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14. ABSTRACT

The character of war has changed from established state-on-state warfare to conflict against ideologies and competition below the threshold of traditional armed conflict. To maintain national security interests, the U.S. and Department of Defense must adapt by providing solutions to the new reality of warfare. During the era of colonization, France and Spain established foreign legions to protect their investments abroad. An American Foreign Legion concept could produce many of the same protections. The Department of Defense currently recruits, organizes, trains, and equips foreign forces to achieve the same would-be-objectives as an American Foreign Legion. Section 127e of the U.S. Code gives Special Operations Forces the ability to employ these forces for U.S. interests against terrorist organizations. Increased funding and authority to 127e programs would provide the Department of Defense the ability to maintain long-term regional influences, more effectively respond to emerging threats and crises, and exploratory options in regions without a current U.S. presence. Marine Corps Special Operations could serve as the global manager of the expanded 127e programs to enable long-term continuity.

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MASTER OF MILITARY STUDIES

TITLE: An American Foreign Legion in the 21st Century: Rethinking the United States' Fight in Unwinnable Wars

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Executive Summary

Title: An American Foreign Legion in the 21st Century: Rethinking the United States' Fight in Unwinnable Wars

Author: Major Justin Coons, United States Marine Corps

Thesis: Although an American Foreign Legion may be possible to create, it is not a requirement to succeed in irregular conflicts against U.S. adversaries. The U.S. currently maintains the ability to man, train, and equip foreign forces, and the expansion of authorities could provide even greater ability to address threats to national security.

Discussion: The character of war has changed from established state-on-state warfare to conflict against ideologies and competition below the threshold of traditional armed conflict. To maintain national security interests, the U.S. and Department of Defense must adapt by providing solutions to the new reality of warfare. During the era of colonization, France and Spain established foreign legions to protect their investments abroad. An American Foreign Legion concept could produce similar protections. It offers many advantages to the U.S., including small-scale U.S. deployed footprints, force projection, local and regional expertise, additional intelligence, economic savings, reduced U.S. casualties, and faster response to crises. However, an American Foreign Legion concept also presents several challenges: creating capacity during a period of downsizing, long-term retention, extended deployments for U.S. personnel, insider threats, stigmas and perceptions of foreign legions, a counter-cultural ethos to American values, authorities to operate in foreign countries, and redundant capabilities. The Department of Defense currently maintains the ability to recruit, organize, train, and equip foreign forces to achieve the same would-be-objectives as an American Foreign Legion. Section 127e of U.S. Code, Title 10 gives Special Operations Forces the ability to employ these foreign forces against terrorist organizations.

Conclusion: Increased funding and authority to 127e programs would provide the Department of Defense the ability to maintain long-term regional influences, more effectively respond to emerging threats and crises, and exploratory options in regions without U.S. presence. The increased capacity will require additional Special Operations Forces to manage programs and provide long-term continuity. Currently, Special Operations units across U.S. Special Operations Command are executing 127e missions, which creates opportunities for inefficiency. Housing the management of 127e programs under a single Special Operations component could increase efficiency. Marine Special Operations Command is capable of fulfilling the role of global 127e program managers to serve as the subject matter experts on the man, train, equip, and employ aspects of the program.

DISCLAIMER

THE OPINIONS AND CONCLUSIONS EXPRESSED HEREIN ARE THOSE OF THE INDIVIDUAL STUDENT AUTHOR AND DO NOT NECESSARILY REPRESENT THE VIEWS OF EITHER THE MARINE CORPS COMMAND AND STAFF COLLEGE OR ANY OTHER GOVERNMENTAL AGENCY. REFERENCES TO THIS STUDY SHOULD INCLUDE THE FOREGOING STATEMENT.

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Preface

The thought of an American Foreign Legion conjures images of gritty legionnaires in distant lands executing foreign policy in a manner well outside the norms of traditional warfighting practices. The question of the feasibility of such an organization has been introduced before, and most recently in author Sean McFate's "New Rules of War: Victory in the Age of Durable Disorder." In his work, McFate advocates for a Special Operations Forces-led American Foreign Legion.

One question on Marine Corps Forces Special Operations Command's list of standing research priorities aims to address if McFate's concept is valid, and the potentiality of Marine Special Operations involvement. As a Marine Special Operator, the topic is of particular interest; it represents an unusual exploration into asymmetric security challenges. Also, the discussion here may serve as a way to present Marine Special Operations Command with options for future operating concepts.

This document is not a persuasion on whether the character of war has changed, rather it draws on the work of Colin S. Gray who contends the nature of war is fixed, but the character is highly variable, which sets the underlying assumption for this paper. With more time, I would have liked to cover foreign legions in greater detail to provide more context, however that is not critical to examine the utility of the concept. This paper does not discuss a detailed task organization plan for recruitment, assessment, or selection of potential American Foreign Legion members, although such information might be helpful to understand how to operationalize such a force.

List of Acronyms

AFL	American Foreign Legion
COIN	Counterinsurgency
DoD	Department of Defense
FFL	French Foreign Legion
GDP	Gross Domestic Product
ISIS	Islamic State of Iraq and al Sham
MARSOC	Marine Corps Forces Special Operations Command
SECDEF	Secretary of Defense
SOF	Special Operations Forces
USSOCOM	United States Special Operations Command
VEO	Violent Extremist Organizations

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Introduction

There is no shortage of literature proclaiming the fundamental character of warfare is constantly changing. While the debate about this claim's validity could go on indefinitely, it is fair to assert that the changes in our world have influenced the conduct of war and warfare. In an effort to categorize new forms of war, our society has developed terms such as hybrid, asymmetric, unconventional, irregular, composite, and gray-zone, among others. While each of these terms has a different definition, they all attempt to explain a phenomenon that exists outside of the traditionally accepted definition of conventional armed conflict, otherwise known as war. The aim of this document is not to debate the validity of the new definitions of war, but rather to examine a potential solution for the new reality of how nations, states, and groups compete for influence and power. There are several contributing factors to why conventional warfare has a lower likelihood of occurrence in contemporary times. If we consider these factors, the U.S. needs to develop new methods to address security concerns.

One such substantial factor in the reduced likelihood of conventional war is nuclear deterrence. Nuclear Deterrence Theory can be defined as the ability to use the threat of nuclear weapons to, "persuade a potential adversary that the risks and costs of his proposed action far outweigh any gains that he might hope to achieve."[1] Nuclear Deterrence Theory helps to explain why state-on-state conventional war is less likely in the nuclear age. The proliferation of nuclear weapons de-incentivizes all parties involved to escalate a conflict to the threshold of a nuclear attack. The theory suggests countries that are willing and able to carry out nuclear attacks on other nuclear states do not engage in such an activity because of the very real retaliation via nuclear weapons. The presence of the weapons alone is not enough to deter; the capability of execution, coupled with the technology, creates the conditions for nuclear weapons stasis. Conversely, the absence of nuclear threats would likely increase conventional conflict as

perceived risks of conflict would decrease, and perceived gains would increase.[2] If two countries are at odds, and neither has nuclear weapons, leaders may be more prone to engage in conventional warfare because of the possibility of victory on either side. No one wins with nuclear weapons in the equation, but their removal increases the likelihood of winners and losers. Nuclear threats remain a reality today, and as such, the result is military activities below the perceived adversarial state's threshold for nuclear retaliation. To make sense of this area of competition below the threshold of "war," military professionals categorized these activities as hybrid warfare or gray-zone competition.

Economic drawbacks provide another significant deterrence to war. Wars cost considerable resources, which results in temporary boons, but ultimately leads to deficits and inflation. The U.S. has seen economic drawbacks from the prolonged wars in Iraq and Afghanistan, specifically, a lack of job creation, higher interest rates for citizens, and insufficient infrastructure development.[3] Economic modeling tends to illustrate gains in the short-term, but substantial losses in the long-term for Gross Domestic Product (GDP) and employment rates, as shown in Figure 1.[4]

	5 years	10 years	15 years	20 years
Real GDP (billions 2000$)	80.8	-13.3	-11.3	-42.1
GDP Deflator (percentage points)	0.6%	0.6%	0.7%	0.7%
10-Year Treasury Note Yield (percentage points)	0.68	0.94	1.06	1.10
Nonresidential Fixed Investment	-1.0%	-1.0%	-1.1%	-1.0%
Industrial Production	0.4%	-0.5%	-1.0%	-1.8%
Light Vehicle Sales (thousands)	-192.2	-323.3	-472.0	-731.4
Residential Fixed Investment	-1.3%	-3.6%	-3.5%	-3.5%
Housing Starts (thousands)	-17.9	-46.2	-38.4	-38.5
Exist. House Sales (thousands)	-128.4	-247.9	-271.1	-286.5
Exports	-1.9%	-1.5%	-1.8%	-1.8%
Imports	2.0%	1.5%	2.2%	2.7%
Current Account Balance (Billions 2000$)	-90.2	-72.5	-83.8	-112.8
Payroll Employment (thousands)	177.3	-464.0	-515.3	-668.1

Source: Global Insight and author's calculations.

Figure 1: Military Spending Simulation and Baseline Forecast

During World War II, The Korean War, The Vietnam War, and The Cold War, the U.S. saw rises in GPD, which generally points to growth during wartime. For the first time in recent history, in the case of the wars of Iraq and Afghanistan, GDP has not risen.[5] Perhaps this signals change as markets and global economies have grown increasingly interdependent and raise the calculous for waging war. The Iraq and Afghanistan wars also represent the first time taxes were cut during the conflicts, resulting in deficit spending as the primary funding mechanism.[6] If superpowers were to engage in a conventional war, there would be economic challenges not only in the countries participating, but it could place the global economy in a wildly uncontrolled state with impacts outlasting the conflict for generations. War destroys vital infrastructure, degrades the ability to produce and trade, and the entire world feels the effects. States are conscious of the fragile balance in the global economy, and international pressure helps to maintain the status quo of diplomacy. But beneath the noble acts of diplomacy live the realities of countries continuing to compete with each other in a variety of military means.

Another disincentive to engaging in large-scale combat is public perception. War fatigue is real. In nearly two decades of war with violent extremist organizations (VEO), the U.S. has deployed more than 2.7 million service members on over 5.4 million deployments.[7] As of 2016, the U.S. has spent almost $5 trillion on the wars in Iraq and Afghanistan.[8] The result is an American public that generally wants to bring its troops home from seemingly endless wars and a President who has vowed on several occasions to do so. However, military preparation and a global presence result in increased responsiveness and are vital to maintaining U.S. security interests. The tension exists when objectives are ill-defined or change over time.

At any moment in time, the U.S. has Navy ships underway with Expeditionary Strike Groups, and Carrier Strike Groups, along with Marine Expeditionary Units capable of being on

the ground anywhere in the world within 24 hours, along with forward-staged Special Purpose Marine Air Ground Task Forces. The Army's 82nd Airborne Division maintains a Global Response Force capable of mobilizing in 18 hours.[9] And Air Force assets are forward deployed, capable of ranging every country on earth. Global Combatant Commands maintain Crisis Response Elements able to mobilize even faster. These dedicated capabilities enable the U.S. Government to provide military responses to rapidly developing situations across the globe to ensure U.S. security. U.S. military response forces have a clearly defined mission, and once the crisis is manageable, and the force has achieved U.S. security objectives, they turn responsibility over to a competent authority. The American public tends to be supportive of this quick, decisive, and complete action; which was undoubtedly the case for Desert Storm, as a Gallup poll (Figure 2) a decade after the conflict indicated a nearly two-to-one approval of the engagement.[10]

	Yes, worth it	No, not worth it	No opinion
	%	%	%
2001 Feb 19-21	63	31	6
1992 Feb 6-9	66	32	2
1992 Jan 6-9	59	38	3

Figure 2: Gallup Poll: Was the Persian Gulf Worth Going to War in 1991?

The wars in Iraq and Afghanistan against VEOs are anything but quick, decisive, and complete. The perception of the American people is powerful and often drives military involvement or lack thereof. Mixed American support to the war in Afghanistan illustrates that protracted and

complicated conflicts with changing objectives create an American opinion of uncertainty. The split support correlates strongly to political parties and creates pressure on political leaders to end the conflict, as shown in Figure 3.[11] Without unified American support, wars will be perceived aa failures.

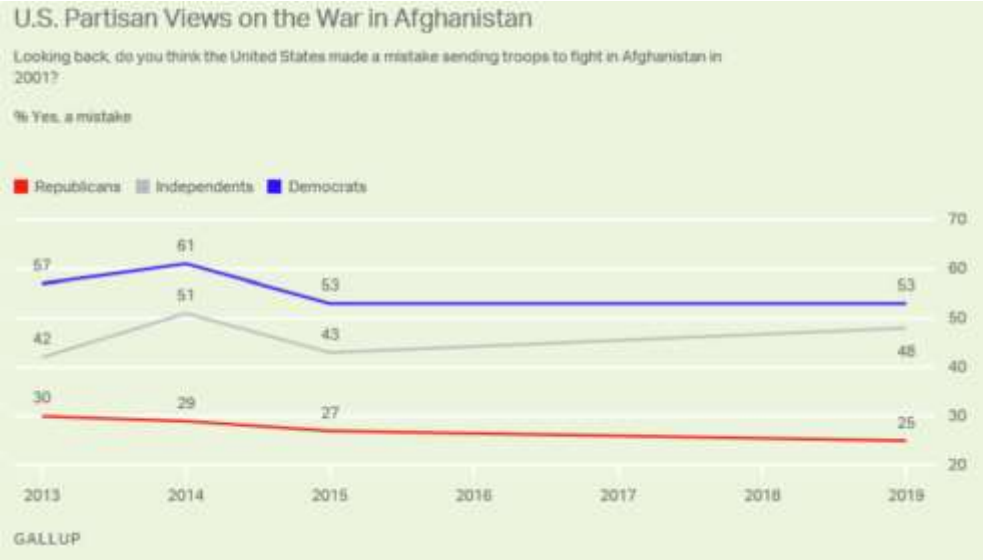

Figure 3: Partisan Views on the War in Afghanistan

Purpose

If the assumption that conventional warfare between states is less likely now than in the past, and that states and groups will continue to compete in the grey-zone that lies below the threshold of traditional conventional conflict, then the U.S. military must be open to creating new solutions to solve the problems of irregular wars.

The U.S. is fighting wars against ideologies, and the recent past has proven our counterinsurgency (COIN) tactics do not work. If COIN were a viable tactic, the U.S. would not still be engaged in the decades-long conflicts. If the extinction of an idea is impossible, and COIN cannot fix the problem, then the U.S. military should consider other solutions. If the new

norm of warfare exists below the threshold of conventional state-on-state war, and many of our adversaries are ideologically driven, then the same U.S. strategy will yield the same results: endless, unwinnable wars. The development of an "American Foreign Legion" (AFL) concept could be a solution; natives who are willing to engage an enemy at the direction and supervision of U.S. military personnel.

Objectives

This composition has four aims. First, to evaluate the utility of an AFL. Second, to determine potential obstacles. Third, to identify existing U.S. capabilities that achieve the same ends. Fourth, is to determine Marine Forces Special Operations Command's (MARSOC) suitability to contribute to theater employment of such capability.

Thesis

An American Foreign Legion is possible, but it is not a requirement to succeed in irregular conflicts against U.S. adversaries. The U.S. currently maintains the ability to man, train, and equip foreign forces, and the expansion of existing authorities could provide even greater ability to address threats to national security.

Historical Background

The origin of the foreign legion concept was born out of necessity. In the case of the most notable, the French Foreign Legion (FFL) was the creation of King Louis-Philippe in 1831 as additional troop strength for France's invasion of Algeria, and as a response to the large numbers of refugees who fled to France in the wake of revolutions throughout Eastern Europe.[12] What

was initially designed as a temporary fix, has become a unit with elite status, and a mythical aura surrounding it. Initially, only foreign enlistees comprised the FFL, with French officers in charge of all formations. The barriers to entry into the FFL are challenging, and the unit has a reputation for being extremely selective. Upon entry, enlistees provided an assumed name, nom de guerre, or under *anonymat*. This allowed legionnaires to create outlandish tales of their past, which fueled the lore of criminals, ne'er-do-wells, and the dregs of society. But it also provided many with the opportunity for a new start, and a chance to re-invent oneself, which continues to attract people to this day.[13]

The FFL has existed for nearly two centuries and has been gainfully employed throughout its time. The majority of the FFL's efforts have been on the African continent, specifically Morocco, Algeria, Chad, Zaire, and Cote d'Ivoire. But the FFL has also executed operations in Syria, Lebanon, Crimea, the Balkans, Mexico, Vietnam, Afghanistan, and the Persian Gulf.[14] While successes have been mixed, the FFL continues to be a viable option for the French military.

Spain created a foreign legion in the 1920s, primarily focused in Morocco. Following much of the FFL concept, the Spanish Legion was born out of necessity as well. Lieutenant Colonel Jose Millan Astray was the main driver of the idea following Spanish military losses in Morocco. He saw an opportunity to build a unit separate from the Army, used the FFL model, and employed in a variety of ways. The critical difference between the Spanish Legion and the Spanish Army was that the Spanish Legion was a volunteer force, vice the conscripted Spanish Army. Astray followed many of the FFL recruiting and organizational principles, such as aliases, the "clean slate" idea, strenuous training, the elite nature of the organization, and the power of narratives to build reputation and mystique. But the Spanish Legion had some key differences:

the majority of men in the Spanish Legion were Spaniards, and foreigners were allowed to be officers. National pride was center to service in the Spanish Legion, certainly more so than in the FFL.[15] Both the Spanish an FFL proved valuable to their countries and assisted in solving unique problems to enable national objectives. An AFL could do the same.

Opportunities for an American Foreign Legion

Operational Flexibility

Authorities and permissions are a common barrier to deploying the appropriate number of U.S. military to achieve mission success. The U.S. Department of State, in negotiation with their host nation counterparts, determines the limit of U.S. service members deployed to a particular country. A fragile, weak, or non-existent relationship between the U.S. and a host nation can result in inadequate authorized troop strength required to accomplish the task. In 2015, the number of U.S. troops authorized in Syria was limited to 50 because of the strained relationships between the two governments.[16] At that time, the Islamic State of Iraq and al Sham (ISIS) was well-established in the Euphrates River Valley and aiming to take more territory and gain additional power and wealth. Limiting U.S. personnel to 50 Special Operators reduced the available military options to combat ISIS at the time. Although it was a proper and necessary action to fight ISIS, the lengthy approval of additional troop strength resulted in a more well-equipped enemy and did not provide the mass required to deal with the terrorist group most swiftly. Additionally, when tempers flare in a host nation, as frequently happens in Iraq, the response tends to be a demand to redeploy U.S. troops.

An AFL could be a solution to the unpredictable political pressures of which the U.S. military finds itself the subject. Under an AFL construct, a handful of U.S. military personnel

would oversee platoon, company, or larger-sized foreign elements. The small number of U.S. troops provides several advantages. It is less noticeable and therefore raises less scrutiny. When foreign citizens identify U.S. leadership as American, a small force could be more easily obscured or explained away than large troop formations. Minimal U.S. force strength can result in lower signatures; when paired with low-visibility movements, equipment, and techniques, it provides freedom of maneuver throughout areas where conventional U.S. military units would not be able to go due to threat levels, or signature. A small footprint would likely result in fewer restrictions by the Department of State, or the host nation, which can provide more options to U.S. decision-makers in the military and political spheres to promote U.S. interests in the area.

Power Projection

No matter how long U.S. forces may spend in an area of conflict, the plan is for them to redeploy. The adversary knows it, and frequently looks to wait out the U.S. If wars against ideologies are unwinnable, and endless troop deployments are not feasible, then it inevitably means a troop withdrawal. Such a result is a victory for adversaries of the U.S. and can be used to promote notoriety for adversaries while also degrading U.S. capability. Constant troop deployments, sometimes as long as 15 months, creates stress on the force, the economy, and society as well. Deployments are the most visible part of the warfighting cycle. However, reintegration, forming, training, and pre-deployment actions are the less visible, yet still vital pieces to a successful deployment. The cycle of constant preparation and deployment can lead to burn-out, adverse health conditions, familial stressors, and other negative consequences.

A permanently forward AFL could solve many of these issues. The AFL would recruit, assess, and select the U.S. leadership to execute overseas orders for several years. The selection

of the right kind of people for the job is critical, as it is a crucial factor in reducing adverse outcomes. Following a template of United States Special Operations Command's (USSOCOM) psychological screening and selection criteria could provide a starting point for determining the attributes required to succeed in distant lands. Evaluating qualities such as integrity, courage, perseverance, personal responsibility, professionalism, adaptability, teamwork, and capability, can provide a clearer picture of a candidate's suitability for challenging work in environments with little, to no, supervision.[17] The U.S. leadership would have to be a specific type of military member looking for the unique challenges that long-duration orders outside the U.S. that the AFL would provide. Long-term deployments, and rotations back to the same locations over time also creates familiarity, camaraderie, and ownership to more effectively project U.S. military power.

Local Expertise

The security challenges the AFL could face would likely be issues of which natives would already have understanding. As local experts, the barrier of language when AFL enlistees interact with their fellow countrymen would be significantly lessened, compared to that of Americans with rudimentary or non-existent foreign language skills. Interpreters would still be a requirement, but that would serve mainly an internal function within the AFL, and not external with local nationals. Having native speakers within the ranks for an AFL could produce faster processing of information and more timely execution of rapidly developing situations. Local or regional expertise also provides insight into cultural norms, deviations from baseline patterns of behavior, access, and placement to potentially untapped or off-limits areas to conduct a variety of

military operations. Recruiting foreign service members also provides geographical knowledge, which can enhance the planning and execution of activities.

Intelligence Capability

The AFL could be used as an additional sensor to gather intelligence and understand indications and warnings before and during hostilities. Natives working directly for the U.S. military, and under the direction of U.S. leadership would provide an advantage for human intelligence gathering. The ability to build and exploit human networks requires significant time and investment. Frequently the human networks the U.S. government has access to at the beginning of conflict are not robust enough to provide a comprehensive understanding of the situation and environment. In haste to build up a human network capable of handling the U.S. government's intelligence requirements, and gain access into hard to reach places, sometimes less than desirable sources are used. The use of these sources increases the risk to both the mission and the force executing the mission if the reliability of the information is questionable. A permanent AFL presence could provide years of intelligence gathering, network building, and possibly give a clearer picture of developing hostile situations.

Economic Benefits

There are also economic benefits to an AFL. An estimate of the total amount of U.S. government spending on the wars in Iraq and Afghanistan from 2001 to 2020 is $6.4 trillion as shown in Figure 4.[18] Much of that spending is wrapped up in privatized base security, life sustainment, maintenance, and operating costs. Because there are not enough U.S. service members to cook, clean, fix specialized equipment, and provide base security, contracting

companies can charge a premium for their services. The ideal AFL construct would use existing structures and security apparatus for bases, and local economies to drive down sustainment costs. Wages could also be based on the cost of living per country, which in most cases, would also keep costs lower than the salaries of their American counterparts. In countries where this is not possible due to the cost of living, salaries would never exceed that of U.S. service members. Relative cost savings in terms of investment return could also be rather beneficial. Investing a small amount into a foreign legion to potentially prevent and deter escalation relative to mobilizing larger troop formations for years could provide disproportionate effects.

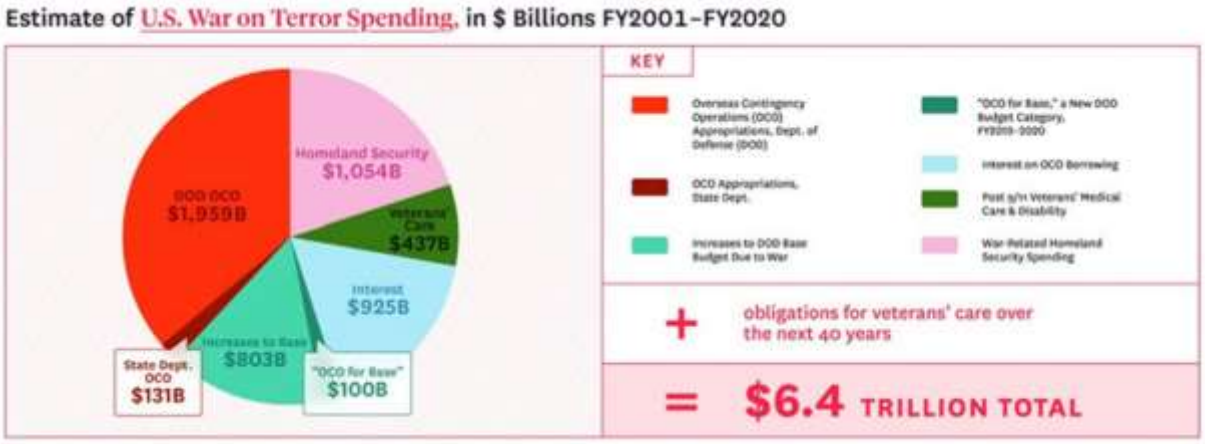

Figure 4: Watson Institute Costs of War Estimates

Reduced U.S. Casualties

A standing AFL would mean fewer deployments for conventional U.S. troops. Fewer deployed troops would result in the likelihood of fewer U.S. casualties. From 2001 to 2015, over 7,000 U.S. troops died in Iraq, Afghanistan, and Pakistan, and over 1.7 million veterans have reported a service-related disability.[19] In recent years the American public's tolerance for U.S. casualties overseas has declined. The lack of support isn't necessarily tied to the number of casualties, but to the perceived legitimacy of the conflict.[20] This is consistent with the public

sentiment of the past.[21] It isn't that the American public doesn't have the stomach for losing men and women in combat; it is whether Americans perceive the combat as worthy of losing Americans over it at all. When a conflict seems unwinnable, or the political aims are unclear, then the American people have a harder time justifying the loss of American life. Complicated conflicts overseas can be challenging to explain to the masses, and a reduced U.S. footprint reduces exposure. Fewer mobilized U.S. troops will reduce the media response, which will decrease public exposure. The result is an AFL with the latitude to execute tasks necessary for reducing threats. Enlistees in the AFL will not be U.S. citizens, and therefore AFL casualties may result in fewer adverse reactions from the U.S. public.

Crisis Response

When a crisis arises in a foreign country that affects U.S. security interests, it is generally more advantageous to respond as quickly as possible to contain and manage the situation before it becomes uncontrollable. The U.S. military's forward-deployed Crisis Response Elements, consisting of highly capable U.S. Special Operations Forces (SOF), are trained and ready to execute at a moment's notice. Their level of preparedness is usually not the problem; authority to access a foreign country is. The delay can come from within the U.S. government, either from the Department of Defense, the Department of State, the Executive branch, or a combination of all three. In other instances, countries have delayed or denied U.S. forces from entering their sovereign territory to assist. In either case, there is a barrier to entry, which results in an inability to gain situational understanding at the ground-level, assemble appropriate forces, link up with host nation counterparts, and execute a contingency operation. The AFL would not have such restrictions if such a crisis began in a country with an established AFL footprint. Unlike an

offshore, out-of-country, or off-continent staged force, the AFL would be present and likely have all the means to mobilize and address a situation, depending upon the scale of events. This omnipresent force would be a method of U.S. power projection, as well as present a deterrence to escalating activities by VEOs and other malign actors in a country or region. While the advantages are many, there are several difficulties with an AFL concept.

Obstacles to an American Foreign Legion

Force Structure

The current U.S. administration continues to plan for a reduction in U.S. military workforce strength in the coming years while choosing to invest defense money on capabilities.[22] Total force strength presents a challenge to the AFL for two reasons: either the Department of Defense (DoD) must create additional force structure to field the AFL, or the DoD must take from existing force structure to stand up a new entity. Adding force structure is unlikely at a time of military personnel drawdown. If the AFL were built within existing force structure for both U.S. leadership and foreign enlistees, this would mean increased personnel cuts to the Services as a means to carve out room for AFL structure. Likely, the Services would not support such a concept as it is not a wise investment for them; it will not provide any direct and tangible results for their organizations.

The build-up of personnel will be a challenge as well. If the leadership for the AFL does not come from an organization like USSOCOM, an assessed, selected, and trained population that executes tasks in fluid environments with minimal supervision and oversight, then the AFL will require significant lead time to recruit, assess, select and educate service members to fill their leadership ranks. The timeline for producing an entry-level Special Operator varies but is

typically well over a year with additional training up to 18 months to develop further skills. Training is resource and manpower intensive, and with strict standards, and throughput is relatively low. It costs roughly $1 million to train a single Special Operator to the baseline proficiency in the four core mission sets of direct action, special reconnaissance, foreign internal defense, and unconventional warfare.[23] However, that $1 million does not account for the additional training and maintenance of each Special Operator, meaning the actual cost is much higher. An AFL training program for entry-level leaders would be costly. The initial training may not need to be as in-depth as the training for a Special Operator. Still, it will need to be significantly more training and education than what a typical service member receives to enable small elements of U.S. military personnel to function across all warfighting functions effectively and self-sustain for short durations. Additionally, the student-to-instructor ratio must remain low to ensure strict standards-based training objectives are met. Recruiting, assessing, selecting, and training is a lengthy process with a low-yield throughput. Consequently, it would take several years to fill the leadership ranks of an AFL even to field an initial force appropriately.

Retention

The French Foreign Legion has a notorious reputation for desertion. In years past, it was considered a rite of passage to desert from the FFL. Typically, with a volunteer force, the odds of deserting from your military unit tend to be lower, but there are critical differences to a foreign legion. The force is permanently forward-deployed, which means the administrative headquarters is in a different country. Geographic separation from higher headquarters can produce an effect of organizational separation. Psychologically, the tendency to execute orders is greater when the higher authority is nearby, as illustrated by Stanley Milgram's experiment in *Obedience to*

Authority.[24] Milgram's experiment showed that people are more likely to execute tasks, even if they disagree with the task when a supervisor is present and gives direct orders. A foreign legion enlistee may never see the U.S. military headquarters he or she works for, and this disconnect could lead to higher levels of dissension, and desertion than in the conventional military construct. The morality of enlistees may also not play into the favor of long-term retention. Generally speaking, the types of people interested in an AFL could likely be from under-represented or oppressed populations; people on the fringe of society and those who might not be eligible for service in their militaries, or have dramatically different views than their governments. Incentivizing such people to remain loyal to the U.S. could be a significant challenge and would require novel solutions based on prevailing cultural motivations.

Deployment Requirements

The U.S. military has a footprint in 80 countries around the globe, as indicated by Figure 5.[25] From combat to exchange training, the forward-deployed forces execute tasks as a means to further U.S. security interests. U.S. SOF handles many of these activities. With such a widespread presence, an AFL would be supplementary to these efforts, with distinct partner units and objectives; it could not take over for SOF operations. As such, the AFL would not reduce the frequency or duration of SOF deployments. The scope of the AFL is vital to consider. Initial AFL locations would be in areas with histories of instability that affect U.S. interests and require long-term assistance. Expansion opportunities are the locations the U.S. anticipates future challenges to its interests. Regardless of identified areas for employment, the AFL would still be subject to legal agreements between the U.S. and the host nation, which are subject to international pressure, partnerships, and alliances.

Figure 5: Global U.S. Military Footprint

Insider Threats

Another disadvantage to an AFL is the potential for insider threats. There is a possibility that adversarial organizations could see the AFL as an opportunity to disrupt from within to achieve their goals. All attempts should be made to vet and determine motives for entry into the AFL thoroughly, but no selection process is without flaws. Coalition forces have learned the harsh reality of insider threats; from 2008 to 2017, there were 96 "blue on green" attacks, resulting in 152 coalition deaths.[26] Strict vetting criteria may also hurt recruiting; worthy and motivated candidates may be turned off by invasive background checks and the possibility of polygraphs. It is reasonable to assume that VEOs would look to exploit the AFL to gain access to information and intentions, as well as to conduct insider attacks to de-legitimize the AFL and bring notoriety to their organization.

Perceptions

Branding the names and symbols associated with a group providing a service is a powerful tool for establishing legitimacy, and longevity, if done correctly. Brands perceived as adaptations to existing products become linked in the minds of the masses and can be counterproductive. The title of a "foreign legion" or a "legionnaire" evokes thoughts of a bygone era of mercenaries, hired guns, or lost souls looking to find refuge in a place that legitimizes outcast behavior. For this reason, if the U.S. were to stand up a foreign legion, calling it by such a name may have unintended or adverse consequences. It would have to be prepared to deal with the perception of U.S. conquest, and of a mercenary force. However, the brand recognition of the FFL provides thousands of recruits each year from which to select. This is the immediate upside to the naming convention: people interested in an AFL would have some idea of the work they would likely execute. Calling an AFL by any other name would then require a concerted recruiting campaign to create an understanding of the program, and the scope of duties. But the separation created by a distinct name would distance the organization from some of the negative connotations of the FFL.

Counterculture

The concept of an AFL runs counter to American culture. The U.S. was born of a revolution against British colonization. The willingness to fight for and achieve independence from another country is a substantial ingredient of collective U.S. identity. Because of this identity, Americans generally do not advocate for the colonization of other countries. The French and Spanish Foreign Legions were developed as a means to assist in colonizing foreign territory

and were viewed as acceptable methods for the times. They were formed from their perceived needs to control and assert dominance over populations in times of war. Each organization has changed over the years to stay relevant in a changing world. If the French or Spanish Foreign Legions were developed today, they would likely be met by the stout resistance of sovereign nations, and they very well would not be created. The same is true for an AFL.

Operational Authorities

The international relations aspect of an AFL presents challenges as well. The permanent posturing of U.S. troops on foreign soil would likely give many countries pause. Broadly, the closest allies of the U.S. tend to be countries with a greater ability to maintain internal security. Because of those countries' capabilities to self-secure, they would not require an AFL, but because of a close U.S. relationship, they may be most amenable to the concept. Conversely, the countries and locations that most need assistance for security could be the least likely to accept U.S. forces permanently stationed in their territory. Even with declared authority in a foreign country, access and placement will continue to be a challenge for the U.S. military, as most sovereign nations would expect a certain degree of transparency about AFL actions within their own country. The authorities of the AFL would require significant negotiation in each country to maximize effectiveness, and still work within the acceptable limits of the foreign government.

Redundant Capabilities

Perhaps the most significant obstacle to establishing an AFL is redundancy. The U.S. government currently maintains and employs the capabilities of foreign forces to achieve national security objectives through a variety of methods. The multiple agencies employing

foreign forces are under scrutiny; a recommendation from the 9/11 Commission Report states, "The United States cannot afford to build two separate capabilities for… secretly training foreign military or paramilitary forces."[27] Certain governmental agencies have divisions dedicated to foreign paramilitary activities and employ those forces across the globe. These agencies spend hundreds of millions of dollars to recruit, organize, train, and equip groups to sabotage, subvert, attack, and kill adversaries of the U.S. The DoD also maintains the capability to execute such activities. The 9/11 Commission Report recommends the consolidation of efforts to a single unit, because of funding and unity of effort. Therefore, it does not seem feasible to build a third organization with the same capabilities, and the second organization within the DoD; such a course of action is at direct opposition to the 9/11 Commission Report findings.

Title 10, Section 127e – A Brief Look

Within Title 10 of the U.S. Code is Section 127e: Support of special operations to combat terrorism. Known within the SOF community as 127e, this provides the Secretary of Defense (SECDEF) authority to, "expend up to $100,000,000 during any fiscal year to provide support to foreign forces, irregular forces, groups, or individuals engaged in supporting or facilitating ongoing military operations by United States special operations forces to combat terrorism."[28] The broad latitude of this authorization enhances SOF's ability to tailor solutions by working with existing foreign forces, building new forces, or working with groups of particular affiliations to solve specific terrorism problems. Building a capable irregular force to act in the best interests of the U.S. government requires a detailed understanding of a region, country, and the specific situation to provide a feasible military solution. SOF identities, recruits, trains, and equips these forces to execute tasks in foreign countries. The relationship of the partner force to

their U.S. SOF counterparts is akin to teacher and apprentice; U.S. SOF has superior operational experience, weapons, tactics, equipment, planning abilities, and resources. Their role is to advise the partner force on the best ways to synchronize assets and employ them effectively. Many of the partner forces feel a deep sense of gratitude towards their U.S. SOF advisors and are proud to be associated with them.

By using 127e authority, the U.S. gains access to foreign countries with a relatively small footprint. Frequently SOF teams of only a handful of operators deploy to austere and remote locations to work 127e programs. The small U.S. presence is attractive to many foreign countries who wish to project an image of strength, and do not want to broadcast their requirements for assistance to solve security challenges within their borders.

Long-term investment in the correct force under 127e authority is critical. If executed correctly, a fledgling force can grow and mature into a self-sustaining and effective combat unit. An over-arching of building a force under 127e is to eventually remove U.S. assistance, but it can take up to a generation or longer to achieve. The most junior member of a start-up force needs to rise through the ranks into high-level organizational leadership positions, which can take anywhere from ten to 20 years, or longer. To ensure the effectiveness of the long-term investments, 127e requires congressional oversight; 127e funding is reviewed bi-annually and extended or terminated for existing programs.[29] There are currently several 127e units combatting terrorism and providing utility to U.S. national interests. The exact number is classified.

The advantages of relatively low investment, compared to the remainder of DoD's budget, to protect U.S. interests in far-reaching areas of the world are many. Still, the funding cap limits the number of forces and capabilities the U.S. can provide and advise at any given

time. The utilization of 127e funding is strictly limited to combatting terrorism, which means the forces must be operationalized against named terrorist organizations. Bureaucratic process and political sensitivities create challenges to designating emerging organizations as terrorist groups, which creates a barrier for the employment of 127e programs.

A Solution

The concept of an AFL is feasible, but most likely not practically achievable. However, current capabilities could provide the answer to “unwinnable” wars. An expansion and alteration of 127e authorities could provide the U.S. with a range of military options and a considerable increase in regional influence. Currently, Section 127e limits the actions of U.S. personnel and foreign elements to act specifically against terrorist groups. Modifying the verbiage of Section 127e to remove "terrorism" and replace it with a more general term would enable engagement with a broader array of countries and forces against a broader threat. More general terms would allow for pre-emptive action against fledgling radical groups and could provide containment of activities that may run counter to the interests of the U.S. However, the current restriction of action to only identified terrorist organizations does provide a safeguard against disrupting organizations within complex situations that could have possible adverse effects to U.S. interests.

Expansion of funding would create opportunities for additional force development, and further the capabilities of existing programs. However, a fixed increase is not necessarily the answer; doubling the authorized funding does not mean that the U.S. SOF will be twice as effective at combatting threats with irregular forces. But increased funding can provide the ability to explore options that are currently not possible. The bi-annual review of program effectiveness should remain as a measure to ensure accountability. If programs are not

performing as advertised, Congress should direct the SECDEF to shift the funding elsewhere or cease funding the particular program.

Expanded 127e authority, resulting in more partner force programs, will require U.S. SOF deployed to execute the program management of man, train, and equip as well as advise and assist. Protracted war-zone conflicts over-extended much of the U.S. military; particularly SOF, as it was widely deployed as the force of choice during the latter stages of the Obama administration. Additionally, SOF, which makes up roughly five percent of DoD, has incurred almost half of the deaths in combat zones since 2015.[30]

Troop withdrawals in Iraq, Afghanistan, and Syria are gradual and inevitable, which has several positive effects on SOF. Fewer combat troops result in more SOF at home and increases dwell time, which is essential for continued skill development, the health of the force, and maintenance of operators for the duration of their careers. An expansion in SOF requirement for 127e programs may seem like it would increase the operational tempo but can be offset using the current model of small SOF elements as advisors, and predictable operational deployment templates.

An increase in partnered forces will require an organization to maintain continuity and long-term management. Currently, USSOCOM manages the collection of data and reports for all 127e programs. However, MARSOC could be the solution to long-term continuity and investment in 127e programs as the global program manager. As the newest member of the Special Operations community, MARSOC began with a noticeable deficit compared to their Army and Navy counterparts. Navy Special Warfare Command and U.S. Army Special Operations Command were established in 1987 and 1989 respectively, and are the largest and most well established SOF ground forces.[31] Decades of operational successes built the Navy

SEAL, Army Ranger, and Green Beret histories and cultures, which guides their decisions for future employment. MARSOC did not have the luxury of time to build and establish its culture while being actively employed across the globe. Consequently, MARSOC is building operational relevance while trying to define itself.

MARSOC was established in 2006 after a mandate by SECDEF Rumsfeld in 2005. Unfortunately, the direction violated one of the five SOF Truths: SOF cannot be mass-produced.[32] The desire to create a Marine Special Operations branch was socialized rather quickly after 9/11, and a Marine Corps Force Reconnaissance element served as the pilot program, referred to as "Detachment One," or more commonly, "Det One." The proof-of-concept was approved, and the SECDEF directed the activation of a Marine Special Operations component of USSOCOM. To rapidly fill the personnel requirement, the majority of Force Reconnaissance Marines were moved and rebranded as Marine Special Operators. This essentially mass-produced MARSOC. The perception hurdle these Marines had to overcome was that one day they were Force Recon Marines, and the next, based on administrative action, they were Special Operators. These men were capable of completing SOF tasks from their years of training and experience, but the perception of being outsiders to the SOF community was a challenge to overcome.

Although born of necessity to increase SOF capacity, MARSOC is an organization that continues struggling to find its place within the SOF community. Army Special Forces are frequently associated with unconventional warfare and foreign internal defense. Navy SEALs are known as underwater and direct action specialists. The question remains, "what does MARSOC do?" While an AFL concept may not be viable, expanded authorities to Section 127e could help

solve MARSOC's identity crisis. As the global managers of 127e programs, MARSOC would provide continuity for the years of development these programs require.

MARSOC is a capable Special Operations unit. Managing the entirety of 127e programs would be a task well within MARSOC's ability, as the organization has established competency in the SOF core tasks of direct action, special reconnaissance, foreign internal defense, and unconventional warfare. MARSOC units are frequently executing tasks by, with, and through partnered forces, and understand many of the requirements to build capable foreign military units in a variety of climates and train them on a wide range of skills. Commitment to 127e programs by a single SOF component has significant benefits. Systematic program continuity and long-term organizational partner force goals would be housed under one command. The milestones towards building capability and capacity can be set and adjusted by a single source, and the accountability would rest directly on MARSOC. The force development strategies and maintenance for each program would have constant oversight and be adjusted accordingly. It would provide a long-term build plan for prioritizing, ordering, fielding, and maintaining equipment. MARSOC Knowledge Managers would provide continuity and be responsible for portfolios on each 127e program, so rotations of leadership could understand origins, current state, and plans in an organized and systematic manner.

Repeated deployments to operate with the same partner forces build habitual relationships. The impact of young MARSOC operators who conduct multiple deployments to work with the same unit is powerful. As the partner force matures, so do the MARSOC operators, and bonds form. Several years of shared training and operational histories would be woven together, and if done correctly, can produce a force built on trust. Such a unit is capable of executing complex tasks on behalf of the U.S. Familiarity with one another, shared victories

and hardships, and a common purpose are vital ingredients for unit cohesion. That cohesion can transcend cultural bounds and become an incredibly galvanizing force that can defeat the threats of the present and deter the threats of the future.

Conclusion

The state of the world presents complicated security concerns. Nuclear proliferation and economic fallout reduce the likelihood of traditional state-on-state conventional war. As such, competition among states and non-states will continue to exist in the gray-zone: somewhere short of all-out warfare. With no clear winners and losers, the concept of declaring victory seems impossible. Continuous deployments are costly, and their effectiveness is difficult to measure. The U.S. military needs to adapt to the changes in warfare to ensure national security adequately. Establishing an American Foreign Legion to deal with the new character of war would have several positive outcomes:

- Small-scale U.S. footprint increases operational flexibility
- A permanent force forward to project military power
- Local expertise
- Additional intelligence capability
- Economic benefits
- Reduced U.S. casualties
- Faster in-country crisis response

However, there are also significant obstacles to establishing such an organization:

- Force structure during down-sizing
- Retention of enlistees

- Long-duration deployment requirements
- Insider threat risks
- Perceptions of a Foreign Legion
- Counter-cultural to American values
- Operational authorities in foreign countries
- Redundant to existing capabilities

Ultimately, modification to existing authorities could achieve the same ends and presents fewer obstacles. By expanding the authorities of Section 127e of U.S. Code, Title 10, U.S. SOF would be able to organize, train, and equip foreign forces to execute a wider array of tasks on behalf of U.S. security interests. The flexibility of 127e enables SOF to use or build the force required to solve particular security challenges, and Congressional oversight ensures an effective return on investment. Expanded funding and targeting permissions create opportunities to build more foreign troops and enable action against a variety of threats. The expanded 127e program requires a SOF component to manage the programs, which will gain efficiency and ensure buy-in. It is an excellent opportunity for MARSOC to build a meaningful and unique identity within the SOF community. As the sole managers of 127e programs, MARSOC would ensure the long-term growth of the programs, both organizationally and operationally. It would also foster habitual relationships that would mature over time, create trust, and build bi-lateral cohesion. The result could very well be a series of partner forces across critical regions, linked together by MARSOC operators to more effectively handle the conflicts the U.S. will continue to face.

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