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14. ABSTRACT

This paper examines the model of the French Foreign Legion to fill a critical skill gap within the Department of Defense. U.S. history is filled with the recruitment and utilization of foreign born military service members. Despite security concerns that have stalled the Military Accession Vital to the National Interest program, there still exists a strong draw for foreign nationals to join the U.S. military to fast track U.S. citizenship. The U.S. needs to establish a Special Operations Command led American Foreign Legion. This Special Operations Force American Foreign Legion would be led by Special Operations officers and Staff NCOs who could capitalize on the legionnaires cultural and language skills.

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An American Foreign Legion in USSOCOM

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Executive Summary

Title: An American Foreign Legion as Part of USSOCOM

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Thesis: U.S. Special Operations Command should utilize the French Foreign Legion concept to capitalize on critical language skills and cultural expertise from foreign born recruits.

Discussion: This paper examines the model of the French Foreign Legion to fill a critical skill gap within the Department of Defense. U.S. history is filled with the recruitment and utilization of foreign born military service members. Despite security concerns that have stalled the Military Accession Vital to the National Interest program, there still exists a strong draw for foreign nationals to join the U.S. military to fast track U.S. citizenship. The alternatives to an American Foreign Legion are the use of proxy forces and private military contractors. Both have positive and negative aspects. Instead of utilizing an American Foreign Legion to replace these concepts, the American Foreign Legion should be used to facilitate each, enhancing the positive aspects and minimizing the negative. Russia continues to perfect its use of hybrid warfare as it operates in the international gray zone. The U.S. needs to learn from Russia's success and establish a Special Operations Command led American Foreign Legion. This Special Operations Force American Foreign Legion would be led by Special Operations officers and Staff NCOs who could capitalize on the legionnaires cultural and language skills while galvanizing interagency support, conventional forces, and a whole of government approach.

Conclusion: While the security concerns of the Military Accession Vital to the National Interest program have currently limited U.S. recruitment of foreign nationals, a more streamlined and efficient vetting process should be put in place in order for SOCOM to conduct targeted recruitments of specific countries. Until this happens, a modified SOCOM Assessment and Selection program should be developed to facilitate foreign born or naturalized service members already in the military service transfer to SOCOM. With this added skill set it would not only save SOCOM operators' training time, but add a new dimension of expertise in the hybrid fight against violent extremist organizations and peer competitors alike.

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

This project began due to standing research priorities within Marine Special Operations Command (MARSOC). The author that began the idea was Sean McFate and his book *The New Rules for War: Victory in the Age of Durable Disorder*, published in 2019, which elaborated on his article from the Washington Post in 2016, titled *We Need an American Foreign Legion*. His book caught the attention of some of my MARSOC colleagues and Mr. McFate was asked to present at the first annual Cognitive Raider Symposium in the summer of 2019, where MARSOC devotes a week to academic learning and development for its personnel. I was lucky enough to attend the symposium and Mr. McFate's ideas were interesting to me. Once I saw a MARSOC research topic devoted to one of his ideas, I was on board.

I would like to acknowledge Dr. Richard DiNardo, who was my mentor throughout the process. He walked me through the steps for the Marine Corps University's Masters Program and was a great sounding board for my ideas, some good and some not so good. He provided additional insight and helped bring my ideas to fruition. Dr. DiNardo was patient enough to remain calm after my first draft was admittedly all over the place, and helped me to pare down the peripheral information and focus on what supported my thesis. Dr. Richard Hegmann was generous enough to act as second reader. His comments and constructive points helped to draw out its main points and made it a better product. Additionally, Christi Bayha, the Command and Staff College research assistant at Marine Corps University, was instrumental in getting my research started and was there to provide direction and potential sources each time my research got stuck. Without these three, my research project would have been a much less enjoyable experience.

Introduction

The United States continues to struggle in its fight to maintain security and stability across the globe. The U.S. military's conventional units and special operations forces continue to deploy at high rates to many countries worldwide. As operations in Iraq and Afghanistan are apparently winding down and some troops are returning home, the Department of Defense (DoD) is putting more emphasis on modernization and the development and implementation of new technologies to aid in the peer competitor conflict, as outlined in the 2017 National Security Strategy (NSS). As the U.S. National Defense Strategy (NDS) makes clear, focusing on peer and near-peer adversaries does not mean that trans-regional terrorism threats are no longer a problem. Yet the emphasis on near-peer by the DoD will likely see a shrinking force structure as units are disbanded and funding is funneled to technology improvement, facilitating a smaller, more lethal force. With a smaller force likely in the near future, how will the U.S. continue to maintain security and stability in problem areas across the globe and simultaneously counter a near-peer threat?

In his book *The New Rules for War: Victory in the Age of Durable Disorder*, author Sean McFate provides a possible solution to this problem. He argues that it is time for the United States to stand up an American Foreign Legion (AFL).[1] This Legion could answer the governments problems in dealing with disorder across the globe and provide an elite force with the ability to base itself inside problem areas. He argues that an AFL would answer the call of "Bring the Troops Home!" Casualties and multi-year deployments would be more palatable to the American public and policy makers due to the majority of the legionnaires not being U.S. citizens.[2] An AFL unit would replace unreliable proxy forces and expensive military security contractors.[3] Much like the French Foreign Legion, after which the American unit would be

modeled, the legionnaires would fall under the Department of Defense, receive U.S. military training, and answer to the Uniform Code of Military Justice.[4] Additionally it would create a global recruitment pool for the U.S. military and increase the cultural and language knowledge for its members.

This paper examines the model of the French Foreign Legion and the capability of staying power and political flexibility the unit provided France. Early in its establishment the legion probably provided both these capabilities and built a reputation as an elite unit. Modern aspects of the Legion, however, depict a unit much like any other, mainly based in France and lacking the anonymity that allowed it to be used as cannon fodder for politicians—the Legion could be deployed to fight France's overseas battles while French conscripts remained safely at home. Additionally, this paper explores the brief history and current disposition of noncitizen service members in the United States military. The paper also analyses the alternatives of proxy forces and private security contractors, and the positive and negative aspects of both. Proxy forces offer the plausible deniability buffer sought by many countries, but are ultimately unreliable when the objectives of the principle agent and proxy force diverge. Private security contractors, or private military contractors, are often more professional than proxies and also offer political standoff from their employer country, yet are expensive and can be unreliable at times. Finally, it takes a look at Russia's hybrid warfare and how it is able to galvanize proxies, security contractors, Special Operations Forces (SOF), and conventional forces. Understanding proxy and contractor forces, and Russia's practices, is a key step toward comparison with this paper's main argument on the benefits of an AFL. This paper makes a case for an adaptation of the AFL as part of U.S. Special Operations Command (USSOCOM) as a hybrid warfare force with critical language and cultural knowledge skills.

The French Foreign Legion Model

Today the French Foreign Legion is thought of as an elite fighting force with a storied history. Its origins were less noble. The French Foreign Legion began as a way to get rid of political refugees and fugitives by shipping them off to fight in Africa by King Louis Philippe in 1831.[5] The wake of revolutions in Europe created an influx of migrants to France and "recruitment" would often devolve into rounding up illegal immigrants to fight for the Legion.[6] By 1861 the Legion's reputation was so poor that upon inspection, a French Army general recommended it be disbanded.[7] He complained that, "a regiment which counts 648 deserters, in which one does not dare hand out the munitions which each soldier must carry, in which only one pair of shoes per man can be distributed lest they sell them, is far from being a disciplined regiment."[8] For one company deployed to Africa, thirty-five of the legionnaires deserted on the first day of they arrived.[9] The rest of the company got drunk on the second day and attacked their French officers.[10] "Subsequently the entire battalion had to be rounded up and incarcerated in the army compounds or local jails."[11]

Despite this lack of discipline and a plethora of undesirable members, the Legion began to earn a reputation for bravery and courage in the face of overwhelming odds. The Legion, was regarded in France as expendable, and the legionnaires very early learned to think of themselves in the same light.[12] This mindset and the nothing-to-lose attitude displayed by the majority of the legionnaires began to earn them their air of mystique and reputation for complete fearlessness in battle.[13]

Recruitment began to be more selective, leadership improved, and the legionnaires began to build their reputation, lore, and romanticism that follows them even today. During World War I, many Americans joined the Legion to fight, since the U.S. was firm on its intention to stay out

of the war.[14] Between 1914 and 1918, 44,150 foreigners, from 101 countries, served in the legion, of which a staggering 31,000 became casualties.[15] The Legion had a reputation for deploying to far off posts across the French empire and to locations with the most ferocious fighting.

Officers began to see the Legion as a desirable post and one that promised upward mobility in the French Army. By the time the Legion conducted its heroic actions at Cameron in 1861, it could already boast four Marshals of France among its officer alumni.[16] Along with the promise for combat, the Legion offered the myth of anonymity and a fresh start to those with a checkered past.[17] "The bottom line is that the myth, the battles, the exotic geography, the all-or-nothing mentality of the officers combined with uncompromising NCOs" cemented the Legion's sterling reputation with an air of mystery that became a siren call to recruits throughout the globe.[18]

Today, the nearly 9,000 strong French Foreign Legion, boasting legionnaires from 140 countries, attempts to operate in much the same way.[19] Its legionnaires are deployed worldwide to countries like Kosovo, Chad, Ivory Coast, Afghanistan, Mayotte, French Guiana, and Djibouti and have also participated in several peace enforcement operations.[20] Unlike its colonial peak strength of 11 regiments, today's French Foreign Legion is composed of only the 3rd Foreign Infantry Regiment, stationed in French Guiana, and the Mayotte French Foreign Legion Detachment, numbering only 114 permanent personnel, located on a small island off the coast of Madagascar—both based outside of the French homeland.[21]

Although the Legion remains an elite unit, new challenges have emerged. The Legion's mystique still continues to capture thousands of recruits a year, but nowhere near what it used to. The anonymity clause, that allowed fugitive recruits to join the legion with no questions asked,

has become a thing of the past. French lawmakers made it illegal for recruits to join under an assumed name with no paperwork back in 2010.[22] Additionally, the political attractiveness of deploying legionnaires instead of French regulars has lost its appeal. With a downturn in fugitive delinquents and an increasing percentage of French citizen legionnaires, politicians must deploy the Legion in much the same way they would the professional elements of the regular army.

Another problem is competition. While the Legion is still an elite unit, well trained, and made up of extraordinary talent in the enlisted and officer ranks, there are other units that offer the same level of exceptionalism.[23] With numerous paratrooper units, naval infantry, and special operations forces within France and other countries across the globe, the draw to the French Foreign Legion has diminished.[24] Additionally the explosion of private security contractors, since the start of the Iraq war in 2003, offers a much greater financial incentive to young recruits.[25] Moreover, these private security companies offer a wide variety of skill sets, from trigger pullers to cyberspace operations. This makes many countries, including France, reluctant to maintain the expense of a larger than necessary fighting force, when much work can be temporarily outsourced to private companies[26]

If America were to stand up a Foreign Legion it would be battling many of the same challenges the French unit does today. First off, an American Foreign Legion would not have the storied past and mystic of the French Foreign Legion to draw in recruits. Second, U.S. Special Operations Command (USSOCOM), the 82nd Airborne, and Marine Corps Reconnaissance units offer the pull of elite organizations with high standards, punishing selections, and the promise of numerous combat deployments. Third, with discussions of modernizing the force and the need for downsizing personnel in order to meet that objective, it

would be difficult to justify the building of a new unit with several thousand members, likely many of them not even U.S. citizens. Lastly, the allure of anonymity in today's world is imprudent. Foreign recruits would require the utmost security and screening for potential terrorists or radicals. Nevertheless, this paper will argue that several benefits outweigh these challenges.

U.S. History of Foreign Service Members

There is a long history of noncitizens serving in the U.S. military going back to the Revolutionary War. Expedited citizenship for foreigners serving in the military was first passed by Congress during the War of 1812.[27] Noncitizens serving in the U.S. military hit peaks during times of war, with around 130,000 naturalized during World War I, about 50,000 during World War II, but dropping off to under 20,000 during the Korean War and Vietnam War.[28] Naturalization has been on the rise again since after September 11, 2001.[29]

In 2008 the Department of Defense (DoD) created the Military Accession Vital to the National Interest (MAVNI) program. This program allowed noncitizens without lawful permanent resident status, also known as green cards, to join the military with a path to naturalization, if they possess high demand language, cultural, or health care skills.[30] Since the program began, it was expanded every year, allowing a total of 10,400 recruits to enter military service, filling key billets like linguist, medical specialist, combat engineer, and even special forces operator.[31] The majority of the MAVNI recruits are able to join for their ability to speak Arabic, Chinese, Hindi, or any of the other languages on the DoD's 50 critical languages list.[32]

However, due to security concerns the MAVNI program has been more or less suspended indefinitely since October 2017.[33] The series of DoD memos cited "high risk of connections to

foreign intelligence services" that would put the force at unnecessary risk of foreign infiltration.[34] Due to these security concerns, the vetting and for noncitizens was vastly increased. Under the old program noncitizens were allowed to attend basic training while their investigations were pending.[35] Then once background checks were complete, they would have to complete one day of qualifying service to earn their Certificate of Honorable Service, with which they could be promptly naturalized at the United States Citizenship and Immigration Service (USCIS) on base.[36] The new enhanced vetting requires noncitizens to complete four background checks, including a Tier 5 Top Secret security clearance investigation, before attending basic training.[37] A Tier 5 investigation averages about 400 days to complete in addition to the time it takes for the other three background investigations.[38] Additionally, the time needed for a Certificate of Honorable Service was expanded to 180 days after basic training is complete for active duty personnel, and one year for those entering the reserve forces.[39] The greatly increased timelines have caused many recruits to fall out of temporary legal status, usually student visas or Deferred Action for Childhood Arrivals (DACA), and many have seen their pending service contracts cancelled.[40]

Despite the issues with the MAVNI program, foreign citizens with green cards can still fast track their U.S. citizenship goals with service in the military. Without military service, applicants for U.S. citizenship must be permanent U.S. residents for five consecutive years, or three years if married to a U.S. citizen.[41] In contrast, those foreign nationals that complete just one year of honorable military service can begin the application process for naturalization.[42] Additional advantages for those obtaining citizenship through military service include; waiver of the requirement to live in the district where they are applying for citizenship for three months, and the waiver of the almost $800 application fee.[43] Naturalization is a straightforward six step

process where an applicant fills out forms, obtains approval from his/her O-6 command, provides biometric data, and interviews with a USCIS officer.[44] In contrast, legionnaires in the French Foreign Legion are required to complete at least three years of service, or be wounded in combat, prior to obtaining their French citizenship and passport.[45]

After a history of strong reliance on foreign recruits for military service, DoD has vastly limited the ability for noncitizen to join the military and become naturalized. Security concerns and the potential for new recruits to be foreign agents has greatly increased the screening process and elongated the timeline for naturalization. This shift will deprive the military of the very language and cultural skills they so desperately need. Skills that are extremely beneficial in attaining, developing, and analyzing intelligence; understanding the environment; and conducting numerous operations across the spectrum of warfare, the very skills that could be put to use by an AFL.

Current U.S. Foreign Service Disposition

Despite enhanced screening and vetting measures, the MAVNI program and the regular military service route has still managed to recruit a larger number of non-U.S. citizens or naturalized citizens into the U.S. military. Table 1 below depicts the non-U.S. citizens and naturalized citizens currently working in the active duty U.S. military, as obtained from the Defense Manpower Data Center (DMDC).

	Army		Navy	Marine Corps		Air Force	
Pay Grade	Non US Citizen or National	US Naturalized	Non US Citizen or National	Non US Citizen or National	US Naturalized	Non US Citizen or National	US Naturalized
E01	1,259	4	814	113	11	170	9
E02	1,695	2	386	615	10	125	29

E03	1,462	28	1,082	302	20	462	92
E04	3,434	44	361	180	17	39	125
E05	684	4	219	52	9	1	99
E06	151	5	104	22	3	0	65
E07	24	4	30	13	2	0	38
E08	1	0	13	3	0	0	13
E09	0	0	2	0	0	0	8
O01	0	0	0	2	0	0	7
O02	1	0	0	1	0	0	15
O03	0	1	0	2	0	0	8
O04	0	0	0	0	0	0	17
O05	0	1	0	0	0	0	2
O06	0	0	0	0	0	0	1
O07	0	0	0	0	0	0	0
O08	0	0	0	0	0	0	0
O09	0	0	0	0	0	0	0
O10	0	0	0	0	0	0	0
W01	0	0	0	0	0	0	1
W02	0	0	0	0	0	0	1
W03	0	0	0	1	0	0	5
W04	0	0	0	0	0	0	0
W05	0	0	0	0	0	0	0
TOTAL	8,711	93	3,011	1,306	72	797	535

Table 1. Non-U.S. Citizens and Naturalized Citizens in Active Duty U.S. Military, by Rank and Service (current as of 12 Dec 2019)[46]

The total non-U.S. citizens and naturalized citizens comes out to 14,525. The fact that there are only 66 officers and only 501 Staff Non-Commissioned Officers (SNCOs) listed above would not be a problem for an AFL. It is assumed that the U.S. would adopt a model somewhat similar to the French Foreign Legion where their formations are led by regular military officers and SNCOs, likely from SOF units. Additionally, it is assumed that an AFL would also be a joint endeavor, pulling from each of the services to form cohesive units.

This rather sizable number shows that it is possible to man a legion from existing personnel in the U.S. military, and likely some focused recruiting from target countries. It has

also been assumed that the Legion could be deployed to trouble spots anywhere in the world. Additionally, it should be able to remain in these locations for years on end to facilitate the staying power and create stability in regions without long deployments for American service members. Table 2 below depicts the family dynamics of Table 1 above.

	Number of Dependants	Army		Navy	Marines		Air Force	
		Non US Citizen or National	US Naturalized	Non US Citizen or National	Non US Citizen or National	US Naturalized	Non US Citizen or National	US Naturalized
Married	0-1	2140	21	683	136	7	131	105
	2 or more	1,580	28	364	76	12	85	145
Not Married	0	4,583	38	1,906	1,081	52	570	264
	1 or more	408	6	58	13	1	11	21

Table 2. Non-U.S. Citizens and Naturalized Citizens with/without Dependents, by Service (current as of 12 Dec 2019)[47]

The above table puts 5,513 of the total available forces married (over one third). Furthermore, of the married service members, 2,290 have 2 or more dependents. Additionally, of the unmarried service members, 518 still have dependents. This large number of dependents makes it unlikely that the AFL could conduct open ended, multi-year deployments when almost half of them have loved ones back at home. The days of "the legionnaire has no country, no home, other than his regiment"[48] would not be applicable.

One of the major draws of an American Foreign Legion would be a diverse background and strong cultural and language knowledge of the countries to which the legionnaires are being deployed or based. This pool of 14,525 boasts 166 different countries as their place of origin. Unfortunately, the data is somewhat unreliable based on the high number in the 'unknown' category; 9,353 between the four services. Of the known locations, China (340), Ghana (127), Jamaica (405), Mexico (582), Nigeria (105), Philippines (1,143) and Puerto Rico (187) are the

only countries of origin with over 100 members currently in the U.S. military. This shows that if the AFL wanted to create a company sized unit (roughly 200) of cultural and language experts, it could likely start with China, Jamaica, and Mexico, and potentially form a battalion sized unit for the Philippines. Other countries would require some target recruiting among potential candidates to build out a large cohesive unit.

An alternative to the above unit size is to make much smaller AFL units that could be deployed with SOF teams to countries around the world to provide regional specific cultural and language assistance. SOCOM is known for its light footprint and low visibility operations. However, it is unlikely that the current 14,525 non-U.S. citizens and naturalized citizens could pass a grueling SOF selection process, but there is potential to modify assessment and selection due to their critical skill capabilities. Generally enablers, or non-operator personnel that have critical skills, conduct a modified selection and training program that is similar, but not as grueling as the typical SOF operator process. Smaller teams and a modified selection process would go far to establish the manpower needs of the AFL, but additional targeted recruiting may be necessary. The Marine Corps might be a perfect conduit to facilitate this endeavor, as they currently provide security forces to guard embassies and consulates across the globe. Small contingents of SOF recruiters, potentially from MARSOC, could conduct recruiting tours, base with these Marines, and work with State Department officials for vetting, citizenship requirements, and cultural expertise.

AFL Language and Cultural Skills are Badly Needed

When Marine Special Operations Command (MARSOC) was stood up in 2006, it was first made up of units that conducted similar missions to those that a Foreign Legion would be especially adept at performing. The Foreign Military Training Unit (FMTU) deployed as 11 man

teams made up of Marines and corpsman, uniquely specialized to conduct Foreign Internal Defense (FID) and Unconventional Warfare (UW). Each FMTU team's pre-deployment training program was build around robust cultural and language immersion. These specialized teams made up the first operational unit within MARSOC and became the first teams to deploy as part of SOCOM.[49] Despite having good initial success, the FMTU eventually became the Marine Special Operations Support Group (MSOAG), as MARSOC expanded, and was finally rolled into the 3d Marine Special Operations Battalion (MSOB), now 3d Marine Raider Battalion. This ended the extensive cultural and language training for a wider set of missions that expanded the Direct Action (DA) capabilities of the old FMTU teams, as they mixed with the other two MSOBs made up of mostly former Force Reconnaissance Marines. Today MARSOC operators struggle to maintain language proficiency for the locations they deploy and, although they receive some cultural training, it cannot compare to the proficiency an AFL unit would bring.

In addition to FMTU, the military puts extensive cultural and language training into its Foreign Affairs Officers (FAOs). The Army, Navy, Air Force, and Marine Corps each have their own FAO programs. Within the Marine Corps, the FAO program is run by the International Affairs Program (IAP), which "identifies, develops and manages a professionalized cadre of subject matter experts in regionally focused political-military affairs who will possess advanced education in regional security studies, regional experience, and advanced linguistic skills."[50] Those who do not possess the requisite cultural and language skills must enter the FAO program through the "study track."[51] This track is conducted in three phases. The academic training phase is a 12 month Master's Program at the Naval Postgraduate School focusing on one of four regions. The language training phase is 24-63 week program, depending on the region. Phase three consists of a one year in-region training program that combines language and cultural

training in an immersive format for a deep understanding of the foreign people and their region.[52] This puts the total training time to produce a single FAO at two and a half to over three years.

SOCOM envisioned a similar program as a much desired path to develop a complete understanding of the language and culture of its deployment locations.[53] Instead of having SOF operators spend three years building a capability and neglecting other training, there is potential to draw upon a capability already inherent in the DoD. If USSOCOM could specifically seek out and recruit these non-citizens and naturalized citizens, the language and cultural capability within SOCOM could be drastically expanded. SOF teams deployed with small AFL detachments would couple highly skilled operators with an unmatched language and cultural capability.

Alternative: Proxy and Surrogate Forces

A key step in evaluating the merits of establishing an American Foreign Legion is to first assess the viability of competing concepts, namely proxy and surrogate forces. According to Sean McFate, one of the major alternatives to a robust American Foreign Legion is the U.S. utilization of proxy or surrogate forces. He argues that like an AFL, proxy forces provide the needed presence in trouble spots around the globe that pertain to U.S. interests. A proxy or surrogate force is any state or non-state actor that acts somewhat, or on the behalf of, another party that is not directly involved. Recent examples from U.S. history can include the arming and training of the mujahedeen in Afghanistan to fight the Soviets and the Kurdish Syrian Defense Force (SDF) in Syria fighting against the Islamic State in Iraq and al-Shamm (ISIS).

Proxy warfare has become the method of choice for dealing with conflict, not only in the United States with its operations in Iraq, Syria, Indonesia, Africa, Yemen, and Afghanistan, to name a few, but also among other nations throughout the globe. States generally look to proxies

to add a degree of separation between them and their proxies' actions.[54] Weaker states look to dodge any conventional military repercussions due to plausible deniability, while stronger states attempt to limit the financial, political, and human costs to their own countries.[55] Authors Andreas Krieg and Jean-Marc Rickli explain the wide concept of proxies and surrogates best in their article *Surrogate Warfare: The Art of War in the 21st Century?*:

> "Amid the globalization and trans-nationalization of conflict, the privatization of security and the resulting intangibility of threat, the state has discovered surrogate warfare as a means to externalize, partially or wholly, the strategic, operational and tactical burden of warfare to a human or technological surrogate with the principal intent of minimizing the burden of warfare for its own taxpayers, soldiers and ultimately its policymakers."[56]

Overall surrogate or proxy warfare is the substitution of all or part of the risks associated with warfare.[57]

The single most obvious benefit to utilizing proxy forces is limiting risk. In today's politically sensitive environment in the United States, risk seems to be a number one priority. The U.S. public hears about every casualty on the nightly news, and receives constant updates about what U.S. troops are doing overseas. Proxy warfare limits risk to U.S. forces. The U.S. strategy for the most recent war in Iraq is a great example of this. As ISIS stormed across Syria and into Iraq in 2014 and 2015, the U.S. watched as the Iraqi Army units that the U.S. military had trained for close to a decade, turned and ran from the terrorist attackers. Instead of 'surging' U.S. military forces to stem the problem, as they did during Operation Iraqi Freedom (OIF) in 2007, U.S. policy makers and military leadership tried a different approach. The U.S. sent a handful of advisors and special operations forces (SOF) to train Iraqi Security Forces, provide air and fire support, and conduct limited raids on high value targets.[58]

Since the height of the wars in Iraq and Afghanistan, the U.S. has built a counterterrorist strategy that increasingly relies on proxy forces. U.S. military advisors and SOF are training state and non-state actors across the globe to provide their own security and hunt down terrorists in their own nations.[59] This method greatly reduces the risk to American troops by attempting to keep them off the front lines and out of harm's way, or at least reduce that risk to small numbers. This in turn limits casualty reports in the news and retains the popular support and will of the American citizens—or at least their inattention. Table 3 below shows the extent of U.S. military casualties during Operation Iraqi Freedom (OIF), Operation Enduring Freedom (OEF), and Operation Inherent Resolve (OIR).

Operation	KIA	WIA	Total Casualties	Time span
OIF	3,481	31,993	35,474	Mar 2003-Aug 2010 (90 months total)
OEF	1,833	20,091	21,924	Oct 2001-Sep 2014 (168 months total)
OIR	17	81	98	Jun 2014-present (67 months total)

Table 3: U.S. Department of Defense Casualty Report Release, December 2019.[60]

Analyzing the table above gives us 1.5 casualties per month during OIR's fight against ISIS, compared to 130.1 during OEF's struggle against the Taliban and Al Qaeda in Afghanistan, and a staggering 394.1 during the long counter insurgency struggle in Iraq during OIF. The small footprint of advisors and special operations forces utilizing proxies and surrogates significantly reduces casualties and political risk, while retaining national will.

While proxy warfare seems to have sound benefits, there are also limitations. In 1993, eighteen Americans were killed during a raid in Mogadishu, Somalia, made famous by the book and movie *Black Hawk Down*.[61] Soon after the U.S. pulled its forces out of the area. Somalia has continued to grow as a hotbed for radicals, extremists, terrorists, and pirates, leading to

instability in the region and heavily trafficked shipping lanes.[62] Since 2007, the U.S. has led the training, equipping, an financing of Ugandan soldiers for the African Union, that help contain the terrorist problem in Somalia.[63] Although U.S. troops, except for some SOF units, are in mostly training roles, it is an expensive endeavor. The U.S. alone has contributed more than $550 million from 2007 to 2014, with additional funding coming from the European Union and the United Nations.[64] It is also difficult to ascertain exactly how effective the African Union force has been at stabilizing Somalia, as the problem has persisted for over a decade with little progress to show.

The combination of proxy forces and a SOF led AFL, could capitalize on all the benefits of proxies, while limiting some of the negative aspects. The SOF AFL could utilize the proxies to limit U.S. risk, but maintain closer oversight to ensure American interests are being followed. The small SOF AFL team could have close supervision over a proxy force by maintaining boots on the ground. Additionally the cultural expertise of the AFL can ensure a better understanding of the environment and advise on the use of certain groups as proxies while avoiding others. The reality of proxy warfare is the fact that, while initial interests may have similar goals, the principle agent and the proxy interests will likely diverge at some point. This fact has a tendency to limit strategic effects of proxy forces and generally only produce meaningful tactical results. A SOF AFL could analyze and anticipate the point when U.S. and proxy interests begin to diverge and either cut ties, re-negotiate their position, or align with a different proxy group. The AFL could manage the proxies overtly, clandestinely, or even covertly depending on the political situation.

Alternative: Mercenaries and Private Military Contractors

In addition to proxies, Sean McFate ascertains that an AFL would be able to replace a large contingent of private military contractors used by the U.S. government.[65] Despite being a former private security contractor, McFate depicts the majority of contractors as unreliable, improperly screened, expensive, and lacking accountability.[66] Establishing an AFL would create a force accountable under the Uniform Code of Military Justice (UCMJ) and, depending on its size, would likely cost a fraction of what the U.S. spends on the private sector.[67]

The U.S. has utilized private contractors to augment its military force since its beginning in the Revolutionary War.[68] Since that time, the number of private contractors employed by the United States government has been steadily increasing. During the Balkans in the 1990s, the private contractor to U.S. forces ratio was one to one, topping out at roughly 20,000 armed and unarmed contractors.[69] After the degenerating security situation in Iraq after the fall of Saddam Hussein, armed contractors grew from 10,000 in 2003 to over 30,000 by 2007.[70] By 2010 that number was reduced back to just over 10,000.[71] These numbers demonstrate that the U.S. DoD and Department of State utilized private security companies to surge armed capability when there are either not enough U.S. troops to deploy, or units are not ready to deploy as situations on the ground quickly escalate. From 2003 to 2007, it's estimated that the U.S. government has spent between three and four billion dollars on private security services.[72] This estimate covers only direct contracts and does not include subcontracts, where the prime agent contracted by the U.S. hires their own contractors for security services.[73] These services include static base security, convoy security, personal security details, force protection, and the running of operations centers, many of the same things U.S. military personnel conduct on a daily basis.[74]

The U.S. is not the only employer of private security contracting. Russian private security contractor, Wagner (Vagner) Group, has been known to operate in Syria, Ukraine, and

multiple countries in Africa, and is seen by many as an extension of regular Russian military forces.[75] Wagner's private army is reported to number nearly 70,000 personnel and is run by the former GRU Spetsnaz (Russian Special Operations Forces) Colonel Dmitry Utkin.[76] Although the Wagner Group is officially registered in Argentina, it is mostly made up of former Russian military and intelligence members, and has a training base in southwest Russia near the GRU 10th Independent Special Forces base in Molkino.[77] "Wagner's activities are writing the playbook for how states can pursue economic and security interests abroad while claiming plausible deniability."[78] The group is being used by Russia as a "secretive, multi-use tool; one that can secure oil fields for Russian companies, assassinate rogue commanders, fight alongside regular army units and protect Russian-aligned regimes from protests."[79]

Wagner Group reportedly deployed up to 5,000 armed contractors alongside Russia's military forces in Crimea and eastern Ukraine, in the Donbas and Luhansk conflict regions, as the conflict kicked off in early 2014.[80] They fought with regular Russian troops in combat operations, conducted policing and security actions, and carried out several assassinations of militia leaders.[81] In eastern Syria the Wagner Group was responsible for an assault against a combined Kurdish and U.S. Joint Special Operations Command defensive perimeter at a Conoco oil facility.[82] The 500 Wagner operators were equipped with artillery, armored personnel carriers, and T-72 tanks.[83] The battle lasted for over four hours and required a constant stream of fixed wing aircraft, AC-130 gunships, and Apache helicopters providing close air support to keep the facility in U.S. and Kurdish control.[84]

In much the same way that proxy forces help to limit casualties, Russia's use of the Wagner Group has essentially done the same thing as Russian President Putin prepares for re-election in 2020. The Russian Defense Ministry publicly states that 41 of its troops have been

killed in action fighting in Syria, but at least 73 private contractors have been killed since fighting began in early 2015.[85] Much like the U.S., Russia must consider national will and the political repercussions of casualties. When contractors from Wagner Group are killed in Syria, Russian Defense Ministry does not need to announce it to the public.[86]

Alternative Combination: Hybrid Warfare

A true comparison of the merits of an American Foreign Legion compared to the alternatives of proxy and contractor forces needs to also acknowledge that such forces are typically employed in a "hybrid" fashion, that is, together, and along with other conventional and unconventional forces. The term hybrid warfare is generally viewed as a buzz phrase for today's ambiguous conflict zones in Iraq, Afghanistan, and the 2006 Israeli conflict in Lebanon.[87] The concept of hybrid warfare is very similar to asymmetric warfare, in that both focus on taking advantage of strengths while exploiting an opponent's weaknesses. While hybrid warfare was first defined to think critically about non-state actors, such as Al-Qaeda, the Taliban, and Hezbollah, it is a term more recently used to describe the actions of state actors like Iran and Russia. Hybrid warfare encompasses an overall style and type of warfare, but also is suggestive of the different types of forces or units that work together to carry out this type of fighting.

In Russia, the term hybrid warfare is understood as 'new generation warfare.'[88] Hybrid warfare is specifically designed to operate in the grey zone, the maneuver space between peace and open war. Russia has adapted the use of hybrid warfare to focus its strengths on its enemies weaknesses and pursue its national objectives. Russia no longer relies on large, Soviet-style, heavily equipped forces, but has transitioned to smaller, more mobile units capable of strategic coordination across the full spectrum of operations.[89] Russia has been at war in Crimea and eastern Ukraine since 2014. Instead of utilizing proxy forces, or conventional military forces, or

private security contractors, it has utilized all three in a coordinated hybrid attack against Ukraine. This use of different forces coupled with its increasingly sophisticated information warfare, Russia has been able to facilitate its goals while creating ambiguity and confusion across the international community.[90]

In early 2014, Russia began its annexation of the Crimean Peninsula by utilizing its military forces including naval infantry, special operations forces, and airborne paratroopers to quickly capture key infrastructure and take the Ukrainian forces by surprise.[91] The Russian information campaign was already sowing seeds of doubt long before this military action. The media began reporting 'little green men' in Crimea, men who wore no nametapes or unit insignia on their green uniforms, but who strongly resembled Russian soldiers. Although thinly veiled, this deception campaign created enough ambiguity and deniability for Russia, that any significant intervention or response was already too late to change the outcome in Crimea.[92]

Russia spread its destabilization campaign from Crimea to eastern Ukraine's Donbas region where its proxy forces gained a foothold.[93] As Russia worked to establish its proxy forces, it used Russian special forces as leaders for separatist units.[94] Russia even ran recruitment for separatist fighters within Russia, giving them basic training and funneling them across the border to the conflict.[95] Russia's proxy militias also include Russian mercenaries, some from private military contractors (Wagner Group), Russian intelligence and military personnel, marginalized locals facing economic hardship, radical groups from Russia, and Ukrainian military defectors.[96] Additionally, Russia provided conventional military support to the separatist militias in the form of artillery; armor; Information, Surveillance, and Reconnaissance (ISR); and air defense capabilities.[97] "The Ukrainian government estimates that

at least 6,000 Russian soldiers operate in Donbas, with tens of thousands more stationed along the Russian-Ukrainian Border as of June 2017."[98]

In addition to its conventional military deployments, Russia also deployed its Military Intelligence Directorate (GRU). The GRU's combat advisor roles have greatly expanded over the last decade.[99] "The GRU manages military attachés, intelligence analysis, cryptanalysis, space-based assets, telecommunications intercept capabilities, and radio-electronic and telecommunications-based offensive capabilities."[100] The GRU also operates Russia's special operations forces and Spetsnaz.[101] These forces have played a major role in the Ukrainian conflict. Early in the campaigns for both Crimea and into eastern Ukraine, special operations forces mobilized, lead, equipped, and supported separatist militias.[102] Besides directly supporting their proxy forces, the special operations units conduct ambushes, reconnaissance, and sabotage missions against Ukrainian forces and government infrastructure.[103]

Along with its military, proxies, and private security contractors, Russia leverages its information operations to create advantages for its campaign inside Ukraine. Its targeted propaganda exploited the various economic grievances and other social fractures among the diverse Ukrainian populations.[104] Russia utilized other non-military intervention techniques such as restricting food imports to Russia, creating more economic hardship in eastern Ukraine. Russia then targeted these groups with specific financial, economic, and information warfare campaigns to create further divide and strengthen Russian nationalism.[105] Russia coupled its information operations with Spetsnaz and other non-attributable military units in the seizure of facilities and key infrastructure to further local unrest and create subversion.[106] Russian cyber operations including denial of service campaigns, propaganda attacks, social media persuasion

and disinformation campaigns, were all designed to target disaffected groups, create chaos, and strengthen local support.[107]

Russia's New Generation Warfare combines direct military engagement with indirect and gray zone activities. This creative use of proxy forces, foreign fighters, and private security contractors gives its military formations the ability to operate semi-covertly to destabilize Ukraine and create instability in the region.

American Foreign Legion as Part of USSOCOM

Russia's use of hybrid warfare shows a galvanizing of capabilities including conventional military, SOF, proxies, and private contractors with indirect capabilities of information warfare and other forms of political warfare. It is able to coalesce these functions so effectively due, in partly because of its understanding of the language and cultural aspects in the region. How can the U.S. utilize this template to establish a hybrid warfare organization of our own to counter such malign activity?

As discussed above, creating an autonomous American Foreign Legion is an unrealistic idea. Building an AFL headquarters structure would likely duplicate existing capabilities currently within the DoD. Additionally, as in the French Foreign Legion, U.S. officers and Staff NCOs would be needed to lead and supervise the Legion during training and operations. One potential use that would limit the need for new structure would be to make the American Foreign Legion part of USSOCOM. SOCOM is already DoD's subject matter expert in Irregular Warfare and would be able to provide a well trained officer and SNCO cadre for Legion leadership. Additionally, SOCOM would greatly benefit from focused recruiting of military members with critical language skills and cultural expertise. Operators within SOCOM spend years training in foreign language and cultural skills that would already be integrated into the ranks of the Foreign

Legion. Legionnaires' unique perspective would also make them highly qualified and adept at a number of SOF core missions.

Legionnaires recruited from an array of countries worldwide would be especially proficient, due to their cultural and language expertise, at the mission sets aligned within Irregular Warfare, which includes, Unconventional Warfare (UW), Foreign Internal Defense (FID), Counterinsurgency Operations (COIN), Counter Terrorism (CT), and Stability Operations.[108] In addition to Irregular Warfare, a unit with extensive cultural and language knowledge would be well suited for Preparation of the Environment (PE) and Security Force Assistance (SFA), and would be in a great position to either conduct or provide support to Civil Affairs (CA), Military Information Support Operations (MISO), Humanitarian Assistance (HA), and Special Reconnaissance (SR).

The above SOF activities can be divided into the direct and indirect approach. The direct approach refers mostly to the killing, capturing, or interdiction of high value targets and the dismantling and destruction of their networks and facilities.[109] The indirect approach, on the other hand, involves:

> "The application of military and non-military action by, with and through partner nations to influence, neutralize or defeat an enemy by shaping the physical and psychological environment in which he operates. It may include kinetic actions at the tactical level to kill an enemy and/or disrupt his plans and operations. The indirect approach requires whole-of-U.S. government effort in its application".[110]

According to Admiral Olson, retired SOCOM Commander, it is the indirect approach that has decisive effects, and it is this approach in which an AFL would be most valuable.[111] An AFL

force within SOCOM could become the "Warrior Diplomats" needed to carry out U.S. policy.[112] Already proficient in language and culture, additional training in social movement theory, negotiation skills, influence operations, popular mobilization dynamics, subversion, and political warfare would make the SOF AFL a dynamic force in the gray zone arena.[113]

Budget cuts and restraints places on the U.S. Department of State (DoS) and U.S. Agency for International Development (USAID) mean they can seldom travel to locations with a high security threat, unlike DoD personnel. A SOF unit with the cultural and language skills inherent in an AFL would be a force multiplier and capacity builder for the indirect approach. This concept is not without precedent. In a testimony before the U.S. Senate Subcommittee on Emerging Threats and Capabilities on June 18, 2009, Admiral Olson alluded to a Project Lawrence, named after Lawrence of Arabia, where USSOCOM would recruit and "train individuals with language skills, grounded in the local culture, diplomatically astute, and experts in specialized tactical skills."[114]

With a unique ability to harness the indirect approach, a SOF AFL could be uniquely adept at countering a hybrid threat and operating in the gray zone. SOF can operate with low visibility and a small footprint to accomplish missions without drawing an overabundance of attention. Additionally, it is the most adept force the U.S. has in galvanizing conventional forces and the interagency for a whole of government approach to the problem set, including the DoS and USAID. A SOF AFL unit on the ground could surge DoS government capability or USAID capability for development as the situation dictated, or just provide a means of reach back for rapidly developing situations. In the same vein, this force could reach back to conventional forces or even private contractors to take advantage of additional security or a cyber, information, and social network analysis capability.

Choosing from its core activities, a SOF unit can conduct FID to bolster a host nation's security forces and create stability, or it can perform UW to support an insurgent campaign to destabilizes a target country. These activities can be performed overtly and clandestinely under Title 10 authorities, or covertly in partnership with the CIA under Title 50 authorities. A SOF AFL would be critical in conducting covert UW or FID due to their language and cultural skill, helping them to blend into the local populace and identify with locals. Supporting resistance movements to help achieve U.S. national interests is an especially valuable tool in hybrid warfare. Additionally, intelligence gathering and contact development is a critical element to maintain initiative in the gray zone, something at which SOF legionnaires would excel.

Unfortunately, with the MAVNI program in limbo, establishment of even an AFL arm of SOF is unlikely. However, at the very least SOCOM should consider a focused recruitment on those foreign born and naturalized citizens that have already completed their U.S. citizenship. Most naturalized service members would have already completed the Tier 5 background investigation and, therefore, would likely be eligible for almost any job within SOCOM. Coincidently, in 2011 approximately one third of the applicants who were recruited via the MAVNI program expressed an interest in working with or joining SOF.[115] With an overhauled and more efficient vetting process, the security concerns could be overcome. Additionally, the issue of the grueling SOCOM assessment and selection process could be modified to accept the critical skills that SOCOM needs. While the AFL would likely be categorized as operators, there is precedence for different Assessment and Selection (A&S) standards for different skills sets, as evident by Civil Affairs and Military Information Support Operations occupational specialties within U.S. Army Special Operations Command. A small 10-14 man SOF team with 2-4 AFL

personnel would add language and cultural depth that would greatly benefit any mission set the team is tasked to conduct.

Conclusion

While the idea of an American Foreign Legion is a romantic and thought-provoking idea, it is likely too big of a leap for today's U.S. military. Nevertheless, its essence contains the kernel of a powerful concept that this paper argues can provide potent new capabilities for the U.S. to exercise its military power. Short of a full-blown American Foreign Legion, it is much more plausible, and likely more beneficial, to harness the capabilities that a foreign born force, with unmatched language and cultural skills, would bring to a small SOCOM footprint. This force could harness proxies and private security contractors to increase capabilities while limiting their negative aspects. Acting as a galvanizing force across the interagency and applying the indirect approach to understand the increasingly complex problem sets, a SOF AFL could operate in the gray zone and be America's premier hybrid capability to counter violent extremist organizations, as well as, tomorrow's peer competitors. The language and cultural ability coupled with SOCOM operators would create a highly dynamic and capable force ready to meet U.S. national interests.

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