for military planners and commands facing complex and dynamic problems. Through this "path of least resistance," USSOCOM and policymakers fall victim to the cognitive "blunder" referred to by national securities professor Zachery Shore as "cure-allism." By depending on CT operations beyond their intended short-term duration and objectives, military planners are taking an approach that has worked well in the past and universally applying it to all future problems.[406] Although applying the CT approach to various circumstances for U.S. intervention may reduce obstacles to approval within policymaking circles, it also reinforces a rigid operational mindset that fails to account for the full complement of SOF capabilities.

A more effective National Security Strategy (NSS) for future hybrid conflicts requires an improved balance between, and complementary employment of, the direct and indirect approaches. Additionally, any future security strategy must address the unconventional threats that state and non-state actors pose in present and future conflicts. Currently, USSOCOM remains focused on its designated role as DOD's synchronizer of

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[406] Zachary Shore, *Blunder: Why Smart People Make Bad Decisions*, 1st U.S. ed. (New York: Bloomsbury, 2008), 107.

global CT, but exercises limited operational control over the long-term direction of SOF's Special Warfare activities.[407] Instead, responsibility for operational control of these indirect activities remains with the TSOCs and GCCs, impeding the efficiency and synchronization of USSOCOM's indirect capabilities. To improve this status quo, this research offers five recommendations. The recommendations below emphasize two uniform criteria:

- No new organizations: All recommendations from this research highlight the need for review, redirection, and, possibly, restructuring of current resource utilization.

- Top-down driven and Bottom-up refinement: From the creation of USSOCOM by the Goldwater-Nichols DOD Reorganization Act of 1986 to the restructuring of U.S. Army Special Forces by "ARSOF 2022," top-down driven change a prerequisite from any change affecting special operations. As result, ASD SO/LIC and Commander of USSOCOM will be primarily responsible for enacting these recommendations through their advocacy at the DOD and Joint Staff levels.[408] However, the 'top-down' approach will require subordinate organizations to identify issues, offer solutions and provide feedback and refinements during implementation. Only through this two-way interaction will the command overcome the perpetual challenge of implementation.

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[407] Edward J. Drea, "History of the Unified Command Plan 1946–2012," Office of the Chairman of the Joint Chiefs of Staff (Washington, DC, 2013) 92, 107, http://www.jcs.mil/Portals/36/Documents/History/Institutional/Command_Plan.pdf.

The most recent Unified Command Plan, dated April 6, 2011 identifies USSOCOM as the "lead combatant commander for planning, synchronizing, and as directed, executing global operations against terrorist networks," as well as the "Joint Proponent for Military Information Support Operations" (formerly referred to as psychological operations) and Security Force Assistance. These responsibilities are in addition to the USSOCOM's service component-like responsibilities (i.e., organize, train, and equip SOF).

[408] 10 U.S.C § 138 (2016) designates the ASD SO/LIC as the "principal civilian adviser to the Secretary of Defense on special operations and low intensity conflict matters." 10 U.S.C § 167 (2016) designates the Commander of USSOCOM as responsible for "preparing and submitting to the Secretary of Defense program recommendations and budget proposals for special operations forces and for other forces assigned to the special operations command."

A. RECOMMENDATION #1: ADVOCATE FOR THE INCORPORATION OF IRREGULAR WARFARE WITHIN THE NATIONAL SECURITY STRATEGY

The current National Security Strategy remains fixed on combating terrorism. Since 9/11, this congressionally mandated "comprehensive report" has centered on protecting the homeland from future terrorist attacks but fails to reflect the full spectrum of U.S. national power in the realm of hybrid warfare and gray area conflict.[409] Consequently, SOF CT capabilities have emerged as the primary vehicle for addressing U.S. intervention abroad. To resolve this impediment towards the viability of future STR operations, security policy should incorporate irregular warfare guidance alongside combating terrorism initiatives.

Russian and Iranian unconventional warfare activities, coupled with recent Congressional legislation, present a potential catalyst for a rebalancing between the nation's direct and indirect approaches, as well as irregular warfare injects into the forthcoming National Security Strategy (NSS). The "Countering America's Adversaries Through Sanctions Act" orders "the Secretary of State, the Secretary of Defense, the Secretary of the Treasury, and the Director of National Intelligence [to] jointly develop and submit … a strategy for deterring conventional and asymmetric Iranian activities and threats that directly threaten the United States and key allies in the Middle East, North Africa, and beyond."[410] The legislation, which is reminiscent of George Kennan's 'political warfare' concept, presents USSOCOM and USASOC with an opportunity to contribute to the NSS that would demonstrate how special operations–and potentially STR–can support

[409] 50 U.S.C § 3043 (2016) states that the President shall submit Congress an annual "comprehensive report on the national security strategy of the United States." Additionally, this report shall outline the "proposed short-term and long-term uses of the political, economic, military, and other elements of the national power of the United States to protect or promote the interests and achieve the goals and objectives."

[410] Countering America's Adversaries Through Sanctions Act, Public Law 115–44, § 103 (2017). https://www.congress.gov/115/plaws/publ44/PLAW-115publ44.pdf.

a larger political warfare strategy.[411] Due to the classification of this research, the proposed injects are generalized, but SOF's role should directly support the broader political warfare strategy. Potential proposals should consider efforts to shape Iran's political evolution, rollback Iran's expansion abroad, and promote other nations' resiliency to Iranian influence and political or cultural infiltration. By incorporating both the direct and indirect approaches of U.S. capabilities, this policy document will enhance the feasibility of STR development from the top-down. From this adjustment to national strategic guidance, USSOCOM and its subordinate unified commands can initiate reviews of resource reallocation and operational requirements to ensure the optimal utilization of SOF towards national objectives.

B. RECOMMENDATION #2: ESTABLISH AN IRREGULAR WARFARE WORKING GROUP WITHIN THE NSC

The National Security Council (NSC) should re-task an element within the Counterterrorism Security Group to focus on irregular warfare to analyze hybrid threats to U.S. national interests abroad and, when appropriate, develop, resource, and execute indirect warfare policy in response to these threats.[412] While the intended charter for this working group disregards current organizational and geographic boundaries, this purpose is not without precedent. In fact, the Nunn-Cohen Amendment to the 1987 DOD Authorization Act mandated the establishment of a Board for Low Intensity Conflict," with its primary function being "to coordinate the policies of the United States for low intensity

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411 George Kennan originally defined political warfare as "the employment of all the means at a nation's command, short of war, to achieve its national objectives. Such operations are both overt and covert. They range from such overt actions as political alliances, economic measures, and 'white' propaganda to such covert operations as clandestine support of 'friendly' foreign elements, 'black' psychological warfare and even encouragement of underground resistance in hostile states." This definition can be found in Policy Planning Memorandum, "The Inauguration of Organized Political Warfare," dated 30 April 1948. Additionally, USASOC describes SOF's role in political warfare in its "White Paper: SOF Support to Political Warfare," U.S. Army Special Operations Command, March 10, 2015.

412 Historical research on the concept of developing a policy coordination committee focused on Unconventional Warfare along with the establishment of a broader Joint Interagency Task Force-Unconventional Warfare (JIATF-UW) to "leverage the capabilities of the nation's military manpower and resources to wage successful unconventional warfare" can be found in John W. Silkman, "Unconventional Warfare and Operational Art: Can We Achieve Continuity in Command and Control?" (master's thesis, School of Advanced Military Studies, 2004), http://www.soc.mil/SWCS/SWEG/AY_2004-/Silkman,%20J%202004.pdf.

conflict."[413] Historical research on this subject suggests that the board was only nominally established within the NSC under the Reagan administration and met only twice in the George H.W. Bush administration.[414] No further information on this board could be found. While this research team recommends initiating this proposal through the restructuring of an established entity of the NSC, it is likely that the focus and functions of this working group would branch into a separate policy coordination committee or directorate under the NSC over time. Furthermore, to improve the collective understanding of this working group through what the Center for Naval Analysis (CNA) has termed the "preparation of the policy environment," this research team endorses the CNA's recommendation of including at least one SOF General or flag officer.[415]

C. RECOMMENDATION #3: CONTINUE THE MOMENTUM FOR STANDING CONGRESSIONAL AUTHORIZATION AND FUNDING SUPPORTING IRREGULAR WARFARE

To address the disparity in authorization and funding streams between SOF activities, special operations leadership should capitalize on the recent momentum in Congressional support to facilitate DOD's prosecution of irregular warfare. Chapter VI (legal obstacles) highlighted the FY 16 NDAA requirement for DOD to develop a strategy to "counter unconventional warfare threats posed by adversarial state and non-state actors," as well as the recent passage of the "Countering America's Adversaries Through Sanctions Act."[416] Finally, through the proposed allocation of $10 million annually through fiscal year 2021 to support such indirect capabilities, Congress has acknowledged the need to redress the strategy imbalance through comparable legal and monetary support.[417] Nonetheless, there is still much more required of Congress vis-à-vis legal parity between

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413 "National Defense Authorization Act for Fiscal Year 1987," Pub. L. 99–661 §1311 Stat. 3986 (1986). https://www.gpo.gov/fdsys/pkg/STATUTE-100/pdf/STATUTE-100-Pg3816.pdf.

414 William G. Boykin, "Special Operations and Low-Intensity Conflict Legislation: Why Was It Passed and Have the Voids Been Filled" (study project, Army War College, 1991), 46. http://handle.dtic.mil/100.2/ADA235154.

415 Powell, "Advice from SOF on the Use of SOF for the Next Administration," 4.

416 FY '16 National Defense Authorization Act, P.L. 114–92, Sect. 1097 "Department of Defense Strategy for Countering Unconventional Warfare" (November 25, 2015).

417 H.R. 2810 §1201, 115th Cong. (2017), https://www.congress.gov/115/bills/hr2810/BILLS-115hr2810pap.pdf.

the nation's complementary direct and indirect capabilities, such as comparable funding, authorizations, liaison mechanisms, and oversight for a wider range of DOD's Special Warfare activities. Furthermore, USSOCOM must assuage the recent concern voiced by many political leaders in the 2017 Congressional review of the 9/11 AUMF that authorizations such as these become "mere authorities of convenience…to conduct military activities anywhere in the world."[418]

To that end, this research team recommends that the USSOCOM Commander include a review of the force's utilization of funds earmarked for irregular warfare in annual posture statements. Through these updates, the SOF leadership can ensure funding levels are adequate to affect the pursuit of national interests through irregular warfare and to identify areas that may require adjustments to 1201 funding in the future.

D. RECOMMENDATION #4: ACKNOWLEDGE THE CONVERGENCE OF DOD AND THE CENTRAL INTELLIGENCE AGENCY AS A MODERN NECESSITY AND REFORM LEGISLATION AND ORGANIZATIONAL PRACTICES ACCORDINGLY

SOF and the CIA are complementary organizations and natural partners, born out of necessity and shared organizational history, as shown in Chapter VIII (organizational obstacles) of this study. Review and reform of the legislation governing DOD-CIA intelligence collection and covert action capabilities is overdue. When applicable, updates to Title 10 and 50 should transition ad hoc agreements and de facto operating practices into statutory law and reassess the division of labor among the two entities, recognizing that the operational environment is constantly evolving. Second, the CIA and SOF should increase collaboration and organizational linkages in the special warfare realm before crises occur to improve interoperability, operational understanding, education, and overall effectiveness. Some specific suggestions are: establish an irregular warfare JIATF, directorate, or center; incorporate SOF into the planning process earlier and streamline the

[418] To authorize the use of United States Armed Forces against those responsible for the recent attacks launched against the United States, Pub. L. No. 107–40, 115 Stat. 224 (2001). https://www.gpo.gov/fdsys/pkg/PLAW-107publ40/pdf/PLAW-107publ40.pdf; Charlie Savage, "No Need to Update 9/11 War Law Trump Officials Tell Congress," *The New York Times*, October 30, 2017, accessed November 16, 2017, https://www.nytimes.com/2017/10/30/us/politics/9-11-war-law-aumf-trump.html.

detailing process; and promote cross-pollination between SOF and Directorate of Operations officers within educational institutions and increasing special warfare-focused liaison positions within the organizations themselves. Finally, SOF and the CIA must revisit their division of labor for covert action and special operations activities to identify overlap and redundancy, as well as those complementary capabilities that each organization should develop and invest in, as discussed in Chapter VIII (organizational obstacles).

E. RECOMMENDATION #5: REFORM SOF EDUCATION FOR SPECIAL WARFARE AND NON-SOF PERSONNEL

Special Operations Forces' lack of formal education on the legal, political, and organizational challenges of special operations was an endemic issue throughout this research. In nearly every interview, commands and staffs of various organizations mentioned the absence of a proper SOF education framework at the operational level as a contributing factor to ARSOF's execution of STR operations. Echoing this sentiment, "USASOC 2035" highlights several areas of SOF education that require improvements to prepare the force for future conflict. Specifically, this strategy highlights the need to "create and implement education models that train operators to rapidly integrate into, and excel within, ambiguous environments" and investment in "hybrid conflict research/education" as a mid-term objective for the command.[419] For ARSOF, all suggested reforms to education in special operations will be developed, resourced, and managed by the Special Operations Center of Excellence (SOCoE).[420]

As "USASOC 2035" recognizes, educating the force for special warfare and derivative activities is critically important for all echelons of professional military education. As a center of excellence, U.S. John F. Kennedy Special Warfare Center and School (USJFKSWCS)–where it has not already–must assert itself as the leading innovator in the development of special warfare doctrine and concepts and training of all of

419 USASOC, USASOC 2035, 33.

420 "USASOC 2035" highlights that AR 5–22, *Army Force Modernization Proponency System*, (Washington, DC: Department of the Army, 2015) "establishes USASOC and SOCoE authorities as force modernization and branch proponents."

USASOC's assigned personnel, to include its non-SOF members. While remaining cognizant of its interoperability requirements with conventional forces, the SOCoE should take ownership of the curriculum for SOF personnel attending service-provided professional military education (PME) institutions. The new curriculum should be SOF-focused, as opposed to the current construct that incorporates SOF-specific instruction as an adjunct to its main focus–conventional force operations. To address the challenges of Operational Art in Special Warfare, students at the intermediate PME level should conduct campaign design and planning for a special warfare operations, to increase an understanding of the challenges specific to special warfare, vice conventional warfare.[421] Finally, the SOCoE should develop a SOF indoctrination course for its non-SOF personnel, as well as courses for niche specialties, such as logisticians, lawyers, contracting officers, and communications specialists. Investing early will provide better long-term results. Joint Special Operations University does provide some of the specialty education suggested, but there are no formal requirements for attendance or completion, nor is there specific time allotted for personnel to attend. These are only a few the potential changes, but this research identified them as a most necessary and most likely to generate impact.

F. FURTHER RESEARCH

The authors captured the magnitude of at least a portion of the challenges facing any proposed STR operation, but this analysis is by no means exhaustive. To further enhance DOD's collective understanding of the vast issues facing ARSOF's execution of STR operations, this research team recommends additional study in the following areas:

- A study to determine the next steps for the "Support to Resistance Framework" that USSOCOM and interagency partners developed. Is more socialization required for the concept to take hold? What are the interagency community's remaining concerns? Are organizational changes required?

[421] Incorporating more robust Special Warfare planning into intermediate level education (ILE) means that all SOF field grade officers will receive this knowledge, versus the current status quo where only a portion of SOF field grades receive this education as an elective or by attending SOCAP and SAMS.

- Assess the influence and utility of emerging technologies and tactics/strategies in STR and UW, such as social media, cyber-enabled operations, and non-lethal resistance.

- Integration of all 'SOF tribes' within STR and UW. The study should consider the evolving role of Civil Affairs and Psychological Operations role in these activities, what authorities and organization changes are required, and potential interagency sensitives within this realm.

- A study on how SOF and unified action partners facilitate transition from resistance operations toward enduring stability following the employment of STR. The study should consider a range of STR objectives (e.g., coerce, disrupt, or overthrow, etc.) and long-term challenges following conflict termination and transition (e.g., Thermidorian Reaction, reconciliation, reintegration, etc.), as well as the requisite structural conditions for long-term 'success.'

- An assessment, from a Department of State Perspective, that examines the obstacles and opportunities that the Department of State presents to STR. The study should also consider what coordinating mechanisms promote unified action and how efforts to downsize the DoS will affect special warfare and STR campaigns.

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