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From the Editor

Welcome to the fifth issue of the Combating Terrorism Exchange, beginning the second full year of the journal's publication. You will notice changes to the look of the CTX right away, particularly the bold new cover design. Graphic designer Ryan Stuart has used the three months since the last issue to rethink the look of the entire journal, and we hope you like the results as much as we do. We are also excited to see our submissions inbox bringing us a variety of papers from an increasing number of sources. If you have something you'd like us to look at, please read the submissions guidelines (on the final page) and send it in.

This issue brings together a selection of articles that, somewhat unusually for this journal, tend more toward the scholarly than the operational, with a couple of notable exceptions. Andy Kraag leads off with the story of the Netherlands Maritime Special Operations Force (NL MARSOFF). Created from two small SOF units to improve efficiency, the force found that cultural differences between them badly undermined overall effectiveness. Kraag was able to use analytical research and his SOF background to give the unit's command the information it needed to make vital changes that improved morale and ensured the group's continued operational effectiveness.

Nate Moir suggests an equally innovative take on the current Civil Affairs Teams that are working in Afghanistan. His proposed Civilian Casualty Management Team would combine the training and experience of the existing units with networked communications and specialized training to better help communities deal with war-related deaths and injuries. Not only is this good in itself, Moir notes, but it could serve to undermine anti-coalition propaganda and improve civil-military relations.

World War Two was a very different war, but its antagonists dealt with some problems entirely familiar to those fighting today's anti-insurgent campaigns. Ronny Kristoffersen draws on the stories of two highly effective interrogators in that war—one German, the other American—to discuss the value of humane psychological techniques for gathering reliable wartime intelligence.

Using intelligence in an entirely different way, Geoffrey Kambere shows us that the key to defeating the violent Islamist group al Shabaab in Somalia is to go after its finances. Substantial revenue streams from the busy port of Kismayo, the Somali diaspora, and a cut of pirates' ransom money have enabled the group to keep a deadly stranglehold on large parts of the country. Cutting the money flow, Kambere insists, will starve the beast and finally defeat it.

The key to preventing prisoners released from Guantánamo Bay from rejoining the fight, according to author Erich Wagner, is to revitalize the time-honored practice of parole. Wagner discusses the importance of terminology for shaping our thinking about these released prisoners, and offers some timely ideas about how to make parole, historically rooted in both *shari'a* and European laws of war, a strong tool for dealing with the problem of former prisoners who return to the fight.

Our final feature contributor, Gregory Mayer, takes us back to the time of the Troubles in Northern Ireland, when Belfast was a war zone, and the Provisional Irish Republican Army used terror both to attack its enemies and to control its neighborhoods. In an interesting parallel with Kristoffersen's World War Two interrogators, Mayer shows us how similar techniques of psychological persuasion can be used to recruit willing spies from the other side.

This issue's Ethics column raises the difficult subject of the "hero" label. George Lober wonders whether society's habit of slapping the epithet on everyone who dons a uniform diminishes not only the meaning of the word, but also the service and sacrifices of real heroes and ordinary personnel alike. As always, he gives us something to think deeply about.

Kalev Sepp recommends a film about war in Afghanistan, but not the war we're familiar with. *Company 9*, about a doomed Russian platoon in the waning year of the Soviet Union's occupation, tells an unnervingly familiar story of heroism against impossible odds. The fun, Sepp tells us, is that this Russian-made film reflects an authentically Russian sentimentality, complete with Soviet-era military equipment—still operational.

Nate Moir is back with his read on the new book *Find, Fix, and Finish: Inside the Counterterrorism Campaigns that Killed Bin Laden and Devastated Al-Qaeda*. This is, Nate tells us, "a well-written, fast-paced, and compelling overview of U.S. counterterrorism operations in Afghanistan, the Middle East, and the United States since 9/11." Not exactly light summer reading, but a thriller you might find hard to put down nevertheless.

As always, our colleagues at JSOU have some new publications for you to check out. These are short, informative reads on timely subjects, available as PDFs from the JSOU website.

Finally, I want to welcome Amina Kator-Mubarez to our team of research assistants. Amina joined us in May, and has made herself invaluable since then, making sure no details of the behind-the-scenes production process are overlooked.

Thanks to all our contributors for their hard work getting their submissions ready for publication, and thanks as always for your interest in the CTX. I look forward to hearing your comments, questions, and suggestions for how we can continue to improve the journal. And let me know what you think of the new look!

ELIZABETH SKINNER
Managing Editor

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George Lober guides U.S. and international military students through the tricky terrain of ethics and critical thinking at the U.S. Naval Postgraduate School.

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COVER PHOTO

NL MARSOF pre-deployment kill-house training. Photo courtesy Goffe Struiksmma.

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Combining Special Operations Forces: A Dutch Case Study

SPECIAL OPERATIONS FORCES (SOF) CONSTANTLY HAVE TO ADJUST TO THE reality of increasing demand and decreasing national defense budgets. Some units are able to expand because of increased demand while others may be forced to reduce their size because of budget decreases. The Royal Netherlands Marine Corps decided in 2009 to combine its two relatively small SOF units into one bigger unit to fulfil the increased demand for SOF operations while dealing with decreasing military budgets. This article describes how I was able to use research into organizational culture to help the Dutch Marines cope with the difficulties of trying to merge two SOF units with different histories and backgrounds into one. There is no one perfect solution for organizations facing these changes. My aim is to offer our lessons learned to other SOF units, in keeping with the sentiment that an experience not shared is an experience lost.

MAJ Andy Kraag, RNLMC

Forging the Netherlands Maritime Special Operations Forces

Until recently, the special operations capability of the Dutch Marines consisted of two separate units: the Maritime Special Operations Company (MSO) and the Unit Intervention Marines (UIM). The MSO was tasked with maritime special operations as well as amphibious shaping operations, while the UIM focused primarily on countering national terrorist threats. The fragmentation of these relatively small SOF units within the Dutch Marines left them in a weak position relative to their counterparts, the larger Dutch Army SOF (in Dutch, the KCT) and the national police's special intervention service (DSI). The commander of the MSO, a major, for example, had to discuss upcoming missions with the colonel in command of the KCT, a fundamental imbalance of power in favor of the KCT. More importantly however, with the most severe budget cuts in the the Dutch Defense Forces' history due to be implemented beginning in 2010, all services of the Dutch armed forces would be scrutinized for inefficiencies, and while the need for a special operations capability was undisputed, senior officers within the UIM and the MSO realized that something had to be done if they were to prevent their units from being absorbed by larger units.

In 2009, these officers took the initiative, and convinced the Commandant of the Royal Netherlands Marine Corps to combine their units into what would be called the Netherlands Maritime Special Operations Forces (NL MARSOF). They envisioned this newly formed force to be a unique mixture of "traditional" maritime special operations and national counter-terrorism capabilities. The integration ensured more efficient management of scarce personnel, and also put maritime SOF in a more equitable position *vis à vis* the Dutch Army SOF and the national police, as they bid for appropriate

tasks and missions. The simplified diagram in figure 1 illustrates the shift to the new organizational structure and the improved hierarchical position of NL MARSOF. It also illustrates that the creation of NL MARSOF was connected to a larger reorganization of the entire Royal Netherlands Navy.

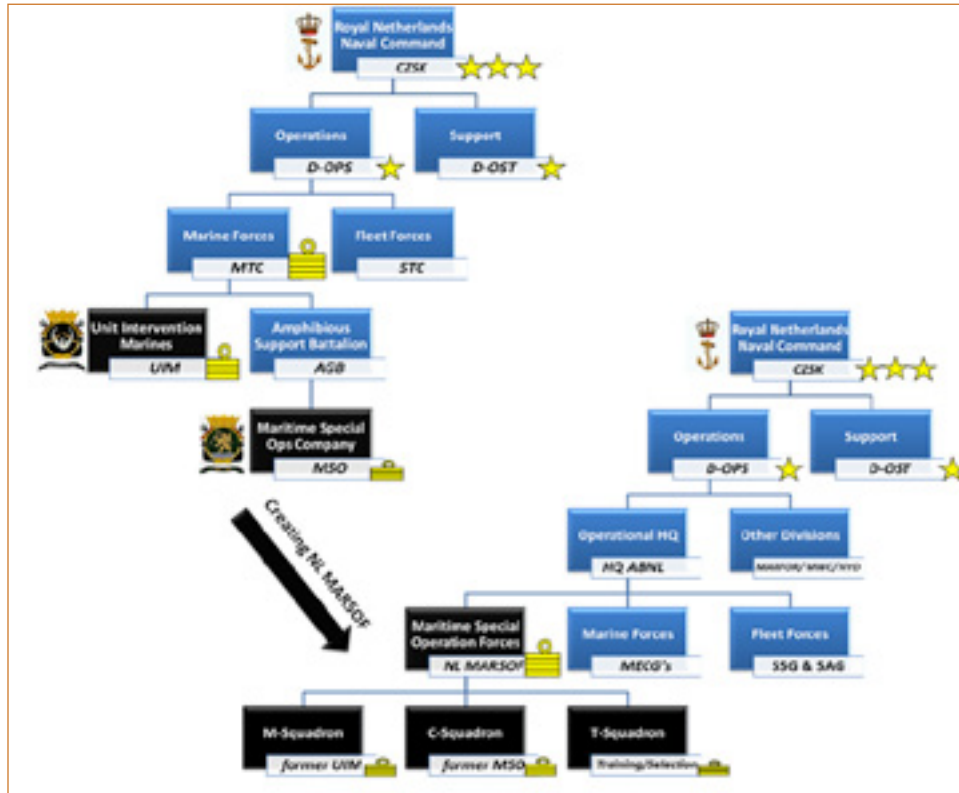


Figure 1: The Creation of NL MARSOF from UIM and MSO¹

The first year of NL MARSOF's existence was marked by serious misunderstandings that led to friction concerning, for instance, how NL MARSOF should shape and develop the joint selection process of its new members. Aptitude testing via sleep deprivation, mental pressure through hazing, and arduous physical tests were traditionally more important for the initial selection and training of MSO members than for the less expeditionary UIM. The two units also had different standards for training. The MSO training philosophy emphasized physical fitness and the ability to operate in demanding environments like the Arctic, mountains, deserts, and jungle. This required long exercises that

could add up to nine months away from home each year. In contrast, UIM operators were on constant readiness alert in the Netherlands for counterterrorism operations, such as hostage rescue missions, which precluded them from engaging in long exercises abroad. UIM personnel, therefore, predominantly focused on maintaining their shooting and close-quarter battle skills in short domestic exercises.

Differences in unit customs and traditions also gave rise to friction. For instance, the MSO frogmen used specific induction traditions to familiarize the new members with the norms and codes of conduct within the frogman community. The UIM did not have a similar rite of passage. In fact, new members of the UIM deliberately did not undergo any type of induction hazing because it was generally considered unprofessional. The leadership of the UIM also tended to be more hierarchical than the leadership of the MSO. One subtle expression of this difference was that members of the MSO were typically on a first-name basis with all other members. Within the more traditional UIM, members addressed each other by rank.

In short, everybody within NL MARSOF felt uncertain in the new situation, which led to disputes. To say NL MARSOF was in danger of becoming ineffective is an exaggeration, but internal bickering and quarrelling did hamper

operational effectiveness. Thus, for the unit to function to its maximum potential, the MSO and UIM cultures and functions had to be unified in much more than just name, while personnel needed a clear understanding of the increased strategic utility of NL MARSOF.

Most of my military life, I've worked within the UIM and MSO. As a CT intervention specialist and frogman, I've gone on multiple deployments with both units. I was part of the UIM when the first steps were taken to merge the UIM and MSO into NL MARSOF, so I experienced the resulting disruptions firsthand. This background prepared me to be a mediator when NL MARSOF was stood up. Moreover, I was lucky enough to attend the special operations curriculum at the U.S. Naval Postgraduate School in Monterey, California. This allowed me to step back from the fast-moving operational environment and dispassionately investigate the issues within NL MARSOF. After some intense discussions with NL MARSOF command, the Commander of the Dutch Marine Corps fighting units tasked me to identify the problem and simply "fix it."

The Commander... tasked me to identify the problem and simply "fix it."

Surviving in the Bureaucratic Jungle

In the 1970s, Eliot Cohen studied the birth and evolution of elite military units. He was primarily interested in the difficulties these new elite units face in their struggle with what he called "bureaucratic predators," and concluded that their survival depends heavily on their ability to quickly show their utility to military leaders and politicians.² Elite units, therefore, sometimes have to undertake difficult missions to prove their worth to regular military and political sceptics. Since then, others have also pointed out the necessity for "bureaucratic guerrillas" who protect the interests of the SOF unit during its initial phase of existence. These analysts underscore the hard struggle new SOF units face in the "bureaucratic jungle," and highlight the vital importance of good performance during a unit's first operations.³

Nearly all nations have prioritized Special Operations Forces in the last few years, recognizing them to be an exceptionally cost-effective instrument of military action and national strategy.⁴ The expected decrease in military budgets in the next few years as a result of the strained global economy, however, makes burden sharing and restructuring of SOF capabilities more likely. U.S. Special Operations Commander Admiral William H. McRaven highlighted this concern in his 2012 posture statement before the Senate Armed Services Committee.⁵ His push towards a global SOF network will undoubtedly affect the way SOF units around the world conduct business in the future. In this constant state of change, the potential need for integration and the restructuring of national SOF capabilities is clear.

Currently, NL MARSOF is facing political and organizational pressure similar to what Eliot Cohen described almost 35 years ago. Being the "new kid on the block"



C-Squadron frogmen conducting beach reconnaissance

puts the organization under a bureaucratic magnifying glass that will focus on any signs of weakness. In the current reality of increasing SOF demand and decreasing military budgets, NL MARSOF has to be at its strongest and most effective to survive its own modern-day bureaucratic predators.

Tactics to Create Wider Support

Research findings that are rejected by their intended audience are useless. Therefore, one of my main concerns was to ensure that my findings would receive support from the whole NL MARSOF community. Besides the required executive approval, I needed to convince most of the men in the unit of the value of the research, so they would commit to its findings. Without this buy-in, the implementation of any recommendations would be difficult. Recognizing this from the start enabled me to incorporate three important tactics into my research design, and gain the unit's commitment to implementation change: the use of mixed methods of research; reliance on communication in person; and the application of a decent amount of tact. I realize that this sounds like common advice out of any management book, but for me these tactics worked extremely well.

I needed to convince most of the men in the unit of the value of the research.

SOF personnel are expected to take a critical view of every aspect of their job in order to excel in what they do. If I had used just one research method, that would have led to some hard questioning of my findings. By combining quantitative (survey) and qualitative (interview) data, mixed-methods research defuses potential criticism by providing more comprehensive evidence on which to base conclusions than would either method alone.⁶ In the case of NL MARSOF, I used a three-step combination of document analysis, surveys, and interviews to gather data. The document analysis covered policy documents, various existing studies, and official doctrine. The survey was to be taken by all members of NL MARSOF, followed up by interviews with selected members in order to probe their survey responses more deeply. The key to winning the participants' commitment to the outcome was for me to explain this research plan in detail, up front. When such research is seen to be credible, participants value the outcome more and thus are more willing to devote their time and effort to it.

Conducting this research was my main job for several months. For the members of NL MARSOF, however, anything they had to do for the research was in addition to their normal workload. Fighting units are constantly busy with exercises and deployments, and "down" time is a precious commodity.

This is why the research goals had to be clear and compelling, not only to the people in charge, but also to those who would actually have to fill out the surveys and do the interviews. During the multiple briefings and meetings I held to explain the nuts and bolts of the three-step research plan, I repeatedly reinforced the goal of helping improve NL MARSOF's operational effectiveness. Knowing that SOF operators usually



M-Squadron operators in action

thrive on difficult assignments, I emphasized the challenge the unit faced in optimizing its performance. This was a time-consuming but necessary effort up front that likely improved my chances for success. Ultimately, more than ninety percent of NL MARSOF personnel volunteered to participate in the research, which is a very high percentage by normal polling standards.

Another method I found helpful for facilitating early commitment was the use of pre-testing. This involves discussing the proposed survey and interview questions with a carefully selected test group from the intended audience before carrying out the research work. Pre-testing is a common method used to make sure the survey population will understand and interpret the questions as the investigator intends. Another major benefit, however, is that this pre-test also initiated some early discussion of my research within NL MARSOF. After the pre-test, the participants talked with their team members and others about the upcoming survey and interviews, and the word spread throughout the rest of the community. I found that picking the right individuals for this pre-test was key to building early commitment.

Change, including organizational change, creates uncertainty and stirs up emotions that can lead to resistance. Under these circumstances, the challenge for the reform planner is to offer constructive feedback without offending anyone, so people won't lose their commitment to the result. The unwritten rule to "praise in public, but criticize in private" applies here. At the end of the day, it will be those same people who have to implement any measures developed from the findings. As it turned out for NL MARSOF, some of the findings were fairly harsh concerning specific members of the community. I always discussed sensitive outcomes first with the people involved before asking their permission to disclose the findings to the rest of the community. The fact that I came from the community was a strong advantage for me. It created a certain level of trust, but also helped me know when, and especially with whom, tact was needed.

I also made sure to *show* sensitive findings rather than just tell them, using visual tools such as diagrams that objectively summarized results. The diagrams helped convince senior members that I wasn't just expressing personal opinions, but was reflecting the community view. I found out that by tactfully giving feedback this way, people were better able to accept uncomfortable facts.

The Effect on NL MARSOF

My research focused primarily on the unit culture and strategic utility of NL MARSOF. It naturally had a solid theoretical foundation, but the unit's higher command had made clear that I needed practical results from which I could develop realistic recommendations.

Unit Culture Revealed

The Center for Strategic and International Studies defines military culture simply as the way things are done in a military organization. While specific

The unwritten rule to "praise in public, but criticize in private" applies here.

definitions vary, most researchers seem to agree that organizational culture generally refers to a set of values, beliefs, and behavior patterns that form the core identity of an organization.⁷ In other words, “culture is to an organization what personality is to an individual.”⁸ Many researchers have studied the question of how organizational culture affects organizational performance, and have generally agreed that a strong shared culture enhances organizational performance. The friction between members of the MSO and UIM mentioned earlier was the result of a weakly unified culture within NL MARSOF. My goal was to help the MSO and UIM unify their disparate cultures, but to make this happen, I first had to define and identify the distinctive elements of each.

To capture the relationship between organizational culture and performance, I used Daniel Denison’s *Organizational Culture Model*, a practical model that was easy to grasp for end-users like me, and which comes with its own

surveys and other standardized, user-friendly measurement tools.⁹ The big advantage of using an existing model is that its reliability and validity have previously been tested. Denison’s model identifies four cultural traits—involvement, consistency, adaptability, and mission—which have a strong positive association with organizational effectiveness.¹⁰ Figure 2 shows Denison’s diagram of these four traits, each of which is broken down further into three specific indices. Denison calls this diagram a *Circumplex*. Organizations that score higher in the model (measured from the center outward to the rim) perform better than organizations that score lower. According to Denison, “...effective organizations are likely to have cultures that are adaptive, yet highly consistent and predictable, and that foster high involvement, but do so within the context of a shared sense of mission.”¹¹

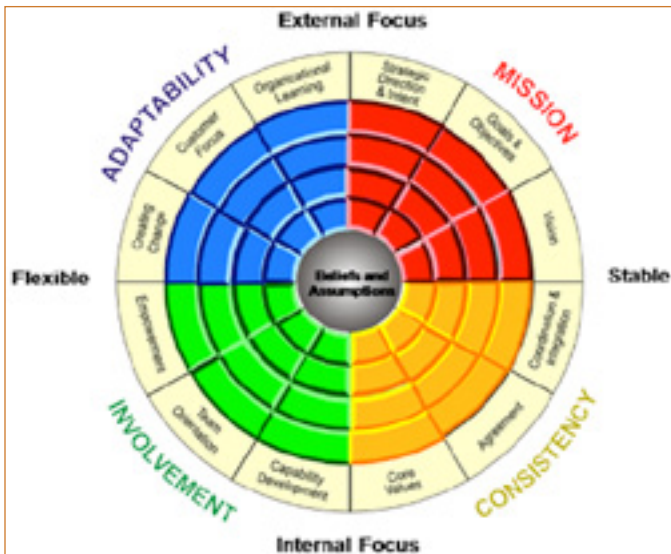


Figure 2: Unpopulated Denison Circumplex¹²

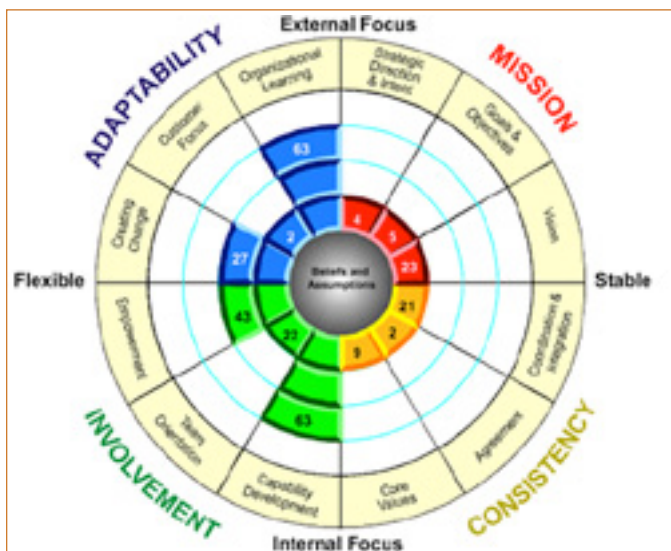


Figure 3: DOCS Circumplex Score for NL MARSOF¹⁴

Each member of NL MARSOF had to answer sixty standardized survey questions borrowed from *Denison’s Organizational Culture Survey*, or DOCS, linked to Denison’s model. These sixty questions were augmented by a variety of questions specific to NL MARSOF’s situation, for instance, “What is the best way in which NL MARSOF can distinguish itself from other Dutch SOF units?”

More than ninety percent of the men participated in the survey, which lent the final results considerable credibility. The unit’s overall rating was generated by comparing our survey results to those of more than a thousand other organizations in Denison’s normative database.¹³ Figure 3 shows the Circumplex of NL MARSOF’s culture. The percentile scores indicate how well NL MARSOF ranked in comparison to these other organizations. For example, NL MARSOF had a

percentile score of 43 in the *Empowerment* index, meaning that it scored higher than 43 percent of the others. Because Denison's cultural model is linked to effectiveness, the score helped highlight NL MARSOF's level of effectiveness when compared to other organizations, an objective benchmark that proved very appealing to my higher command.

This particular model's use of percentiles provided meaning and context to the results that absolute scores simply cannot give. Scoring better than only 5 percent of a thousand other organizations sends a much more alarming signal to the command than scoring 5 out of 100 on a random stand-alone test.

With weaknesses in specific cultural traits exposed, NL MARSOF could now do more than deal solely with the negative symptoms (friction points). For example, the overall low scores on the cultural traits *Mission* and *Consistency* (see figure 4), which are related to an organization's stability, or its capacity to remain focused over time, reflected the internal disagreements on selection and training.¹⁵ So now, instead of wasting energy on the symptoms—the friction points—NL MARSOF could focus on doing something about the cause: its weak cultural traits. This would strengthen the overall culture of the unit and thus improve its long-term effectiveness.

Two examples serve to highlight some of NL MARSOF's weaknesses. First, the low score (4) on the index *Strategic Direction & Intent*, a component of *Mission*, indicated that leadership has not done a good job of conveying NL MARSOF's strategic purpose and priorities to the men. Clarifying NL MARSOF's strategic intentions should therefore do a lot to defuse and eventually eliminate this source of friction. The low score on the index *Coordination & Integration* (21), under *Consistency*, indicated that the sub-units (MSO and UIM) were not able to work together, due to organizational boundaries. The eventual solution for NL MARSOF involved co-locating the staff members of the two units, who had been working at separate locations, to foster familiarity, cooperation, and mutual understanding.

The visual image of NL MARSOF's culture, as shown in figure 3, served as a wake-up call to the leadership. When I briefed the results to the command group, they unanimously, if unhappily, agreed that the DOCS model presented a mirror that reflected the unit in its present state.

The next step was easier: to compare the DOCS scores of the men from the MSO with the DOCS scores of the men from the UIM, illustrated in figure 4. Because the members understood the culture of their unit of origin, this would help me be able to pinpoint the differences between the units. I also made other comparisons, for instance between ranks or function groups, to get more in-depth knowledge of the groups' cultural differences. Figure 4 shows that both groups score low on

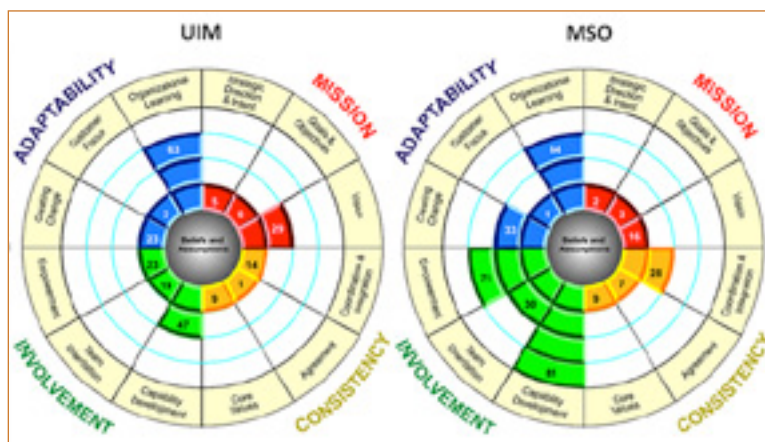


Figure 4: Comparing DOCS Circumplex Scores of UIM and MSO¹⁶

The source of the combined unit's friction points was an overall lack of confidence.

the stability traits (*Mission* and *Consistency*). One difference, however, is that the men from the MSO score considerably better on the trait *Involvement*, which indicates that they feel more empowered and engaged than the UIM men. On the whole, however, the DOCS showed the men themselves that in terms of cultural traits they were not all that different. The primary source of the combined unit's friction points was instead an overall lack of confidence, captured by the low scores in *Mission* and *Consistency*. To improve its effectiveness, NL MARSOF first of all would need to create a clear sense of strategic utility, along with a common mindset and identity. The last part of the article describes ways in which NL MARSOF is trying to achieve these goals.

Before they saw this model, most NL MARSOF members knew something had to be done to unify and strengthen the unit's organizational culture, but they were not clear on what that was. The DOCS provided the tool to describe the cultural obstacles NL MARSOF faced, convincing senior leadership that the organization could now effectively address its weak points according to the four cultural trait areas. Translating something seemingly intangible like organizational culture into clearly defined and measurable traits was a critical first step for the reform of NL MARSOF.

Strategic Utility as a Core Cultural Trait

The DOCS results showed that the members of NL MARSOF felt the unit suffered from an overall lack of strategic direction, which is arguably the most important aspect of organizational development for leadership to address. NL MARSOF leaders urgently needed to re-evaluate the organization's strategic utility, and clearly articulate its strategic direction.

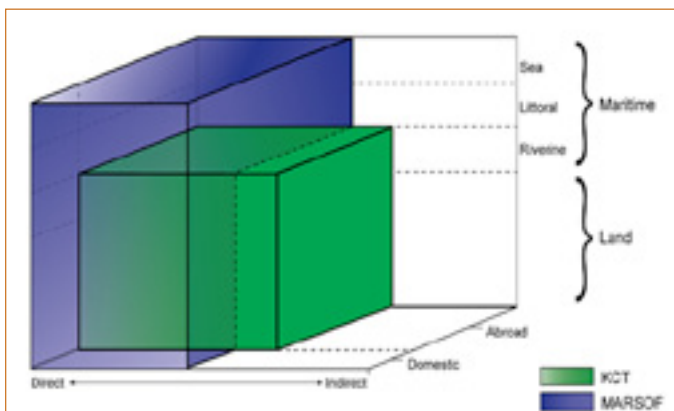


Figure 5: Three-dimensional Comparative View of SOF Roles and Mission

I knew from reviewing existing studies that there are many different approaches to and definitions of SOF strategic utility. The framework I developed for NL MARSOF uses three dimensions. First is the *geographic environment* in which Dutch SOF operate, which may be at sea, on land, or somewhere in between. The second dimension, the *political domain*, is divided into domestic counterterrorism missions and full-spectrum SOF missions abroad, a distinction roughly similar to that between military and policing missions. The third dimension, the *special operations spectrum*, is the full range of direct and indirect missions. Direct missions pit SOF directly against the enemy, while the indirect missions enable indigenous forces and populations to engage the enemy. I placed the three dimensions

(geographic, political, and spectrum) on the three axes of a cube, as shown in figure 5. This 3-D diagram represents the entire range of SOF's strategic utility. By identifying NL MARSOF's degree of engagement on each axis, its specific strategic range could be visualized and compared with others'.

This simple framework generated a useful visual representation of the operational focus of NL MARSOF over the past three decades (see figure 5). It revealed that NL MARSOF conducted missions that varied by geographic and political domain. I expected this, given the nature of the original taskings

of the MSO and the UIM. More interestingly, it also indicated that all the special operations the group has undertaken took place on the direct action side of the spectrum of special operations.

Figure 5 also illustrates the historical mission set of NL MARSOF in comparison to Dutch Army SOF (KCT). There is a large overlap in some mission dimensions between the two forces, but a gap in potential indirect missions. These observed overlaps and gaps beg the question of whether a more efficient division of tasks would expand the strategic utility of Dutch SOF overall. Recent heavy budget cuts for the Dutch Defence Forces make the answer to this question even more vital.

Whether NL MARSOF needs to focus more on indirect missions depends on what is actually required of it. My analysis of policy documents, studies, and doctrine identified exactly such a requirement. By passing all this information to NL MARSOF command, it now had the means to determine whether, and possibly where, it needed to adjust its vision for the way ahead.

See no evil, hear no evil, speak no evil.

In my experience, clearly identifying the problem for all players involved, like doing the mission analysis in military planning, is the single most important step towards solving it. A problem that remains vague and/or intangible not only leaves room for misinterpretation, but also for denial. This is especially true in the case of “soft” problems like unit culture or strategic direction. These aspects of organizations are not easily measured in numbers, budgets, or other performance metrics and therefore are harder to manage. This was voiced by a staff officer of NL MARSOF who said during an interview: “We all know that something is wrong, but we can’t quite put our finger on it. So, we just press on.” Tools like the Denison model help commanders visualize the “soft” aspects of the unit and thus make its problems more concrete, which instantly makes them more manageable.

A fish stinks from the head down.

Success requires leadership. Every military unit needs a clear and compelling vision to direct its efforts and actions—that proverbial dot on the horizon where you want to go as an organization. My research revealed that most members of NL MARSOF felt the organization lacked such leadership. One statement by an interviewee nicely captured this feeling: “MARSOF is like a big powerboat, but without a steering wheel.” The men needed the boss to take the wheel and steer the organizational powerboat in the right direction, and to clearly communicate his vision to the rest of the crew so they could work toward a common goal.

To win the commitment of its personnel to the organization’s strategic goals, I advised the command to get them involved in determining “the way ahead.” The command therefore initiated a strategy session for selected senior staff officers, to formulate a coherent vision and strategic direction for NL MARSOF. This was followed by larger group workshops, to develop more support within NL MARSOF for the intended strategic direction. The mere fact that everyone was listened to during these workshops ultimately improved understanding and commitment to the organization’s new roadmap.

A problem that remains vague ... leaves room for misinterpretation and denial.

The men needed the boss to take the wheel and steer.

Are you “badged?”

The difficulties within NL MARSOF underscore the importance of unit culture, especially for those who are expected to take pride in their work. We can have the perfect organizational structure, the latest gear, and all the funding, but what is most important is that people feel part of the unit and believe in its goals.

Although the members of NL MARSOF did not think they shared a common mindset, when I asked everybody to choose the most important four out of sixteen possible core values and then rank those four, eighty percent valued *quality* the most. Seeing that UIM and MSO personnel shared a common value system was an eye-opener for most. It meant that the cultural differences that bothered everyone were at the more superficial level of symbols and traditions, which fortunately are easier to amend.

For NL MARSOF, as it happened, the most important symbol of all was utterly lacking—the unit badge. One comment captured the frustration of a lot of people: “[The command] asks me take off my frogman badge for NL MARSOF, but does not offer anything in return!” Therefore, one of the first priorities after my results were digested was to create a new unit emblem, and the much-desired badge for the dress-blue uniform of members who passed the new selection course, the so called “badged” guys. Though it might seem a small thing to outsiders, this recognition is vital to shaping identity and stimulating esprit-de-corps in elite units.

One of the first priorities... was to create the much-desired badge.

Personal Takeaways

I found this study, which I did to benefit my community, to be both meaningful and rewarding, and I hope my experiences can help others who might be facing a similar task. During the course of my work for NL MARSOF, I wrote down a few key takeaways, things I found helpful.

7P's: Proper Planning and Preparation Prevent Piss-poor Performance

This salty British military adage has proven its worth to me once more. I would even say that for me, as a former member of the MARSOF community, good preparation was especially important. My peers expected me to be on top of things when I returned to the unit's home base. Talking to the guys again gave me the warm feeling of a reunion, but they never let me forget that they also expected me to have a solid plan to solve the issues at hand. I must admit their expectations caught me off guard at our first meeting. I made sure I was “up to speed” and had a detailed plan ready for our second meeting.

Also, I would advise anybody to think ahead about follow-up possibilities. If others can easily build on your work, it makes it all the more valuable. In my case, the command committed to administer a follow-up survey after two years, using the same models and procedures I used, to see whether there

have been improvements. Whoever is tasked to do this will already have the tools at hand to take a second “snapshot” of NL MARSOF.

Bring Something New to the Table

If the problem being examined was simple, it probably would already have been solved. I advise anyone tasked with this kind of research not to be too wedded to his initial assumptions and solutions. When pitching a plan, you don't want your audience to be thinking, “Here we go again... Been there, done that, not doing it again.” Take the time to find out what ideas and plans have been tried and abandoned, ideally from those who had to implement them. This can give you a good sense of what might be of real interest to the whole community, and thus can help win their cooperation.

If the problem was simple, it probably would already have been solved.

Don't Reinvent the Wheel, Customize it

Even though creativity is an important quality in special operations personnel, I believe that it is better to steal something good than to invent something bad. Researchers have been studying organizational culture since the early nineteen-eighties, and have already developed and tested good models and tools for others to use. The Denison model I chose was successfully used by more than a thousand other organizations worldwide. That fact alone gave it instant credibility among senior staff. The downside of any off-the-shelf model or tool is that it is standardized for a wide variety of organizations. So, when possible, customize it without losing the integrity of the model. In my case, I augmented the sixty DOCS-supplied questions with questions specific to the issues within NL MARSOF. This turned out to be a huge selling point of the research, because now everyone knew I used a tool that was battle-tested, but also fitted to the exact problem set.

It is better to steal something good than to invent something bad.

Make it Worthwhile for Everyone, Not Just the Boss

I firmly believe that the researcher needs to motivate and commit people to the project as early in the process as possible. Without this, he will get information that is flawed, which means the findings are going to be flawed as well. Even if the findings are solid, chances are that nobody will do anything with them. So, the best advice I can offer is to use all your personal skills to inspire people and make the research plan compelling to them. Take the time to build a comprehensive research plan, communicate it in person, and then reveal the findings as thoughtfully and tactfully as you can. Equally important, be open to honest feedback. I was fortunate to find an honest broker within NL MARSOF



M-Squadron hostage rescue exercise on Amsterdam International Airport



whom I could ask, “What’s in it for them?” His answers were indispensable to my process of self-evaluation. If his comment was unsatisfactory, I knew I had to adjust.

Know How to Brief Executives

I will never again underestimate the power of executive briefs. Ultimately, the executives are the big dogs, so they need to be convinced foremost of any plan or finding. As in anything, first impressions last, so the impression you make has to count. If, like me, you’re not one of those types who can sell a drink to a drowning man, polish your presentation skills on friends who will give you honest feedback.

General Staff officers’ agendas are very dynamic, and an opportunity to brief is likely to come when you least expect it. I got bumped from agendas more than once, because of more urgent matters elsewhere. Therefore, I made sure I always had one short and sharp brief ready to go at a moment’s notice. When the chance does arrive to brief the commander, one sure sign of success is to realize, after having been slotted in for fifteen minutes, that you’ve been talking for more than an hour. Then you know you have the boss’s ear. That is the moment when perseverance makes all the difference to overall success. In my experience, that moment was almost as thrilling as successfully completing a combat mission.

Don’t be Too Academic

A researcher who comes from the unit needs to exploit the fact that he really knows the unit and the people working there. They are interested in practical solutions, not the theory behind them. Compared to academics or consultants, this is actually the single most important advantage you’ll have. Most of the senior members of NL MARSOF already had a pretty good idea of who I was, so in any case it was useless for me to act otherwise. If you come from the community you’re researching, chances are this will be the same for you.

Be Sure Everybody Knows the Big Boss Supports You

When you succeed in building commitment to your research, you will get truthful, valuable information.

However, this information will most likely also be very critical of both specific aspects and certain high-ranking members. In the case of NL MARSOF, I took this to be a positive outcome, because it meant the men were not afraid to give me their straightforward opinions. They trusted my neutral stance. It is vital not to betray that level of trust by sugar-coating the findings in briefings, even if it means stepping on some toes. When even tact is not enough to keep some people from pulling rank, the visible support of a powerful, high-ranking sponsor is important. In the military system, rank counts. The fact that most of the command staff knew my sponsor was supporting the research also helped elevate the status of my findings.

It is vital not to betray trust by sugar-coating the findings.

Think of It as “Door-kicking” on the Executive Level.

I would assume that most soldiers don't consider research the sexiest job in the world. Most would rather operate down range where the action is, kicking in doors to take out bad guys. I know I certainly do. Nevertheless, looking back I found it all very worthwhile. It is not often that one gets the opportunity to truly help one's community for the long term. Considerable organizational changes and improvements, based partly on my findings, are being implemented within NL MARSOF even as I write. All in all, what I learned is that someone conducting this type of research actually *can* help shape the future direction of his unit. Even though this still may not be as sexy as kicking in doors to take out bad guys, I would argue it's just as rewarding. ❖

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NOTES

- 1 Unless otherwise noted, all figures are courtesy of the author.
- 2 Eliot A. Cohen, *Commandos and Politicians: Elite Military Units in Modern Democracies* (Cambridge: Center for International Affairs, Harvard University, 1978), 27. The military utility of SOF can be described as the unit's ability to conduct full-spectrum special operations.
- 3 From Susan L. Marquis, *Unconventional Warfare: Rebuilding U.S. Special Operations Forces* (Washington, D.C.: Brookings Institution Press, 1997), 266; Thomas K. Adams, *US Special Operations Forces in Action: The challenge of Unconventional Warfare* (New York: Frank Cass Publishers, 2001); and David Tucker and Christopher J. Lamb, *United States Special Operations Forces* (New York: Columbia University Press, 2007), 99.
- 4 Military Education Research Network, “White Papers on Defense,” <http://merln.ndu.edu/whitepapers.html> (accessed March 14, 2012).
- 5 William McRaven, “Posture Statement of Admiral William H. McRaven, USN Commander, United States Special Operations Command,” Senate Armed Services Committee, 112th Congress, Washington, March 6, 2012.
- 6 John W. Creswell and Vicki L. Plano Clark, *Designing and Conducting Mixed Methods Research* (Thousand Oaks, Calif: SAGE Publications, 2007), 5.
- 7 Daniel R. Denison, “Bringing Corporate Culture to the Bottom Line,” *Organizational Dynamics* (New York: American Management Associations, 1984).
- 8 James Q. Wilson, *Bureaucracy: What Government Agencies Do and Why They Do It* (New York: Basic Books, 1989), 91.
- 9 Daniel R. Denison, “Denison Culture Model,” Denison Corporation: <http://www.denisonconsulting.com/advantage/researchModel/model.aspx>
- 10 Daniel R. Denison and Anil K. Mishra, “Toward a Theory of Organizational Culture and Effectiveness,” *Organization Science* 6, no. 2 (March–April, 1995): 204–223.
- 11 Daniel R. Denison, *Research Notes*, no. 1 (2006): <http://www.denisonconsulting.com/Libraries/Resources/RN-2011-Denison-Model-Overview.sflb.ashx>
- 12 Denison, “Denison Culture Model.”

- 13 Due to space constraints, I will not go into detail here on how the results for my study were derived. Please see Denison's publications for an explanation of how the DOCS score is calculated, or see my Naval Postgraduate School thesis "*Forging Netherlands Maritime Special Operations Forces*": <http://www.nps.edu/library/>
- 14 Daniel R. Denison, "Circumplex Report NL MARSOF," Denison Corporation, 25 July 2011.
- 15 Denison, "Denison Culture Model."
- 16 Denison, "Circumplex Report NL MARSOF."

PHOTO CREDITS

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C-Squadron frogmen conducting Exit & Re-entry procedure from submarine

The Civilian Casualties Management Team: A Piece of the Counterinsurgency Puzzle

Nate Moir

IN COUNTERINSURGENCIES, FEW EVENTS SHAPE THE PERCEPTION OF THE legitimacy of military operations as powerfully as those that cause civilian casualties. Civilian leaders and populaces, informed by round-the-clock media, are increasingly intolerant of harm to civilians, and such events directly affect what is recognized as the “information environment,” a critical component of overseas operations. Recent restrictions on airstrikes in Afghanistan underscore this issue and, as one journalist writes, “civilian casualties have risen from a public irritant to a potential roadblock in the U.S.–Afghan strategic partnership.”¹ In this light, the subject of how to minimize and deal with civilian casualties in a war zone merits consideration.

This article proposes an organizational structure that can more effectively prevent and mitigate civilian casualties, and decrease the negative effects such incidents can have on counterinsurgency efforts, including Operation Enduring Freedom. The proposed structure does not require additional personnel, but rather allocates, coordinates, and focuses tasks already assigned to Brigade Combat Teams when they are deployed. This structure, called a Civilian Casualty Management Team (CMT), is based primarily on Civil Affairs Teams, but also includes message coordination capabilities, a critical element considering the reach of globalized media.

As proposed here, the CMT would be a battalion-level, networked team whose role is to address legitimate grievances over civilian casualties at the local level. Civil Affairs Teams now working in Afghanistan typically consist of three soldiers (two enlisted and one officer) who assist in development and reconstruction efforts. These teams are usually assigned to a battalion in conventional operations, but also are considered special operations and often work with Special Forces. Additional capabilities would allow Civil Affairs Teams to act as “case managers” of civilian casualty incidents, and to network with the CMTs of other battalions. To be effective, these networks should be multifunctional and operate both defensively to mitigate civilian casualties, and offensively to respond to casualties caused by insurgents. In the latter event, CMTs could potentially use insurgents’ violence against civilians to win local allegiance, through initiatives tailored to specific locations and situations. Such initiatives could have operational and potentially strategic relevance in the larger counterinsurgency effort.

This article first concentrates on the importance of civilian casualty management, and explains the need for quick and accurate information dissemination. It describes how counterinsurgency goals can be enhanced through offensive and defensive information operations. The second section briefly discusses the training of the CMT. The article concludes by detailing the advantages CMTs could provide commanders who have to deal with the deleterious effects civilian casualties have on their ability to carry out their mission.

The CMT would ... address legitimate grievances over civilian casualties at the local level.

Civilian Casualties: As Much an Enemy as Insurgents

Due to the news media's increased access to the battlefield, and the speed at which information now spreads across the world, civilian casualties at the local level can significantly influence the perceptions of international audiences. Such influence can be seen in the ongoing public debates concerning military operations that have harmed civilians in Afghanistan. The problem is made worse by the demands of the 24/7 news cycle, and the ability to spread a sensational story across the internet before anyone has checked the facts. These are among the factors that make the contemporary operating environment more complex than battlefields of the past.²

Much has been made of counterinsurgency as a “war of perceptions.”

Much has been made of counterinsurgency as a “war of perceptions.” In this type of conflict, international public opinion affects policy formulation and execution.³ For example, escalation-of-force and rules-of-engagement procedures often are contingent on operational and strategic considerations that include the prevention of civilian casualties. More importantly however, preventing civilian casualties is about gaining local populations' trust and ensuring their security, so that they can receive basic services and re-establish local government based on rule of law. To achieve these goals, perceptions play a particularly important role in counterinsurgency operations, where competing ideological narratives are reflected in tactical actions and strategic decisions. Notably, preventing or reducing civilian casualties may determine whether the public views a military operation as successful or not, as many cases in military history illustrate.⁴

Civilian casualties in Afghanistan also exemplify what David Kilcullen termed the “theory of competitive control,” in that they powerfully embody the ongoing contest of narratives.⁵ Similarly, John Arquilla stresses the strategic importance of controlling and preventing such incidents: “Collateral damage’ may be a convenient euphemism, but the real-world effect of killing the wrong people is to spark blood feuds, energize enemy recruitment and, in a case of war contagion, raise the risk of setting off a social revolution in Pakistan.”⁶ For future counterinsurgency forces sent to operate in an already unstable region, where grievances regularly lead to violence, this is an endemic problem that must be addressed.

The UN reports that in 2010, 70 percent of civilian casualties were caused by insurgents.

Kilcullen's theory is further echoed in a report published by the United Nations Assistance Mission in Afghanistan, which notes that in 2010, 70 percent of civilian casualties were caused by insurgents.⁷ What does this statistic indicate regarding the Afghan populace's support for radical insurgents such as al Qaeda, who intimidate and threaten local fighters into battle in support of the group's transnational ambitions? And how can this information be used by counterinsurgency forces to hang the proverbial “millstone” of public wrath around the necks of insurgents?⁸

CMTs, as proposed here, could answer both of these questions. First, by working defensively to mitigate civilian casualties, they can at the very least prevent harm and alleviate grievances. Lessening the number and severity of civilian casualties accomplishes three important tasks: 1) it helps reduce the impact on locals, which is the right thing to do in every sense; 2) it can provide a “backstop” of goodwill to help retain support among the affected

populace; and 3) it potentially contributes to latent offensive information operations opportunities. The second question, how to turn the high percentage of civilian casualties caused by insurgents into an information offensive, is addressed below.

Offensive Information Operations

When civilian casualties are caused by foreign insurgents such as al Qaeda, the CMT may help convince low-level, local fighters to distance themselves from transnational terrorists by driving home the fact that such terrorists are a primary source of civilian deaths in the fighters' own communities. This information could lead to a partial disruption of the cycle of fear and intimidation radicals often impose on locals. It is worth noting that Afghan communities resent being manipulated by any group; after decades of warfare, they primarily want to be left alone.⁹

Insurgent groups, however, try to manipulate grievances, both real and perceived, in those communities. They also take advantage of the culture of *Pashtunwali*, which can be briefly described as an unwritten code of sociocultural practices that predates Islam in the region. It guides many of the tribal cultural traits of Pashtuns, including hospitality (*melmastia*), honor (*nang*), and revenge (*badal*). Counterinsurgent forces should try to honor the codes of *Pashtunwali* by focusing every possible effort on mitigating civilian casualties, especially when insurgents are the cause. Maintaining and emphasizing ethical behavior, and deliberately contrasting that ethical behavior with the actions of insurgent groups, may help advance strategic goals by turning terrorists' brutality on themselves and setting "accidental guerrillas" (as Kilcullen calls them) against those who manipulate them.¹⁰

Deliberately contrasting [counterinsurgent forces'] ethical behavior with the actions of insurgent groups may help advance strategic goals.

The development of CMTs could help achieve both these goals. When civilian casualties occur, the CMT could be deployed to the scene as a type of "first responder." Currently, Civil Affairs Teams are often tasked with this job, but are not always given adequate resources to fully perform it. Because the CMT would essentially be a Civil Affairs Team developed specifically for this purpose, it would be tactically located and supported within the area, as well as properly equipped and trained to manage incidents involving civilian casualties. In addition to the humanitarian response, the CMT could potentially assist in separating transnational radical groups from local, low-level Taliban fighters, who do not necessarily support the extremists' goals. These outside groups provide only local support to insurgents, but when they are connected across districts and provinces, cumulatively provide an important base for terrorist activities. In counterinsurgencies, there are few and fleeting opportunities to separate outside insurgent groups from the local population; effective mitigation of civilian casualties is one way to pursue these openings.

In *The Accidental Guerrilla*, Kilcullen describes how local, low-level fighters are intimidated or manipulated into serving causes that go beyond locally focused goals, through what he terms the "accidental guerrilla syndrome."¹¹ Civilian casualties are an important piece of this process because insurgents regularly stage violence, and then publicly blame coalition forces for any deaths. Insurgent groups will brutalize and intimidate locals who are not necessarily interested in the insurgent cause, in an effort to coerce them into

providing support. This exploitation is often key to the insurgents' manipulation of local populations, and offers an opportunity for counterinsurgency teams to win over local support by providing reliable assistance.¹²

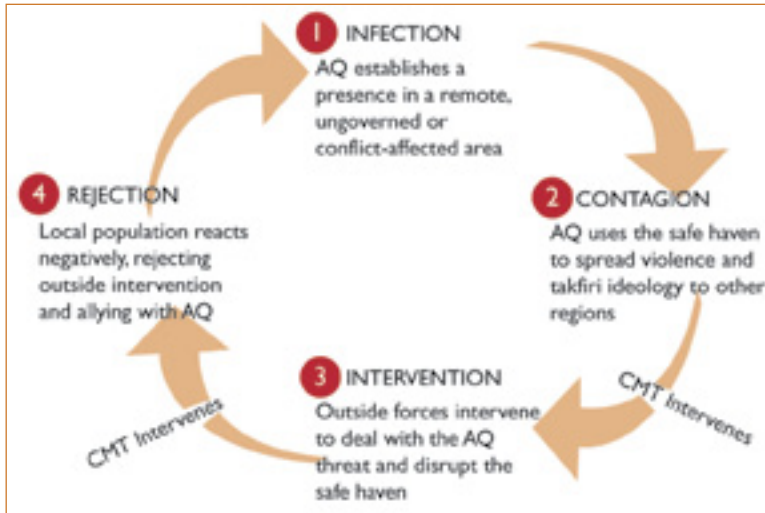


Figure 1: Accidental Guerrilla Syndrome¹⁴

Kilcullen further suggests that al Qaeda is seeking to create a global insurgency through aggregates of localized insurgencies, which are primarily formed through exploiting the accidental guerrilla syndrome.¹³ When people are co-opted and intimidated by terrorists into joining the insurgency at the local level, their actions can prompt a heavy-handed intervention by counterinsurgent forces. That intervention then creates a secondary backlash against the counterinsurgent forces. The model in figure 1 illustrates this process.

In the proposal put forth in this article, the CMT could disrupt the accidental guerrilla syndrome by intervening between the “contagion” and “rejection” phases, when counterinsurgency forces are actively engaging the guerrillas.

By stepping in at these times, the CMT could prevent local grievances over civilian casualties from being manipulated by insurgent groups, and prevent or lessen the effects of any further incidents. Such interventions could potentially prevent local fighters from becoming “infected” by terrorist efforts to manipulate them into becoming accomplices to transnational terrorist goals.

CMTs must use information operations to expose the criminal intent of the insurgents' actions.

The syndrome could be further derailed through the quick and thorough resolution of incidents of civilian casualties that have been caused by insurgents. To do so, the CMTs must use information operations to expose the criminal intent of the insurgents' actions.¹⁵ If locals can be coerced into serving terrorists' goals, then it follows that reversing the process (by turning locals against terrorists through mitigation efforts) can achieve the opposite goal of increasing support for counterinsurgency. This is not being accomplished at least in part because local grievances over civilian casualties are not dealt with as systematically and effectively as possible. There currently are insufficient information operations resources and personnel to complete what are highly significant tasks. Although civilian casualties are not the only vulnerability exploited by terrorist groups, local grievances play an important role in terrorist and insurgent calculations. One aspect of counterinsurgent efforts therefore must be to help local Afghans see more clearly that insurgent groups often have nothing positive to offer them.

In sum, if the CMTs could mitigate local incidences of civilian casualties, these seemingly small-scale approaches could potentially accomplish much more by turning the accidental guerrilla syndrome on itself, and using the same principle in reverse to set the local populations against the terrorists. Thus, an underlying goal for mitigating civilian casualties would be to make local, low-level fighters part of this specific recovery process in the short term, and perhaps get them into the Afghan Peace and Reintegration Program in the long term. Resolving civilian casualty incidents at the

community level, regardless of their causes, has the potential to exert a powerful influence within Afghan culture.¹⁶

The Civilian Casualty Management Team: Structure and Training

The proposed CMT would play a crucial role in the defensive handling of incidents involving civilian casualties caused by coalition forces. Despite the guidance laid out in SOP (Standard Operating Procedure) 307, Edition 2, current procedures lack coordination and unity. There is no organization specifically trained and tasked to deal with civilian casualties, thus every Brigade Combat Team approaches these complex events differently, and with various capabilities. CMTs would be specifically designed and trained to fill that gap. This small, networked team of professionals would more effectively address local grievances, and could also increase inter-agency coordination, if members were trained and given the network capabilities to do so prior to deployment. As discussed earlier, controlling the information environment is a vital aspect of success in counterinsurgency operations.

Information is the base for the pillars of security, governance, and development. In order to more effectively manage civilian casualty incidents, which have the potential to affect multiple levels of command, the CMT would have characteristics that reduce the impact of pitfalls such as stove-piping and other common disconnects between levels of command. These obstacles to efficiency are important to identify and correct. “We need to create ‘unity of effort’ at best, and collaboration or de-confliction at least. This depends less on a shared command-control hierarchy, and more on a shared diagnosis of the problem, platforms for collaboration, information sharing and de-confliction.”¹⁷ How would a CMT be structured to address civilian casualties more effectively?

There is no organization specifically trained and tasked to deal with civilian casualties.

Structure

The CMT organizational structure would be based on Civil Affairs Teams, which typically consist of three personnel and are led by an officer (usually a Captain/O-3). Civil Affairs Teams are ideally suited to become the nucleus for the CMT concept because they are located at the battalion level. The team’s skills, training, and familiarity with such procedures as the Commander’s Insurgency Response Program, condolence payments for losses, and solatia (solace) payments for emotional distress also make it a logical platform on which to build the CMT.¹⁸

CMT members would serve as “case managers” of events involving civilian casualties, and become the primary point of contact from the initial report of deaths to the event’s resolution. This will require them to receive a module of additional skills training and improved access to resources that will assist them in dealing with civilian deaths. A CMT certification program, and the reconfiguration of Civil Affairs Teams into networks trained to work with other CMTs and aid organizations would enable CMTs to oversee multiple staff functions as they pertain to civilian casualties. Overall, CMTs could achieve a more unified effort because they would be structured as a networked collaboration to a greater degree than the system that currently exists.

The implementation of this Civilian Casualties Management Team proposal consists of three main steps:

- Utilize the 3-person Civil Affairs Team model as the primary structure;
- Incorporate training and subject-matter expertise from relevant staff sections, such as public affairs, legal, information operations, military information support operations (formerly called PSYOP), etc.;
- Augment as needed and directed by the brigade commander/BCT S3.

Training

The following section of this proposal outlines the additional skills and resources required for Civil Affairs Teams in order to create CMTs capable of more effectively managing incidents involving civilian casualties. Because every such incident is unique, training prior to deployment should focus on coordinating additional resources to address these specific incidents. Trainers would draw from sources that include Information Operations, Military Information Support Operations, Medical Operations, the Judge Advocate General, and Public Affairs. Additional training and resources might be provided by human terrain teams, red teams, religious personnel (chaplains and mullahs, contingent on the operating environment), and the U.S. Agency for International Development (USAID), which provides a critical, long-term resource through the Afghan Civilian Assistance Program (ACAP). This program would be an integral component of the CMTs, and exemplifies how the teams may better unify efforts between the military and other agencies. Beyond the current conflict, the development of the CMT concept is relevant to any contingency operation. In the case of Afghanistan, CMTs could support coalition efforts to improve efficiency as troop numbers draw down.

CMTs could support coalition efforts to improve efficiency as troop numbers draw down.

Civil Affairs.

Civil Affairs Teams possess skills in civil-military relations, and consistently develop partnerships with district officials, local community representatives, provincial governors (in some cases), Provincial Reconstruction Teams, Agricultural Development Teams, and Afghan Security Forces. Further, as mentioned earlier, these teams are already familiar with the outreach processes involving affidavits, sworn statements, and authorizing and disbursing funds. They have opportunities to interact with USAID and other aid organizations, such as the Islamic Relief Organization or Afghan Red Crescent Society. These contacts, skills, and capabilities make the Civil Affairs Teams the ideal platform for additional training to qualify them as Civilian Casualty Management Teams.

Information Operations and Military Information Support Operations.

Information Operations and Military Information Support Operations are responsible for disseminating information to local populations. In this proposal, these detachments would provide the CMT with information on the technical, cultural, and contextual aspects of specific cases, and assist the CMT by providing pertinent media resources. For example, after an incident involving civilian casualties, the CMT would be deployed by the commander to the location. One of the team's first tasks would be to decide what method should be used by Information Operations to report the incident to the community. Should it be by radio-in-a-box (a portable broadcasting system

for remote locations), face-to-face engagement, handbills, or some other method? Because the CMT, as the initial responder and case manager, would have received training for such circumstances, it could more effectively advise the information personnel.

This is important, because Information Operations is a staff function, and teams of personnel cannot be deployed to directly manage the information environment from the location of the incident. A Military Information Support Operations team assigned to the area might be tasked with this responsibility, but these teams do not have the same skill sets that Civil Affairs Teams possess. What is needed is a team with the specific capabilities of both. Although Civil Affairs Teams are a battalion-level capability, the cross-training the CMT members would receive in Information Operations would help alleviate coordination problems. CMT members would have the knowledge to make better use of Military Information Support Operations and their resources, which include public address systems and dedicated interpreters. These information teams could in turn support the CMT with cultural awareness and consequence management skills to help engage the local populace, which is important for regaining people's trust after a tragedy and informing them about what will be done to resolve the situation.¹⁹

As many commanders know, civilian casualties can set off a powder keg of anger and frustration, regardless of their cause. To be effective, mitigation preparations must be made *ahead of time*. If CMTs are already trained in culturally astute consequence management, and to incorporate and coordinate battalion and Brigade Combat Team resources fluidly, these teams would greatly improve the likelihood of resolving the casualty situations satisfactorily for all sides. Notably, maneuver unit leaders, such as platoon leaders and company commanders, must maintain overall control and manage the security of the situation at hand. If they are able to work with a well-trained CMT in managing a specific casualty incident, starting with the initial meeting that typically follows such an event, it significantly increases the commanders' overall ability to manage the larger, evolving tactical concerns.

Judge Advocate General (JAG).

JAG training would include basic legal awareness of relevant issues as they pertain to handling civilian casualties at the unit and individual levels. Clearly defined guidance for units may be channeled from the JAG through the CMT to help clarify legal limits, although CMT personnel would not be lawyers and must *not* provide legal advice. They would, however, be able to assist the JAG in making sure Afghan government and International Security Assistance Force (ISAF) legal guidelines are followed for casualty incidents. This would also help prevent infractions, or the spread of information that could legally implicate a unit or individual.

Religious support personnel.

In Islamic-based tribal societies, proper religious observances for the injured and deceased are imperative. This is particularly true in societies where unwritten codes such as *Pashtunwali* play a major part in how violent events are resolved or, alternately, create a cycle of revenge. For example, if a CMT has previously established contact with a mullah who is accepted within a community and by the locally-based Afghan National Security Forces, this

Information teams could support the CMT with cultural awareness skills to help engage the local populace.

Civilian casualties can set off a powder keg of anger and frustration.

Unwritten codes such as *Pashtunwali* play a major part in how violent events are resolved or, alternately, create a cycle of revenge.

mullah could be brought in to help the injured or to respectfully recover the bodies of those killed. Further, such pre-coordination would positively affect the development of the public message as described above. These coordinated efforts to effectively deal with civilian casualties as grievances (or determine whether grievances are legitimate) would also make it more difficult for the incident to be manipulated by outside insurgent groups.

Public Affairs.

The initial reports Public Affairs officials receive of civilian casualties are often inaccurate and confusing. These personnel nevertheless work to quickly and accurately provide basic information to media sources that sometimes know about violent incidents before higher levels of command do. While all public statements must be vetted and coordinated with Public Affairs at the brigade level, and in conjunction with Information Operations, providing CMTs with public affairs training and guidance may do much to defuse a difficult situation and prevent media sources from gleaning inaccurate or incriminating information from inexperienced soldiers. CMTs would assist and help coordinate the work of Public Affairs representatives, in a way similar to how they would work with Military Information Support Operations teams, to prevent events from being announced to the world in an uncoordinated and inaccurate manner.

USAID.

For communities, families, and individuals affected by civilian casualties, being connected with the USAID Afghan Civilian Assistance Program is important for the successful resolution of such tragic events over the long-term. The CMT's task would be to coordinate the initial implementation of this program, and eventually transfer assistance requirements over to USAID, which is the agency responsible for long-term aid commitments to Afghans. Although the CMT would not conduct the work of the program, team members would act as facilitators. Currently, this initial link between recipient and provider is inconsistent because security concerns often prevent USAID personnel from reaching the location or connecting with individuals or communities affected by these events. Utilizing the CMT to establish that initial connection could alleviate that problem.

As set out in USAID guidance:

...[ACAP] provides support for Afghan civilian families and communities that have suffered losses as a result of military operations between coalition forces and insurgents. ACAP provides sustainable assistance directly to families including one or more of the following components: small business start-up, vocational training, literacy training for adults, education support for school-age children, home repair and reconstruction, restoring livelihood sources, and rebuilding vital community infrastructure.²⁰

Judicious use of this assistance program may augment and reinforce the intent behind condolence disbursements. Furthermore, it is an opportunity to mitigate the negative effects of civilian casualties, especially when a family

has lost its income-provider, by providing a sustained flow of resources; this also is consistent with long-term counterinsurgency strategies.

CMT Certification: Recommendations and Conclusion

The CMT, based on the concept of augmenting Civil Affairs Teams through the skills described above, should be a robust and capable organization that would be deployed by the battalion commander to events involving civilian casualties. All alleged incidents must be handled seriously, and the proposed CMT can be a tool for ensuring that guidance is properly implemented beginning with the initial event.²¹ To ensure skills are fully augmented and delivered uniformly, the CMT should be certified through implementation of an additional skill identifier.

Because it synthesizes multiple staff elements and skills, the CMT organizational structure warrants such certification. This additional skill identifier would also reassure battalion commanders that CMTs are equipped with the knowledge, ability, and skills to unify capabilities at Brigade Combat Team and battalion levels, and that CMTs may effectively mitigate and manage civilian casualty incidents. Certification could possibly include the development and implementation of a series of battle drills in real-world scenarios, such as a small-scale version of the Ft. Polk Joint Readiness Training Center or the National Training Center at Ft. Irwin, in the United States. Further, such battle drills could be part of Brigade Combat Team deployment validation training during rotations at Ft. Polk and Ft. Irwin.

The ISAF Civilian Casualties Handling Procedures handbook details the numerous reports required and steps that must be taken to achieve the Commander of ISAF's intent.²² ISAF SOP 307, Edition 2 is a highly complex and important process to execute downrange. That being said, the most important recommendation regarding the CMT is that it must be implemented *before* a deployment. To achieve this, detailed instruction and procedural familiarity with SOP 307, Edition 2's guidance would be a capstone element of the additional skill identifier certification discussed above.

The certified CMT would thus become an important resource to ensure a unified effort when dealing with civilian casualties. This capability could greatly improve counterinsurgency forces' ability to handle civilian casualties in a timely manner, and enable them to more effectively communicate with locals affected by the incidents, the media, and civilian leadership. As a result, it also would be an important step toward more effective counterinsurgency operations. ❖

Certification could include ... a series of battle drills in real-world scenarios.

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NOTES

- 1 Eric Schmitt, "Allies Restrict Airstrikes on Taliban in Civilian Homes," *New York Times*, June 10, 2012: <http://www.nytimes.com/2012/06/11/world/asia/allies-restrict-airstrikes-against-taliban-in-homes.html>; and Erica Gaston, "Karzai's Casualties Ultimatum," *Foreign Policy: The AFPak Channel*, June 2, 2011: http://afpak.foreignpolicy.com/posts/2011/06/02/karzais_civilian_casualties_ultimatum
- 2 Stanley A. McChrystal, "It Takes a Network: The New Frontline of Modern Warfare," *Foreign Policy* (March/April, 2011): 2.
- 3 "Increasing Popular Support," *The U.S. Army and Marine Corp Counterinsurgency Field Manual* (Chicago: University of Chicago Press, 2007), Sections 5–80.
- 4 Robert M. Cassidy, "Back to the Street without Joy: Counterinsurgency Lessons from Vietnam and Other Small Wars," *Parameters* vol. 34, no. 2 (Summer 2004): 75, 80. According to Cassidy, the importance of learning from historical cases of counterinsurgency is critical and deserves improvement: "Instead of learning from our experiences in Vietnam, the Philippines, the Marine Corps' experience in the Banana Wars, and the Indian campaigns, the U.S. Army for most of the last 100 years has viewed these experiences as distractions from preparing to win big wars against other big powers. As a result of marginalizing the counterinsurgencies and small wars that it has spent most of its existence prosecuting, the U.S. military's big-war cultural preferences have impeded it from fully benefiting—studying, distilling, and incorporating into doctrine—from our somewhat extensive lessons in small wars and insurgencies." 75.
- 5 "U.S. Government Counterinsurgency Guide," Bureau of Political-Military Affairs, Department of State, Washington, D.C., 2009: <http://www.state.gov/documents/organization/119629.pdf>. This guide articulates the overarching political goal of insurgent and counterinsurgent activities: "Insurgents fight government forces only to the extent needed to achieve their political aims: their main effort is not to kill counterinsurgents, but rather to establish a competitive system of control over the population, making it impossible for the government to administer its territory and people." 6.
- 6 John Arquilla, "Aspects of Netwar and the Conflict with Al-Qaeda," Information Operations Center, Naval Postgraduate School, Monterey, Calif., 2009, 25.
- 7 Susan G. Chesser, "Afghanistan Casualties: Military Forces and Civilians," Congressional Research Service (CRS) Report for Congress, 7-5700/R41084, January 14, 2011. See also, United Nations Assistance Mission in Afghanistan, Report of the Secretary-General pursuant to paragraph 40 of resolution 1917 (2010) (S/2010/318), June 2010.
- 8 Jim Boone, "Protecting Afghan Civilians a Priority, Petraeus Tells Troops," the *Guardian*, August 2, 2010: <http://www.guardian.co.uk/world/2010/aug/02/david-petraeus-protect-afghan-civilians-print>. The article cites guidelines published on the website for NATO's International Security Assistance Force, where guidance was given to "fight the information war aggressively" by hanging "their barbaric actions like millstones around the necks." The article also cites the important goal of reducing civilian casualties to an absolute minimum. Also see Colonel John M. Spitzer, "Counterinsurgency in Afghanistan: Lessons Learned by a Brigade Combat Team," *Military Review* (January/February, 2011): 75.
- 9 C. J. Chivers, Alissa Rubin, and Wesley Morgan, "U.S. Pulling Back in Afghan Valley it Called Vital to War," *New York Times*, February 24, 2011: <http://www.newyorktimes.com>. The article describes ongoing reorganization and realignment in the Pech Valley, Kunar Province, and provides evidence about how local Afghans feel about forces in their communities: "What we figured out is that people in the Pech really aren't anti-U.S. or anti-anything, they just want to be left alone," said one American military official. ... "Our presence is what's destabilizing this area." This particular quote corroborates David Kilcullen's theory of the accidental guerrilla syndrome.
- 10 Grasping the importance of *Pashtunwali* in Pashtun culture is imperative. Greater understanding and incorporation of its practices and cultural norms should be a part of intelligence preparation of the battlefield and other operational planning.
- 11 David Kilcullen, *The Accidental Guerrilla: Fighting Small Wars in the Midst of a Big One* (New York: Oxford University Press, 2009), 34–38. See also, John Tirman, *The Deaths of Others: The Fate of Civilians in America's Wars* (New York: Oxford University Press, 2011), 276–81. Tirman focuses on the legality of operations and wrongful deaths of civilians in Afghanistan, but his work also demonstrates how civilian casualties contribute to a cycle of violence as individuals seek revenge or retribution when the grievance is not adequately remedied.
- 12 Kilcullen, *The Accidental Guerrilla*, 34: "Al Qa'ida's ideology tends to lack intrinsic appeal for traditional societies, and so it draws the majority of its strength from this backlash rather than from genuine popular support."
- 13 *Ibid.*, 21: "The *takfiri* extremist enemy is naturally vulnerable to a disaggregation approach that seeks to turn factions against each other and disrupt the overall effects of extremism."
- 14 *Ibid.*, 35.
- 15 Colonel Steven R. Watt, "Can the United States 'Defeat' Al Qaeda?" U.S. Army War College, Carlisle, Pennsylvania, March 19, 2010, 10. In his discussion of the conflict between the Palestinians and Israel, Watt notes a process strikingly similar to that described by Kilcullen: "[Palestinian] leaders use the 'humiliation' grievance to identify and establish a real or perceived national degradation of their 'in' group. They then harness the outrage of group members and encourage acts of extreme violence as a means of retribution."
- 16 ISAF Fragmentary Order (FRAGO) 117 (UNCLASS), which implements ISAF SOP 307, Edition 2, succinctly describes the importance of preventing civilian casualties: "Commander ISAF's view is that CIVCAS (civilian casualty) incidents will fuel insurgent propaganda, increase the threat to ISAF, significantly undermine the Counterinsurgency (COIN) strategy, and increase the chance of mission failure." HQ ISAF//FRAGO/117 – 2010. UNCLASSIFIED. 1. Situation, a. General, (1) and (2), 1/3 and 3. Execution, c. Tasks, (1a). This importance is corroborated by the fact that civilian casualties are cited as a primary grievance by local Afghans. "U.S. Government Counterinsurgency Guide," 9. See also Jon Boone, "Protecting Afghan civilians a priority, Petraeus tells troops," the *Guardian*, 2 August, 2010: <http://www.guardian.co.uk/world/2010/aug/02/david-petraeus-protect-afghan-civilians/print>
- 17 David Kilcullen, "Three Pillars of Counterinsurgency," lecture given at the U.S. Government Counterinsurgency Conference, Washington D.C., September 28, 2006, 4.
- 18 "Money As A Weapon System—Afghanistan (MAAWS-A)," USFOR-A Pub 1-06, Commander's Emergency Response Program, SOP, December 2009, 14.
- 19 Susan G. Chesser, "Afghanistan Casualties: Military Forces and Civilians," CRS Report for Congress, 7-5700/R41084, January 14, 2011, 2.
- 20 "Audit of USAID/Afghanistan's Afghan Civilian Assistance Program (ACAP)," Audit Report No. 5-306-10-004-P, Office of Inspector General, Manila, Philippines, December 15, 2009. The Afghan Civilian Assistance Program is part of the Leahy Initiative, which was authorized by the Consolidated Appropriations Resolution, 2003 (Public Law 108-7). This law specified that assistance be made available for humanitarian, reconstruction, and related purposes for Afghan communities and families adversely affected by military operations. The program has been under-utilized in the past; a much greater effort is needed to connect Afghans affected by civilian casualties to the program.
- 21 In this case, ISAF SOP 307, Edition 2.
- 22 Due to the restricted status of that document, the reader is referred to it for more information on required step-by-step procedures.

Learning From History: What Is Successful Interrogation?

History cannot give us a program for the future, but it can give us a fuller understanding of ourselves, and of our common humanity, so that we can better face the future.

—Robert Penn Warren

LTC Ronny Kristoffersen, RNN

AS LONG AS MILITARY UNITS HAVE TAKEN PRISONERS IN WARTIME, CAPTORS have agonized over how to entice or force their prisoners to share what they know. Often the default has been to use torture. Recent history has shown, however, that although torture may get prisoners to talk, there is no guarantee that what they say is the truth. This article introduces two highly successful interrogators from World War II who explicitly rejected torture, and explores the methods they used to get vital information from prisoners.

Many military units, particularly Special Operations Forces and air crews, receive some sort of training on survival, evasion, resistance against interrogation, and escape (known as SERE) techniques. The training on resisting an enemy's interrogation techniques is designed to make trainees aware of the various potential interrogation methods that could be used against them. Thus, participants in the training actually experience coercive and often illegal—by Geneva Convention standards—treatments, such as being forced into so-called “stress positions” (e.g., forced to stand in one place for hours, or to stand leaning against a wall, or to kneel with hands over the head), suffering through acts of personal humiliation, and being denied food or proper sleep. In addition, thousands of soldiers have been waterboarded during SERE training.¹ Some controversial reports have claimed that soldiers in Afghanistan, Iraq, and elsewhere have used the methods they were exposed to during SERE training when interrogating captured insurgents.

The history of interrogation used in warfare can provide a clear picture of the effectiveness of various interrogation methods. This article describes the methods used by two very different men, Hanns Joachim Scharff and Sherwood Ford Moran, who were among the most effective interrogators during the Second World War. It begins with descriptions of Scharff and Moran, who they were, and the techniques they so effectively used. It then compares and contrasts the two men's methodologies, and offers some insights into why they both had such success despite their differences.

While this article does not discuss torture directly, it can contribute to the ongoing discussion of this difficult subject, and help soldiers deployed to conflict zones gain a better understanding and knowledge of successful, legal interrogation procedures.

Hanns Joachim Scharff

I obtained all the necessary information from over 90% of the prisoners.

—Hanns J. Scharff



Hanns Joachim Scharff was born in 1907 in East Prussia. His father, Hanns-Hermann Scharff, was an army officer who left the military to join his father-in-law as a partner in a textile factory in Greiz, south of Leipzig, Germany.² The Scharff family lived at Villa Jahn in Greiz, and Scharff began formal training in textiles when he was a teenager.³ After several years spent learning every aspect of his trade, Scharff went to Johannesburg, South Africa to gain experience in sales, and was so successful in the company's foreign office that he was promoted and stayed there several years before returning to Germany.

While in South Africa, Scharff met and married Margaret Stokes, a British South African with whom he had three children.⁴ The family was living back in Greiz when World War II started; Scharff was drafted into the Army and assigned to a *Panzergrenadier* regiment, an infantry component of a Panzer division.⁵ After a transfer,

Scharff became assistant to an army interrogator, and when he demonstrated a remarkable ability to gain the trust and cooperation of prisoners of war, soon became an interrogator himself.

In his book *The Interrogator*, Raymond F. Toliver describes Scharff as “the interrogator that managed to get every pilot he questioned to give him the answers he had to have. In many instances, the prisoners of war being questioned never realized that their words, small talk or otherwise, were in one way or another of great value to Germany’s war machinery.”⁶ To the Americans, Scharff became known as “Poker-Face” or “Stone-Face” Scharff.

How Scharff Worked

After the war, Scharff testified on behalf of several American military men who stood accused of the most flagrant treason because of the information they disclosed to him while prisoners of war. During testimony in 1948, Scharff explained that the training and indoctrination the American soldiers received about how to behave if they were taken prisoner became very useful to him in his role as an interrogator.

Scharff developed an understanding of the POW “state of mind”—what he called “barbed-wire psychosis,” which is a prisoner of war’s sense of guilt about surviving and being on the sidelines until the end of the war. He used that knowledge, along with his perception of how it felt to be a POW, to behave very differently from the way the American soldiers had been taught to expect.⁷ Instead of torturing or degrading prisoners, Scharff offered them,

Scharff behaved very differently from the way the Americans had been taught to expect.

and captured pilots in particular, courtesy and what appeared to be consideration. Instead of attempting to coerce or persuade with offers of booze and prostitutes, Scharff and his fellow officers took prisoners to whatever cinema shows were available at camp, and even shared tea and coffee with them, when they could get it.⁸ Every enemy aviator the Germans captured was brought to Oberusel, the Luftwaffe's interrogation and evaluation center, which made it easier to consolidate, control, and use the information the interrogators obtained.⁹

According to Scharff, POW interrogations should consist of three phases. First is to help the POW relax and feel comfortable by making small talk about anything at all. Second, after he's loosened up, the questioner should try to get the prisoner to reveal any military information or plans that he might know, ideally without letting him realize he has said anything of value. Third, the interrogator must write an evaluation report that is truthful, and that contains any and all information that might be useful to commanding officers in the field.¹⁰

Scharff proved to be a master at "perspective taking," the ability to discern the thoughts, feelings, and motivations of others, and he seemed to be able to enter and understand the minds of those he interrogated. These skills enabled him to elicit important information from prisoners without force or coercion.¹¹ Furthermore, he was very good at concealing the nature of the information he sought, and never revealed any success or failure to his target. Prisoners thus often believed they had given Scharff nothing, certainly nothing of importance.¹²

Scharff's Interrogation Techniques

In initial interrogations, which were handled not by Scharff but by officers in the primary screening room, interrogators routinely asked three questions: What is your name? What is your rank? What is your serial number?¹³ The prisoner was then taken back to his cell for a while. His second meeting would be with "Stone Face" Scharff, although the POW and Scharff might have met previously because Scharff often escorted prisoners to and from formal interrogations.

Prisoners were often surprised by Scharff's office and his reception, especially the fact that Scharff was a private, not an officer. Scharff maintained proper military courtesy and respect for the pilots, and he had an expert command of English; these were not the characteristics prisoners expected of a German interrogator. After receiving a prisoner, Scharff would leave him alone for a little while in his office, which was purposely furnished with American magazines, cigarettes, and posters of pin-up girls; the furnishings and decorations were all designed to make a prisoner feel more "at home," so he would relax and begin to lower his guard.

When Scharff returned, his next moves were designed to get information beyond a prisoner's name, rank, and serial number. Prisoners were often dressed in civilian clothes, which they had put on to try to evade capture. Scharff would tell a prisoner he needed some proof or confirmation that the

His office... was furnished with American magazines, cigarettes, and posters of pin-up girls.

man really was a pilot, not a spy, and thus entitled to treatment as a prisoner of war. Scharff would go on to say that if he didn't get that confirmation, the prisoner might be treated as a spy. At that point, instead of making threats, Scharff would ask the POW to imagine how a spy might be treated. The POW knew a spy was likely to be shot, while a combat soldier was entitled to all the rights and privileges offered by the Hague and Geneva Conventions.¹⁴

Scharff did not work alone. One of the most important people in his organization was Frau Biehler, who headed a bureau called BUNA-Beute und Nachrichten Abteilung.¹⁵ Toliver describes Biehler this way:

She was a tireless, obliging, and proud manageress. Her knowledge was paramount and with the information she and her staff gathered about Air Forces from all countries; units stationed in Africa, England, or wherever; names, medals, letters, newspaper clippings, identification papers forged by the French underground, photographs, etc., they were able to establish where the POWs came from, their units, if they flew fighters or bombers, and type of aircraft, and other identification factors.¹⁶

Scharff used the information... to create a "we already know everything" illusion.

Scharff used the information that Frau Biehler and her staff provided to create a "we already know everything" illusion for the prisoner. Rather than ask questions, Scharff would proceed to tell the POW all about his unit and its leadership, and anecdotes about its mission, leading the POW to believe that Scharff knew it all. A prisoner who believes that the interrogator already knows everything believes he has nothing to lose by answering questions; since the interrogator has the answers it makes little sense to deny the information.¹⁷

After Scharff had obtained the information requested by his superiors, he would carefully transcribe the conversations that would be of value to higher command and aviation staff.¹⁸ Typical information requested could include: "What orders are given pilots to govern bombings and strafing attacks upon our railroad trains? What is the significance of the shooting of ten white tracer bullets in quick succession during air combat? When do fighters discharge their belly tanks?"¹⁹

According to analyst Pär Anders Granhag, Scharff's technique consisted of five basic tactics: 1) creating the "we-already-know-everything" illusion; 2) taking a friendly approach; 3) not pressing for information; 4) confirming and disconfirming information; and 5) ignoring important information as it was obtained. "The Scharff-technique," he concluded, "is an umbrella concept" involving a number of tactics, whose combination was of key importance.²⁰ Many books and manuals that have come out since the Second World War recognize the significance of Hanns Joachim Scharff's interrogation technique, a method which proved to be very effective.

Sherwood Ford Moran

I consider that since they are out of the combat for good, they are simply needy human beings, needing our help, physical and spiritual.

—Sherwood F. Moran

Sherwood Ford Moran was born October 8, 1885, in Covington, Kentucky, where his father, William Joel Moran, was stationed as a clerk for the U.S. Army Quartermaster Corps.²¹ From there, the family moved to Flatbush, New York, where Sherwood Moran graduated from the Brooklyn Latin School. In 1911, at age 26, he enrolled in Oberlin College in Ohio, a parochial Congregational college, where Moran majored in philosophy.²² During that time, he had the opportunity to travel around the world as secretary to Sherwood Eddy, a well-known pacifist and founder of YMCA branches overseas, specifically in Asia. In 1915, Moran married Ursul Reeves, a woman he had met in college. They became missionaries and were sent to Tokyo, Japan, where they focused on setting up religious institutions; their three children were born in Tokyo. The Morans were on furlough in Boston in 1941 when the Japanese attacked Pearl Harbor, and Moran quickly realized that his fluency in Japanese could prove very useful to the American military. So, at age 56, he decided to join the Marines, which he admired for their “style, vigor, discipline, and goal setting.” On August 8, 1942, Moran, now a senior language intelligence officer, was with the First Marine Division when it landed on Guadalcanal.

How Moran Worked

In the study, “Suggestions for Japanese Interpreters Based on Work in the Field,” Moran described three aspects of his work that are of prime importance when it comes to being “an interpreter” or “interviewer,” the terms he preferred over “interrogator.”²³ Moran credited his success to his character, his experience, and his temperament. It is from these, he said, that the interpreter will gradually develop his personal technique.²⁴ As he described it, Moran’s own approach

was built on the assumption that few if any prisoners are likely to possess decisive information about imminent plans. Rather, it is the small and seemingly inconsequential bits of evidence that prisoners may give away once they start talking—about



The small and seemingly inconsequential bits of evidence...build up the most...valuable picture.

training, weapons, commanders, tactics—that, when assembled into a larger mosaic, build up the most complete and valuable picture of the enemy’s organization, intentions, and methods.²⁵

To Moran, attitude was of prime importance, and thus he often began an interrogation by telling the prisoner just what his attitude was: “I consider a prisoner (i.e., a man who has been captured and disarmed and is in a perfectly safe place) as out of the war, out of the picture, and thus, in a way, not an enemy.”²⁶

By “a perfectly safe place,” Moran meant that it was important for the prisoner to understand that there was “no hope of escape, that it is all over, and that they should forget the ‘enemy’ stuff, and the ‘prisoner’ stuff.” He talked to them simply as one human being to another.²⁷ Furthermore, Moran considered the Japanese soldiers people to be pitied rather than hated. Speaking from that perspective, he would tell them “they had been led around by the nose by their leaders; that they do not know, and have not been allowed to know for over ten years what has been going on in the world,” just as in the saying, “The frog in the well knows nothing about the ocean.”

Another aspect of prime importance, he believed, was the “character” of the interrogator. He must be absolutely sincere. It was not enough to just assume that attitude in order to gain the prisoner’s confidence and get him to talk. The interrogator must by his expressions, eyes, and tone of voice convince the prisoner that he really saw the Japanese as humans, not enemies; and that he really cared for their well-being. It is in all respects “a gentleman’s approach.”

One of Moran’s greatest advantages in interrogating Japanese prisoners was that he had lived in Japan for many years, and so he knew not only the language, but also the country’s culture, including such seemingly simple things as popular names and familiar places. “If you know anything about Japanese history, art, politics, athletics, famous places, department stores, eating places,” noted Moran, “a conversation may be relatively interminable.”

In sum, Moran explains the characteristics of a successful interpreter this way:

An interpreter should be a man of culture, insights, resourcefulness, and with real conversation ability. He must have “gags”; he must have a “line”; he must be alive; he must be warm; he must be vivid. Above all, he must have integrity and sympathy, yet he should be firm and wise (“wise as serpents but harmless as doves.”) He must have dignity and a proper sense of values, but should be friendly, open and frank.²⁸

Moran described his interrogation techniques in Guadalcanal as “slambang-methods, where, right in the midst of things we had what might be called ‘battle-field interpretation,’ where we snatched prisoners right off the battlefield while still bleeding and the snipers were still sniping, and interviewed them as soon as they were able to talk.”²⁹ After their battlefield interview, prisoners were brought to the back bases where the interviewing

continued. Here, more advanced, specific questions were asked, such as questions about the prisoner's "submarine equipment, radar questions, range finders, bombsights, etc. If the interpreter did not fully master the language, both technical terms and a large general vocabulary, he would not make an effective interviewer: language was most important."

Moran's Interrogation Techniques

Moran quickly learned that every soldier had a story to tell, and he believed the interrogator's job was to facilitate and provide the atmosphere that allowed the prisoner to tell his story. He offered these tips:

Begin by asking him things about himself. Make him and his troubles the center of the stage, not you and your questions of war problems. If he is not wounded or tired out, you can ask him if he has been getting enough to eat. . . . You can ask if he has had cigarettes, if he is being treated all right, etc. If he is wounded you have a rare chance. Begin to talk about his wounds. Ask if the doctor or corpsman has attended to him. Have him show you his wounds or burns.³⁰

Also important, Moran said, is for the interrogator to not be "too systematic in the questioning." However, in the interrogator's mind there must be a mode of approach: "the interrogator must know exactly what information he wants and come back to it repeatedly."³¹ Contrary to most interrogators, Moran tried to create an atmosphere that downplayed the idea that the prisoner was in the presence of his conqueror, because that atmosphere tended to put the prisoner "in a psychological position of being on the defensive."³²

Another successful technique that Moran used, especially toward prisoners who refused to give any information except their name, rank, and serial number, was to shame the prisoners. To do this, he played on his knowledge about Japanese culture. For example he would tell a prisoner that he had lived in Japan for many years, had many Japanese friends, and had enjoyed many good and intimate conversations with them. You too could "have a conversation with me," Moran would tell a difficult prisoner, "but never have [I] met anyone so offish and on guard as you," even though "we have treated you well, far better than probably we would have been treated," if Americans were taken prisoner in Japan.³³ This tactic would upset and offend many prisoners, and they would respond by talking. In addition, Japanese captives often feared going back to their families because they felt humiliated and ashamed, and believed that their capture was a disappointment to their families.³⁴ When they saw other Japanese prisoners, however, they often were relieved to find they were not alone, and would start talking.³⁵

Questions should...end in a way that impels the prisoner to tell his part of the "story."

Moran believed that interrogator-prisoner conversations should be made interesting, in a way that captures the prisoner's imagination. Questions should build upon each other, ending in a way that impels the prisoner to either tell his part of the "story" that the interviewer had started, end the story, or correct it because some facts were wrong.³⁶ The primary goal of an interrogator's questions is to gather pertinent information. In Moran's case,

he needed information that would be useful to U.S. Marine Corps amphibious forces. Often, a prisoner was too tired or seriously wounded to be questioned at length. Because Moran was usually stationed on the front lines and his interrogations were often interrupted by bombing raids, he stuck to questions that dealt with imperative information, such as:

When did you arrive at Guadalcanal? Where did you land? (Very important.) How many landed with you? What kind of a ship did you come in? (Don't ask a leading question, such as, "Did you come on a warship?" ...) Ask the name of the ship. How many troops were on the ship? If, for instance, he says he came on a destroyer, ask how many troops usually travel on a destroyer. ... How many other ships were with yours? What kind of ships? Where did you sail from and when? Were there many ships in that harbor? When did you leave Japan? Where were you between the time you left Japan and the time you landed on Guadalcanal? When you landed were any munitions landed? Artillery? Food supplies, medical supplies? After you landed where did you go? Where were you between the time you landed and the time you were captured? What experience in actual combat warfare have you had; your company, battalion, or regiment? How is the present food supply in your unit? Sickness? What was the objective of your attack last night? ... ³⁷

An interrogator [needs] "enlightened hard-boiled-ness."

In his writings, Moran observed that an interrogator who is genuinely tough has the confidence to know that he will always have the advantage, even while being nice. "Enlightened hard-boiled-ness," Moran called it. He concluded that "the most important characteristic of a successful interrogator is not his experience or even his linguistic knowledge; it is his own temperament and his own character."³⁸

Similarities and Differences between the Two Interrogators

Despite coming from opposite sides of a terrible war, an analysis of the interrogation techniques Hanns Scharff and Sherwood Moran used reveals more similarities than differences. Some of the differences between the two men's techniques were determined by the differences in the circumstances and the settings of the interrogations. Scharff was located outside the battlefield environment, in Oberusel, the famous Luftwaffe Interrogation and Evaluation Center, while Moran worked on the front lines, under palm trees, while enduring continual bombing raids. Therefore, Scharff had much more time to carry out his interrogations, and also had the opportunity to interrogate prisoners several times. Moreover, Moran often needed to obtain "time critical" information that might reveal the next ambush, number of enemies in the area, conditions of enemy units—tactical information that could immediately help the Marines in the field. He knew that the prisoners, because of their capture, likely did not possess information about current plans.

In contrast, because he was not with troops in the field, Scharff tried to get more general strategic information. His questions pointed toward gaining some larger understanding of the enemy and its tactics as a whole. Scharff, like his American counterpart, also assumed that prisoners would not have information about imminent plans.

Moran's questions, because of a lack of time and because the prisoners were often tired or wounded, had to be direct, whereas Scharff could spend more time talking all around a question, thereby concealing the nature of the information he was actually seeking. Indeed, many prisoners later said that they never knew what information Scharff was after, but they were confident they had not given him anything valuable, even when, as it turned out, they had.

Perhaps the greatest difference between Scharff's and Moran's experiences as interrogators was that Scharff, who was interrogating mostly American or British combatants, had a large intelligence apparatus to work with. Frau Biehler in the BUNA Bureau, for example, provided Scharff with the background information that made it possible for him to create a "we-already-know-everything" illusion.³⁹ Moran, who was interrogating Japanese soldiers on the battlefield, had only the intelligence he and the others with him were able to gather. Nonetheless, Moran had the advantage of being able to draw on his personal knowledge of Japanese culture, names, places, and customs to create a bond with—or manipulate—prisoners, and get the information he needed.

Both Moran and Scharff based their approaches on the assumption that few, if any, prisoners were likely to possess decisive information about imminent plans. More important, both men viewed the prisoners more as human beings than as enemies. Because both Moran and Scharff had knowledge of the prisoners' culture, language, history, politics, attitudes, and customs, they could use that knowledge to orchestrate productive conversations. In this regard, Moran proved especially masterful since he had actually lived in Japan for several years.

Both men took pains to make the prisoners feel comfortable and well-treated, so they were more likely to engage in conversation. As a result, prisoners sometimes even felt they owed their interrogator, whether Scharff or Moran, an answer to his questions. A key factor of both Scharff's and Moran's techniques, given today's military-interrogation climate, is that neither used either coercive methods or torture to make prisoners to talk. To the contrary, both regarded torture as counterproductive and an actual deterrent to obtaining useful information.

Ultimately, because each man's attitude was one of sincere respect and caring for his opponents, each created, in very different circumstances, a perfect atmosphere for successful interrogations. Prisoners perceived them as gentlemen thanks to the empathy they showed. Both were also true masters of conversation: friendly, open, and apparently frank.

Although Moran had to ask more direct questions because of the "lack of time" factor, he still tried to not be too obviously systematic in his approach.

Both men viewed the prisoners more as human beings than as enemies.

Both regarded torture as ... an actual deterrent to obtaining useful information.

He had a method for building up his questions to get the needed information. It helped that many Japanese soldiers were actually happy to fall into American hands, which was heaven compared to what they endured defending Guadalcanal.⁴⁰ They got clean clothes, food, a nice interrogator, and kindness, which caused some to question their own loyalties, and to turn around and support the United States.

Like Moran, Scharff also tried to covertly elicit information. The American pilots he questioned had been taught in training that they would surely be tortured if captured. Instead they met Scharff, a polite, kind gentleman who treated them with respect. This was not the interrogation context they were familiar with from their training, and its very unexpectedness made them more likely to talk. To the prisoners, both Scharff's and Moran's presence was a relief from stress, and thanks to their warmth, the interrogators became identified as "friends." Furthermore, the very fact that Scharff and Moran created a less stressful environment helped prisoners remember more and be more willing to talk.⁴¹

Both Scharff and Moran used techniques consistent with Robert Cialdini's recent formulation of "six principles of persuasion:" 1) liking, 2) authority, 3) reciprocity, 4) commitment / consistency, 5) social validation (proof), and 6) scarcity.⁴² Cialdini concludes that tactics based on these principles are particularly powerful because they are often subtle and hard to detect. They encourage people to respond in habitual, fairly automatic ways with little thinking, which makes such tactics often difficult to resist.

Conclusion

This review of the interrogation methods used by Hanns J. Scharff and Sherwood F. Moran offers a series of basic principles for successful interrogation under differing circumstances. Adapting their techniques for the training of today's soldiers would increase the potential for successful interrogations and reduce the tendency to implement coercive and illegal methods. "Either of these two interrogators could have used torture if they believed torture was effective. However, both men knew their goal was not just to get their prisoners to talk—but to provide truthful information that met their intelligence needs."⁴³ Both used non-coercive methods that drew out the truth, while treating the prisoners as fellow human beings. Learning from history what works—and what does not—can make a world of difference in terms of future interrogation practices.

In sum, Hanns Joachim Scharff and Sherwood Ford Moran were especially gifted and successful interrogators because, first and foremost, they viewed their prisoners as human beings deserving of respect and decent treatment. Both men had excellent conversational skills and cultural knowledge acquired through personal experience, and they used these skills to their advantage in the interrogation setting. When assigning people as interrogators, these should be crucial factors still. ❖

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NOTES

- 1 Alex Kingsbury, "Bush Lawyers Used U.S. Military Training to Justify CIA Interrogation Techniques," *U.S. News Weekly*, April 17, 2009: <http://www.usnews.com/news/articles/2009/04/17/bush-lawyers-used-us-military-training-to-justify-cia-interrogation-techniques/>. Although some in the U.S. political and military establishments continue to claim that waterboarding is not torture, there is now considerable agreement among experts in the field that it is. In the article "Waterboarding Is Illegal" in the May 2008 Washington University *Law Review*, for instance, Wilson R. Huhn states that, "Regardless of its utility or lack of utility as a method of interrogation, waterboarding violates both the letter and the spirit of the Torture Act, the War Crimes Act, and the Prohibition against Cruel, Inhuman, or Degrading Treatment. Accordingly, waterboarding is illegal."
- 2 Raymond F. Toliver, *The Interrogator: The Story of Hanns Joachim Scharff, Master Interrogator of the Luftwaffe* (Atglen, Penn.: Schiffer, 1997), 18.
- 3 Ibid.
- 4 Ibid., 21.
- 5 Ibid., 19.
- 6 Ibid.
- 7 Hanns Joachim Scharff, "Without Torture," *Argosy Magazine*, 1950: 55.
- 8 Ibid.
- 9 Toliver, *The Interrogator*, 49.
- 10 Ibid., 80.
- 11 See R. M. Schneiderman, "New Research Suggests Enhanced Interrogation Not Effective," *The Daily Beast*, May 25, 2012: <http://www.thedailybeast.com/articles/2012/05/25/new-research-suggests-enhanced-interrogation-not-effective.html>
- 12 Ibid.
- 13 Scharff, "Without Torture," 57.
- 14 Ibid., 59.
- 15 Ibid.
- 16 Toliver, *The Interrogator*, 64.
- 17 Schneiderman, "New Research Suggests."
- 18 Scharff, "Without Torture," 65.
- 19 Ibid., 62.
- 20 Schneiderman, "New Research Suggests."
- 21 Frances A. Moran and Sherwood R. Moran, "About Sherwood Ford Moran, 1885–1983," biography website, May 2005: <http://home.comcast.net/~drmoran/home.htm>
- 22 The biographical information in this paragraph comes from *ibid.*
- 23 Sherwood Ford Moran, "Suggestions for Japanese Interpreters Based on Work in the Field," Division Intelligence Section, Headquarters, First Marine Division, 17 July, 1943.
- 24 *Ibid.*
- 25 Stephen Budiansky, "Truth Extraction," *Atlantic Monthly*, June 2005, 1.
- 26 Moran, "Suggestions for Japanese Interpreters," 1.
- 27 The descriptions of Moran's techniques in the rest of this section comes from *ibid.* 2, 3.
- 28 *Ibid.*, 2
- 29 *Ibid.*, 3.
- 30 Budiansky, "Truth Extraction," 2.
- 31 Moran, "Suggestions for Japanese Interpreters," 4.
- 32 *Ibid.*, 5.
- 33 *Ibid.*
- 34 Prof. Randy Burkett, conversation with the author, Monterey, California, January 25, 2012.
- 35 *Ibid.*
- 36 Moran, "Suggestions for Japanese Interpreters," 5.
- 37 *Ibid.*, 7.
- 38 Budiansky, "Truth Extraction," 3.
- 39 Schneiderman, "New Research Suggests."
- 40 Burkett, conversation.
- 41 Prof. Randy Burkett, class lecture, U.S. Naval Postgraduate School, Monterey, California, January 31, 2012.
- 42 Robert Cialdini, *Intelligence Interviewing: Teaching Papers and Case Studies*, Study on Educating Information, Intelligence Science Board, Office of the Director of National Intelligence, 14: available at: <http://www.fas.org/irp/dni/isb/interview.pdf>
- 43 Burkett, conversations with the author, Monterey, California, June 7, 2012.

Financing al Shabaab: The Vital Port of Kismayo

LTC Geoffrey Kamber, UPDF

AL SHABAAB, WHICH IS GENERALLY DESCRIBED AS A “SALAFI-JIHADIST movement,” is a major player and instigator in the ongoing fight to win control of Somalia.¹ For about four years after its inception in 2006, al Shabaab focused its violence in Somalia only. In 2008, its leader, Ahmed Abdi Aw-Mohamed “Godane,” pledged loyalty to al Qaeda and the goal of global jihad.² The group turned into a transnational threat, however, when it carried out twin bombings in Kampala, Uganda, on July 11, 2010. The African Union and the struggling Transitional Federal Government of Somalia, with the backing of the United States, were unable to make much progress against al Shabaab until Spring 2011. Since then, they have launched a series of offensive operations that succeeded in winning back some of the terrorists’ strongholds, including the vital Bakara market in Mogadishu, and the strategic town of Afogye. As of this writing, however, the terrorists are still strongly resisting, and the international coalition has been unable to attain a decisive victory.

The international community has concentrated on understanding al Shabaab’s operational component while giving little attention to how it finances itself. This article endeavors to fill in at least some of that gap. The first section examines al Shabaab’s primary sources of funds, how the group moves those funds to where they are needed, and how it spends its money. The second part examines the successes and weaknesses of the countermeasures different actors are using to defund al Shabaab, and recommends ways to use the available information about its financing to impair the group. In particular, cutting al Shabaab off from the Somali port of Kismayo, which is now its principal source of funding, could be fatal to the group.

In May 2011, troops from the African Union Mission in Somalia (AMISOM) and the Transitional Federal Government began a fierce battle to force al Shabaab out of the Bakara market in Mogadishu, where the group had been taxing merchants to finance its assaults on the government’s forces. On August 6, 2011, al Shabaab’s fighters were finally forced to withdraw from Bakara, and the group has suffered from the loss of revenue streams from the market.

Although it has been forced from Mogadishu, al Shabaab still controls large areas of the country, including the southern and central parts of Somalia. The port city of Kismayo has been identified as the most important current source of revenue for the group. According to a BBC report, “Kismayo, a port city, is a key asset for the militants, allowing supplies to reach areas under their control and providing taxes for their operations.”³ It is fair to speculate that without the funds raised through Kismayo, al Shabaab’s military activities would be severely impeded.

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How al Shabaab Raises Money

As with all organizations, financial channels are the hidden arteries that keep al Shabaab alive. Al Shabaab has leaned on different sources of revenue to finance terrorist acts for the past several years, including state sponsors, charities, individuals in the Somali diaspora, other terrorist groups, and businesses. Funds typically are transferred through *hawala*, an informal remittance system traditional to many Islamic communities; through regular banking channels; and by courier. The money goes mainly to support the group's members, and for the training, recruiting, weapons, and equipment required to sustain the Somali insurgency and wage jihad against non-believers.

State Sponsorship

A number of observers have asserted that Eritrea sponsors al Shabaab in an attempt to counter the regional power, Ethiopia, Eritrea's long-time enemy. Eritrea has consistently denied the allegations. Eritrea reportedly supplies weapons, military training, and even troops to fight alongside al Shabaab's militants.⁴ In addition, a United Nations report claims that Eritrea has sent \$80,000 per month to some members of al Shabaab through the Eritrean Embassy in Nairobi for almost a decade.⁵

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Yemen, Syria, Iran, and Qatar are also regularly accused by the Somali Transitional Government of providing funds and weapons to al Shabaab.⁶ For instance, in January 2010, the Transitional Government's Minister of Defense, Sheikh Yusuf Muammad Siad—alias Indho Adde—reported that Yemeni rebels had sent two boatloads of light weapons, ammunition, Kalashnikovs, and hand grenades to the al Shabaab-controlled port of Kismayo.⁷ Subsequently, a March 2010 U.N. monitoring group claimed that Muhammad Sa'iid Atom, an al Shabab-affiliated militant commander in Puntland, had been receiving arms shipments from Yemen and Eritrea.⁸ In addition, Saudi Arabia and other Gulf states have remained significant external sources of funds for the al Shabaab organization. Saudi Arabia has long been known for financing "Salafi jihadists."⁹

Charities, Donations, Other Terrorist Organizations

Terrorist organizations similar to al Qaeda (international jihadists) and other militant Islamic organizations contribute funds to al Shabaab to spread extremism in the Horn of Africa and other parts of the world.¹⁰ The World Assembly for Muslim Youth and the International Islamic Relief Organization (IIRO), as well as Somali businesses in the Gulf states, Europe, the United States, Australia, New Zealand, Malaysia, and Singapore are active financiers of radical Islamic movements in the Horn of Africa.¹¹

Some charitable organizations that formerly channeled funds to al Itihaad, the Islamist group that preceded al Shabaab, are likewise suspected of maintaining links with al Shabaab.

These organizations include the African Muslims Agency in

Kuwait; the Red Crescent Society of the United Arab Emirates; the al Islah Charity, which is linked to Harakat al-Islah, a Somali diaspora group founded in Saudi Arabia; the Muslim World League (Rabitat al-Islam al-‘alamiyya) and its subsidiary, the International Islamic Relief Organization, both based in Saudi Arabia; Dawa al-Islamiyya; and the al Wafa Charitable Society, which is listed as a “specially designated terrorist entity” by the U.S. government for its suspected support to terrorist organizations.¹²

Three Somali men and one woman were arrested in San Diego, and charged with providing financial assistance to al Shabaab.

A diaspora is defined as “a people with a common origin who reside, more or less on a permanent basis, outside the borders of their ethnic or religious homeland—whether that homeland is real or symbolic, independent or under foreign control.”¹³ An estimated one million Somalis now live outside the country, in sizable Somali communities in the Middle East, Europe, and North America. Some of these diaspora Somalis financially support al Shabaab. In late 2010, for example, three Somali men and one woman were arrested in San Diego, and charged with knowingly providing financial assistance to al Shabaab.¹⁴ In another case, a St. Louis cabdriver named Mohamud Abdi Yusuf pleaded guilty in 2010 to conspiracy and providing material support to a designated terrorist organization after admitting he had raised nearly \$6,000 for al Shabaab to continue its struggle against the Transitional Government.¹⁵ Other supporters include wealthy businessmen, such as Saudi Sheikh Mohamed Abu Faïd, who is reportedly the group’s lead financier, and Omar Hammami, who is in charge of financing militants from the United States—often U.S.-born teenagers from immigrant families—who join al Shabaab.¹⁶

The Somalis in the diaspora are estimated to remit \$500 million to \$800 million annually back to friends and family in their homeland, according to at least one researcher.¹⁷ Some of this money, even when it comes into the country legally, will end up in the hands of extremists.

In addition, al Shabaab apparently has benefited from Somalis residing in Nairobi and in the Dadaab refugee camp in northern Kenya. Al Shabaab is said to have links with the Pumwani Riyadya Mosque Committee (PRMC) religious organization in Nairobi, which has a network of sympathizers who raise money for the group.¹⁸ A good deal of money for al Shabaab also is collected from the PRMC apparently under the pretense of reconstructing a mosque. Ahmed Imam Ali, a Kenyan and the PRMC’s secretary, is reported to be siphoning off funds raised for social projects in Nairobi to facilitate the training and recruitment of insurgents in Kenya.¹⁹

In addition to receiving money from religious donations abroad, members of al Shabaab take advantage of the extensive black markets in places like Eastleigh, a Somali immigrant neighborhood in Nairobi, raising reasonably large sums of money to support the group’s activities.

Businesspeople are forced to pay “taxes” equivalent to the cost of an AK-47 [to al Shabaab].

Some reports indicate that Somalis raise money for al Shabaab in the form of *zakat*, an Islamic religious tithe.²⁰ Moreover, according to some sources, big companies such as Dahabshiil Bank, which is based in Mogadishu,

send payments to al Shabaab in exchange for safe access to areas under al Shabaab's control.²¹ It is said that businesspeople are forced to pay "taxes" equivalent to the cost of an AK-47 in order to keep from losing their entire business inventory. In addition, al Shabaab exacts high tariffs from the informal Islamic banking system of *hawala* to boost its income, with little apparent regard for the effect this financial drain has on Somalia's economic activity.

Businesses in Kismayo

In 2008, al Shabaab took over Kismayo, the third-largest city in Somalia, after fighting a fierce three-day battle, later called the "Battle of Kismayo," against pro-government militias. The group quickly imposed harsh administrative rules based in shari'a law on the port's business community. To raise revenue, al Shabaab increased the fees for importing and exporting goods through the port, one of the largest in the country, by 30 percent.²² The most important economic activities in Kismayo are fishing, the import of goods like rice from Pakistan, and the export of primary goods such as livestock (camels, sheep, and goats), charcoal, and khat to the Gulf states.²³ One analyst for African affairs estimates that the taxes al Shabaab collects from the business community in Kismayo include "over \$1 million quarterly in port-use charges alone."²⁴

Al Shabaab earns considerable money from the charcoal industry, one of Somalia's main exports, and the chief commodity to pass through Kismayo's port facilities. According to one report, in the southern sector near the border between Kenya and Somalia, "The cutting down of trees in large areas is evidence of the booming trade in charcoal that was a source of income for the militia group."²⁵ Vast deforestation in the areas under al Shabaab's control is another sign of the lucrative charcoal trade between al Shabaab and the Gulf states. It is estimated that al Shabaab exports charcoal worth \$500,000 per month to the Gulf states.²⁶

Besides the considerable income al Shabaab receives through heavy taxes on imports and exports, militants also systematically collect taxes from farmers on Kismayo's outskirts. In March 2010, the government's Minister of Agriculture, Muhammad Ibrahim Habsade, claimed that al Shabaab was extorting \$150 per hectare from farmers in the fertile Lower Shabelle Valley, and blamed the group's predations for a decrease in agricultural production.²⁷

Since 2008, the port of Kismayo has become the main source of revenue for the terrorist group. According to one report, the United Nations believes that "al Shabaab collects an estimated U.S. \$35–50 million annually in custom tolls and taxes on businesses in Kismayo and two secondary ports higher up the coast."²⁸ This is one reason that Kismayo is referred to as the nerve center for the militants. Instead of using the large sums of money collected in Kismayo to maintain the port and city and meet the needs of the local population, al Shabaab sends most of the funds to other areas under its control to advance its insurgency.²⁹

The Minister of Agriculture ... blamed the group's predations for a decrease in agricultural production.

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In October 2011, the Kenya Defence Forces struck a blow at one source of funding for al Shabaab when it took control of Ras Kamboni and Bur Gaboby, two coastal fishing towns that formerly had been controlled by the militants.³⁰ Ras Kamboni, which is closer to Kenya and serves as a base for fishermen supplying seafood to hotels in Lamu and island local resorts, had been a particularly large source of income for al Shabaab.³¹

Piracy and Extortion

Al Shabaab has long been thought to be connected with Somali pirate groups operating in the Gulf of Aden and Indian Ocean, but it had been difficult to establish a direct connection between the Islamists and pirates. In December 2010, however, al Shabaab took control of a pirate base called Harardheere from Hizbul Islam, another Islamist group in Somalia, and reportedly reached a compromise with the local pirate gangs that would give the militants a 20 percent share of all ransoms received from the hijacking of ships.³² While there is no documentation to confirm such a deal, its share of the ransom money certainly has been lucrative for al Shabaab. Revenues from piracy also have boosted development in parts of Somalia, making it politically even more difficult to put a stop to pirate activity.³³

Looting the nongovernmental organizations (NGOs) that are operating in areas controlled by al Shabaab is another way the group survives. It has been widely reported that al Shabaab loots aid meant for the hunger-stricken populace: in March 2010, the U.N. Monitoring Group alleged that as much as “50 percent of food aid delivered to Somalia was being diverted to criminals and insurgents, including Al-Shabab.”³⁴ Even worse, the practice of kidnapping and ransoming aid workers has also boosted al Shabaab’s finances, while some NGOs and U.N. agencies pay “registration fees” of \$500 or more in order to be allowed to operate in areas controlled by al Shabaab.³⁵

With such a variety of funding sources, even if external support from state sponsors and the diaspora is successfully cut off, al Shabaab’s money flow can be efficiently replaced with internal money sources, including taxes, business profits, port fees, extortion, and security protection fees from prominent business people and aid workers. In addition, the group’s cooperation with Somali pirates remains a source of income.

How al Shabaab Moves and Spends its Money

Al Shabaab moves funds through the standard system of banks and couriers, but also through the traditional Muslim system of *hawala*, an informal means of transferring value and remittances through networks of brokers.³⁶ *Hawala*, common throughout Somalia, is based on trust and honor, and can be effective, reliable, and efficient; the fact that few, if any, records are kept, is an added bonus for groups like al Shabaab.³⁷ It is possible to organize transfers through secret senders and receivers who do not record and will not disclose details of the transactions. On the negative side, *hawala* typically involves a great deal of communication by phone, e-mail, and fax, so once a broker comes under suspicion for working with terrorists, his or

The practice of kidnapping and ransoming aid workers has also boosted al Shabaab’s finances.

her transactions may be traceable. In Somalia, *hawala* is the most common way of transferring money, and is regularly used by ordinary Somalis, but authorities believe it is also used by many al Shabaab sympathizers to support the group's objectives.³⁸

Somalis in the diaspora also use wire services such as Western Union and MoneyGram to send money to their relatives in Somalia. These services are well-established in neighboring Kenya, where al Shabaab has a strong presence. Analysts assume that some portion of the money transferred by Somalis through regular wire and bank services is diverted to al Shabaab, although no figures are available.

Al Shabaab spends most of its money on four things: providing social services to its members (including paying salaries to foreign fighters); fighting to overthrow Somalia's Transitional Government and to expel Ethiopian troops from Somali territory; waging a violent campaign against nonbelievers (*jihaad*), which includes recruiting and training fighters and buying weapons and equipment; and preaching extremism. Al Shabaab operatives often carry cash on their missions. For example, the perpetrators of the Kampala, Uganda bombings on July 11, 2010, carried their own money, as did the terror cell members who supported those bombings by crossing into Uganda with extra funds. The cash method leaves no trail, making it difficult to track the terrorists or their funding.

Analysts assume that some of the money transferred by Somalis through wire and bank services is diverted to al Shabaab.

Recommendations and Conclusion

Too little attention has been paid to creating strategies to counter the financial streams that feed al Shabaab. The current AMISOM (African Union Mission in Somalia) operations against the group are aimed at attacking and eliminating militants; these operations have managed to chase the extremists out of Mogadishu, but not from other parts of Somalia. In addition, operations launched recently in southern Somalia by the Kenyan Defence Forces have neither stopped al Shabaab militants from carrying out their operations nor disrupted the financial channels that keep them active.

Since the attacks on the World Trade Center in September 2001, the international community has put in place countermeasures against terrorism funding and money laundering. For instance, the Financial Action Task Force (FATF) was formed in 1989 with 36 member states, including the European Union, the United States, and Canada.³⁹ The FATF, however, is a policy-making body that has concentrated on limiting transfers and strengthening the documentation required of governments. Consequently, the ability to use *hawala* to send money to al Shabaab from outside Somalia depends only on the enforcement practices of the country from which the funds are sent.⁴⁰ Respect for sovereignty has made international efforts to limit such transactions ineffective, and the international system to combat money laundering is not binding.

Disrupting al Shabaab's funding channels can be especially difficult to accomplish in Somali communities, because some of the group's funding

The booming business environment of the port will keep al Shabaab strong.

is through normal, day-to-day financial activities. The enormous sums of money collected by the terrorist group at Port Kismayo, however, can be minimized or eliminated, particularly if the current offensive succeeds and control of the port can be turned over to the Transitional Government or AMISOM.

Most authorities in Kismayo portray al Shabaab as an insurgent rather than terrorist organization, running a well-organized administrative system. The booming business environment of the port will keep al Shabaab strong as long as the group controls Kismayo. It is therefore imperative that international efforts to destroy al Shabaab should concentrate not only on countering its fighting tactics, but also on implementing long-term strategies to derail its administrative structure and operations around the port of Kismayo.

Those who are trying to dry up al Shabaab's money streams should pay particular attention to the means the terrorists use to avoid local and international financial control measures, especially when the transactions come through "innocent" front groups. East African Community members should work through the Community's counterterrorism agency to step up money-laundering and business-control measures across all domains, and to dedicate resources to counterterrorism not only at the central government and state levels, but also at the grass-roots level.

Eastleigh is a ... hub for the kinds of financial transactions ... that benefit both Somali pirates and al Shabaab.

The Kenyan government, in particular, needs to better monitor places where large numbers of Somalis and Islamists live, especially Eastleigh, a neighborhood in Nairobi that is also known as "little Mogadishu." It is a thriving business and shopping district, and also a hub for the kinds of financial transactions—transfers and remittances by *hawala* and wire services—that benefit both Somali pirates who need to launder money and al Shabaab. Police occasionally crack down on undocumented immigrants residing in the area, but these moves are sporadic, and often indiscriminate. The central government apparently exercises minimal control over Eastleigh's rapid growth, which is fed by a steady influx of Somali refugees from over the border, although that may be changing as the area prospers.⁴¹

Kenya and its neighbors must put greater effort into properly registering parallel banking systems, such as mobile money services, since these services have proved to be an easy way to transfer money out of the country, and they surpass traditional banks in terms of their geographical reach. Governments also need to implement universal SIM card registration, so that every SIM card would be registered to an individual; such a system would help authorities to track money moved through mobile services.

To defeat al Shabaab, international efforts must focus on how to recapture Kismayo Port. If al Shabaab continues to utilize this port as its hub, all efforts to destroy the group may be prolonged, as the terrorists can easily re-equip themselves, make money through imports and exports, and coordinate with Somali pirates through Kismayo.

In East Africa, community-based and ideologically rooted support has helped provide the finances al Shabaab needs to survive and sustain its operations. For years al Shabaab was focused narrowly on expelling Ethiopian troops and winning control of Somalia's government. Today it has regional objectives in line with al Qaeda's "global *jihad*," and its sources of funding have significantly broadened so that it no longer solely depends on external support from places like Eritrea. Regardless of what strategy AMISOM adopts to defeat the terrorists, Kenya must be involved because Kenya is not only a home for Islamist extremists, but also a financial conduit for al Shabaab. The fact that al Shabaab has continued to receive support from various overseas sources means that the measures put in place to close down funding channels for terrorist groups have not been effective in this case. ❖

Measures to close down funding channels for terrorist groups have not been effective in this case.

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NOTES

- 1 Salafi-jihadists are followers of the modern Sunni Islamic Movement, or Salafism, which adheres to a rigid and strict interpretation of Islam associated with violence against non-believers. Al Shabaab promotes an authoritarian form of "Salafi" Islam that stresses an inflexible interpretation of the Qur'an, with the aim of overthrowing the current government and implementing *shari'a* law. See Christopher Harnisch, "The Terror Threat from Somalia: The Internationalization of Al-Shabaab," *Critical Threats Project*, February 12, 2010, 14-17: <http://www.criticalthreats.org/somalia/terror-threat-somalia-internationalization-al-shabaab-feb-12-2010>
- 2 David Shinn, "Al-Shabaab Tries to Take Control of Somalia," Foreign Policy Research Institute, November 5, 2012: <http://www.fpri.org/enotes/201011.shinn.somalia.html>
- 3 "Q&A: Who Are Somalia's al-Shabab?" *BBC News*, last updated February 23, 2012: <http://www.bbc.co.uk/news/world-africa-15336689>
- 4 Gabe Joselow, "All Eyes on Eritrea as Arms Shipment Reaches Al-Shabab," *Voice of America*, November 1, 2011: <http://www.voanews.com/english/news/africa/east/All-Eyes-on-Eritrea-as-Arms-Shipment-Reaches-Al-Shabab-133079288.html>
- 5 Joselow, "All Eyes on Eritrea;" and, Pieter D. Wezeman, "Arms Flows and the Conflict in Somalia," SIPRI Background Paper, Stockholm International Peace Research Institute (SIPRI), October 2010: <http://books.sipri.org/files/misc/SIPRIBP1010b.pdf>
- 6 Joselow, "All Eyes on Eritrea."
- 7 Gulf of Aden Security Review, *Critical Threats*, American Enterprise Institute, January 4, 2010: <http://www.criticalthreats.org/gulf-aden-security-review/gulf-aden-security-review-january-4-2010>
- 8 Claude Heller, "Letter dated 26 February 2010 from the members of the Monitoring Group on Somalia, addressed to the Chairman of the Security Council Committee established pursuant to Resolution 751 (1992) and 1907 (2009) concerning Somalia and Eritrea, addressed to the President of the Security Council," UN Security Council, New York, March 10, 2010, 45: http://somalitalkradio.com/2010/mar/un_report_somalia.pdf
- 9 James M. Dorsey, "Saudi Arabia Embraces Salafism: Countering the Arab Uprising?" *Fair Observer*, February 27, 2012: <http://www.fairobserver.com/article/saudi-arabia-embraces-salafism-countering-arab-uprising>
- 10 Abdulkadir Abdiraham, "Islam AU Summit: A/S Carson's meeting with Somali President Sheikh Sharif Tripoli," *The Telegraph*, February 3, 2011: <http://www.telegraph.co.uk/news/wikileaks-files/somalia-wikileaks/8302247/AU-SUMMIT-AS-CARSONS-MEETING-WITH-SOMALI-PRESIDENT-SHEIKH-SHARIF-TRIPOLI-00000561-001.2-OF-002.html>
- 11 Abdisaïd M. Ali, "The Al-Shabaab Al-Mujahidiin: A Profile of the First Somali Terrorist Organisation," Institut für Strategie- Politik- Sicherheits- und Wirtschaftsberatung (ISPSW), June 2, 2008: <http://www.isn.ethz.ch/isn/Digital-Library/Publications/Detail?id=55851>
- 12 Andre Lesage, "The Rise of Islamic Charities in Somalia: An Assessment of Impact and Agendas," paper presented to the 45th Annual International Studies Association Convention, Montreal, Canada, March 17-20, 2004, 9.
- 13 Valter Vilko, "Al-Shabaab: From External Support to Internal Extraction," Minor Field Study, Dept. of Peace and Conflict Research, Uppsala University, March 2011, 5-6: http://www.pcr.uu.se/digitalAssets/57/57537_MFS_paper_Vilkko.pdf. The author describes how a shrinking flow of funds from emigrant communities is forcing the group to rely more and more on internal Somali sources of funding.

- 14 Tony Perry, "Woman Arrested in San Diego on Charge of Providing Money to Somali Terrorists," *Los Angeles Times*, November 15, 2010: <http://latimesblogs.latimes.com/lanow/2010/11/woman-arrested-in-san-diego-on-charge-of-providing-money-to-somali-terrorists.html>
- 15 Robert Patrick, "St. Louis Cabbie Gets 11+ Years for Sending Money to Terrorist Group," *STLtoday.com*, last updated June 19, 2012: http://www.stltoday.com/news/local/metro/st-louis-cabbie-gets-years-for-sending-money-to-terrorist/article_2a272094-ba3e-11e1-b919-0019bb30f31a.html
- 16 Shinn, "Al Shabaab Tries to Take Control."
- 17 Kenneth Menkhaus, "African Diasporas, Diasporas in Africa and Terrorist Threats," in *The Radicalization of Diasporas and Terrorism*, Doron Zimmerman and William Rosenau, eds. (Zurich: ETH Center for Security Studies, 2009), 87–88.
- 18 Geoffrey Mosoku, "Kenya: Riyadh Officials Deny Links to Al-Shabab," *AllAfrica*, August 1, 2011: <http://allafrica.com/stories/201108021489.html>
- 19 "Immigrant Admits Funneling Money to Terrorist Group in Somalia," *STLtoday.com*, November 4, 2011: <http://www.vikispot.com/page/5168237/immigrant-admits-funneling-mon>
- 20 Ali, "The Al-Shabaab Al-Mujahidiin."
- 21 "Why Blockading Kismayo Will Not Weaken Shabab Financially," *Inside the Insurgency*, October 31, 2011: <http://insidetheinsurgency.wordpress.com/2011/10/31/why-blockading-kismayo-will-not-weaken-shabab-financially/>
- 22 MHD, "Life in Kismayo under Shabaab Rule: Shabaab Mobilizing for Defense of Kismayo," *Somalia Report*, February 12, 2012: <http://www.somaliareport.com/index.php/post/2770>
- 23 Khat, a plant native to the Horn of Africa and the Arabian Peninsula, is very popular throughout the Gulf states and North Africa as a traditional stimulant, and is often enjoyed in social groups the way Westerners drink coffee. Al Shabaab heavily taxes its sale.
- 24 Lauren Ploch, "Countering Terrorism in East Africa: The U.S. Response," Congressional Research Service Report, November 3, 2010, 21: <https://www.hsdl.org/?view&doc=133814&coll=limited>
- 25 John Ngirachu, "Al Shabaab Militia's Tight Grip on 'Desert' Charcoal Trade," *allAfrica*, November 13, 2011: <http://allafrica.com/stories/201111140919.html>
- 26 H.S. Puri, "Letter dated 18 July 2011 from the Chairman of the Security Council Committee pursuant to Resolutions 751 (1992) and 1907 (2009) concerning Somalia and Eritrea addressed to the President of the Security Council, UN Security Council, July 18, 2011: <http://www.scribd.com/doc/61447283/July-UN-Report-of-the-Monitoring-Group-on-Somalia-and-Eritrea-PDF-Muigwithania-Com>
- 27 Mohamed Abdi, "Somalia's minister for agriculture accuses Alshabab for the farmers' low harvest," *Network Al Shabid*, March 24, 2010: <http://english.alshahid.net/archives/5426>
- 28 Tim Lister, "Fertile Territory for Al Shabaab in Chaos of Somalia," *CNN*, last updated February 23, 2012: http://edition.cnn.com/2011/11/01/world/africa/al-shabaab-guide/index.html?hpt=hp_c2
- 29 Abdulkadir Abdiraham, "Teenage Al-Shabaab Soldiers in Training," *Demotix News*, October 29, 2010: <http://www.demotix.com/news/495081/teenage-al-shabaab-soldiers-training>
- 30 Ngirachu, "Al Shabaab Militia's Tight Grip."
- 31 Ibid.
- 32 "The Saga of MV Iceberg: One Ship, Three Different Stories," *Somalia Report*, July 26, 2012: <http://www.somaliareport.com/index.php/topic/63/>
- 33 Sarah Childress, "Somali Militants Try Piracy to Fund Attacks," *The Wall Street Journal/Africa* website, September 10, 2010: <http://online.wsj.com/article/SB10001424052748703720004575477491009472882.html>
- 34 Ibid.
- 35 Vilko, "Al-Shabaab: From External Support to Internal Extraction," 21.
- 36 Animesh Roul, "Lashkar-e-Taiba's Financial Network Targets India from the Gulf States," *Terrorism Monitor*, vol. 7, no. 19 (July 2, 2009): 8, retrieved from *The Jamestown Foundation* website: [http://www.jamestown.org/programs/gta/single?tx_ttnews\[tt_news\]=35221&tx_ttnews\[backPid\]=412&no_cache=1](http://www.jamestown.org/programs/gta/single?tx_ttnews[tt_news]=35221&tx_ttnews[backPid]=412&no_cache=1)
- 37 Laura Yuen, "'Hawalas' Provide Lifeline to Impoverished Somalis," *MPR News*, April 29, 2009: http://minnesota.publicradio.org/display/web/2009/04/09/moneytransfer_folo/
- 38 "Special report: In Africa, a militant group's growing appeal," *Reuters*, May 30, 2012: <http://www.reuters.com/article/2012/05/30/us-shabaab-east-africa-idUSBRE84T0NI20120530>
- 39 Vilko, "Al-Shabaab: From External Support to Internal Extraction," 10.
- 40 Ibid.
- 41 Bedah Mengo, "Eastleigh Estate Nairobi has become Somali business hub," *Hiiraan Online*, March 13, 2011: http://www.hiiraan.com/news2/2011/mar/eastleigh_estate_nairobi_has_become_somali_business_hub.aspx; and Parselelo Kantai, "Inside Garissa Lodge, Nairobi's Somali Trading Hub," *The Africa Report*, January 31, 2011: <http://www.theafricareport.com/index.php/east-horn-africa/inside-garissa-lodge-nairobi-s-somali-trading-hub-5136196.html>

Parole for Guantánamo Releasees: Revisiting a Time-tested Concept

That was a way of putting it—not very satisfactory...
 Leaving one still with the intolerable wrestle
 With words and meanings.
 —T.S. Eliot¹

LTC Erich Wagner, USMCR

SINCE THE UNITED STATES BEGAN ITS FIGHT AGAINST GLOBAL JIHADISTS more than ten years ago, the U.S. government has struggled to find the right term to describe those fighters who take up *jihadist* activities after their release from the detention camp at the U.S. Naval Station in Guantánamo Bay, Cuba. In recent years, released prisoners who return to battle have been described as “recidivist,” “returning to the battlefield,” “reengaging,” “returning to the fight,” and “returning to militant activities.”² The terms, while similar, are not equivalent, nor are they appropriate for the former prisoners. As Mark Twain once noted, “The difference between the right word and the almost right word is the difference between lightning and a lightning bug.”

Part of the difficulty rests with the conditions under which prisoners were first detained and brought to Guantánamo Bay, and the terms under which they were subsequently released. This article begins with a discussion of how the terms we use for those former Guantanamo prisoners affect not only how we perceive them, but also their legal status once they leave U.S. custody. It then looks at the concept of parole for prisoners of war in both the Islamic tradition and in the Geneva Conventions, and concludes by arguing for the establishment of a systematic parole procedure that confers the correct legal status on these released prisoners under the International Laws of Armed Conflict (LOAC).³

Status Under the Law

In most systems of law, rights, responsibilities, and due process depend to a large degree on definitions of status. The terms we choose to define the status of former prisoners of war (POWs) therefore have a direct bearing on their standing before the law, and on how we may legally deal with them if they are recaptured. The legal gap between a paroled fighter who is recaptured after returning to the battlefield and the re-arrest of a common criminal who offends again is vast, so to call both of them “recidivists,” as some U.S. officials have done, is to ignore the implications of the recaptured fighter’s status under the LOAC. It is difficult to find any crime in the criminal justice system that is analogous to a fighter being taken prisoner in the course of armed conflict.

“Recidivist” ignores the recaptured fighter’s status under the LOAC.

The George W. Bush administration (2001–2009) was adamant that prisoners from Afghanistan and al Qaeda do not meet the criteria to be classified as legal combatants according to the laws of war. Bush was, nevertheless, very careful to make sure that while such prisoners did not merit the *rights* of POWs, they would, for humanitarian reasons, be offered the same *treatment* as POWs under the 1949 Geneva Convention (known as the Third Geneva Convention).⁴ The correctness of this determination is beyond the scope of this article; its adoption, however, has a direct bearing on the detainees' status both as prisoners and subsequently, after they are released.

According to the U.S. Department of Defense (DoD), 779 individuals have been held at Guantánamo since January 2002. The most recent U.S. government report (January 2012) says that 600 have left the facility, eight died while in custody, and 171 remain. Of the 600 released prisoners, 27 percent (161 individuals) were confirmed or suspected by the U.S. government to have engaged in terrorist or insurgent activities post-release.⁵ To term these 161 individuals “recidivists,” as U.S. officials and the press frequently do, is a misnomer that demilitarizes the context of their action and diminishes the gravity of their LOAC violation. It appears to classify the action of retaking arms in violation of an oath not to do so as a civil crime, vice a crime against international law and the acknowledged customs of war, and potentially diminishes the scope of legal retaliation if they are recaptured.

Wartime Parole

The practice of wartime parole has been documented by international scholars to date back at least as far as the Punic Wars between Rome and Carthage (264–146 B.C.).⁶ Parole is “an engagement by a prisoner of war, upon being set at liberty, that he will not again take up arms against the government by whose forces he was captured, either for a limited period or while hostilities continue.”⁷ The U.S. DoD defines parole more broadly: “Parole agreements are promises given the captor by a POW to fulfill stated conditions, such as not to bear arms or not to escape, in consideration of special privileges, such as release from captivity or lessened restraint.”⁸

The [parole] system is only as effective as the individual's honor.

Since its inception, parole violation has always been a problem for the detaining power, which often resorted to execution of the recaptured transgressor.⁹ The system is only as effective as the individual's honor, or his state's enforcement of the cartel; therefore, violators have been treated with severity. Until the Hague Rules of Land Warfare were codified in 1899, no written international convention covered warfare for the European continent. Both these rules and the unratified Brussels Declaration on Laws and Customs of War (1874) treated parole violation with draconian harshness, stating that violators forfeited all rights as POWs. Article 12 of the Hague Regulations attached a sort of *capitis deminutio* to any breach of parole: anyone who broke his parole forfeited the right to be treated as a POW, and therefore, if recaptured, had the status of an outlaw.¹⁰ Under Article 134 of the U.S. Uniform Code of Military Justice, POWs may be tried for a violation of parole, subject to a maximum punishment of confinement at hard labor for six months.¹¹

Article 21 of the Third Geneva Convention lays out specific rights and responsibilities for both the “Detaining Power,” the country that imprisoned the enemy combatant, and the prisoner. Specifically:

The Detaining Power may not ... offer release on parole to prisoners of war if the laws and regulations of the Power on which they depend [i.e., the country they serve at the time of capture] forbid them to accept ... [or] only to the extent [that such laws and regulations allow] and subject to the conditions specified therein.¹²

Article 21 stringently forbids the captor from offering these or soldiers like them a choice they cannot legally accept. For instance, the U.S. and U.K. militaries prohibit their own soldiers who become POWs from accepting parole from the enemy if captured. The official commentary on Article 21 notes, “The Detaining Power is in a way responsible for the application of these laws and regulations, and is not allowed to make any proposals ... which would be inconsistent with [them].”¹³

Furthermore, Article 21 forbids the “Detaining Power” from coercing or compelling a prisoner to accept liberty in return for promises. A prisoner who is offered the choice between internment or parole “is faced with a problem of conscience which he must be absolutely free to solve. A person who gives his parole *gives a personal undertaking on his honor for which he is in the first place responsible to himself*.”¹⁴ [Emphasis added.] Prisoners who do legally accept parole, however, “are bound on their personal honor scrupulously to fulfill ... [the terms] of their paroles and promises.” Nor can the “Power on which they depend” legally require or accept service from parolees that violates the terms of their parole.¹⁵

A decline in the practice of offering parole to POWs during the 20th century led directly to the current practice of holding captives until the “cessation of hostilities.” World War I saw very limited use of parole, both because the warring Powers had the logistical and physical capacity to hold large numbers of POWs, and because serial violations of parole early in the conflict had undermined its value.¹⁶ While the Geneva Convention of 1929 mentions parole only twice, and only with regard to notification of prisoner status, the belligerents of World War II made some use of it. At the end of World War II, millions of German captives deemed to pose no further threat were paroled to alleviate overcrowding in Allied prisons, and to reduce the cost of incarcerating and feeding them. As a result, the post-war Powers modified the Geneva Conventions to include parole. The Korean War, the Vietnam conflict, and the first Persian Gulf War (1990–1991), however, all saw only limited utilization of this practice.¹⁷

The current war against jihadism presents a unique legal conundrum for the United States.

The Current Situation

Asymmetric warfare and non-state combatants have been a persistent aspect of conflict throughout history, and there have been far more of these “small wars,” even in the modern era, than conventional state-on-state conflicts.

Nevertheless, the current war against jihadism presents a unique legal conundrum for the United States. Unlike previous conventional fights, where it could be assumed that the defeat of one side would bring an end to hostilities, the conflicts the United States now finds itself in—the so-called “long wars”—have no such obvious end, and the enemies who have been captured are not fighting on behalf of a nation-state. To use the phrase of the Geneva Convention, they have no “Power on which they depend.” If members of al Qaeda or other terrorist networks are not considered legal combatants, what are the terms on which they should be released from custody?

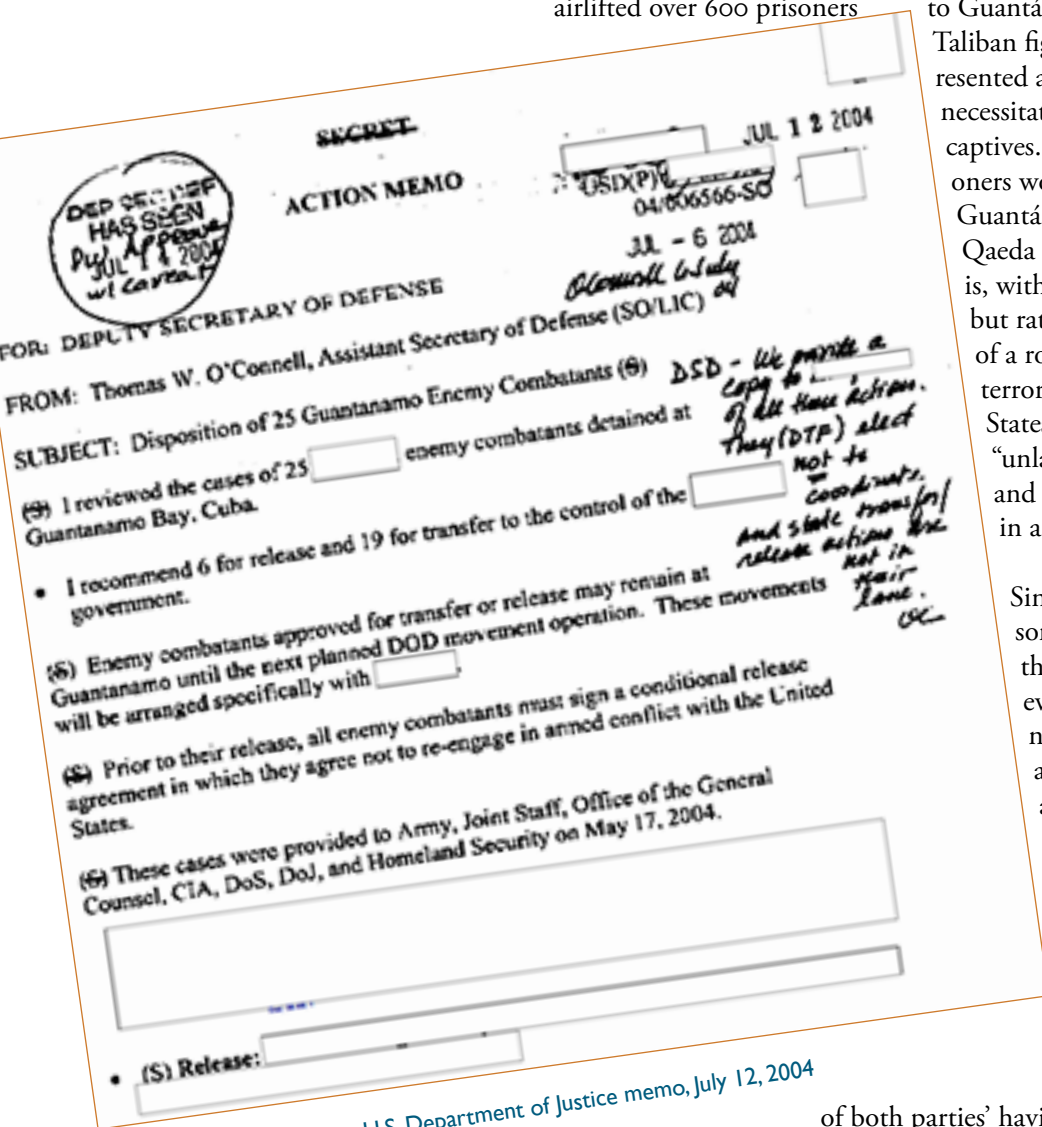
On January 11, 2002, the Bush administration shipped its first prisoners from Afghanistan to Camp X-Ray at Guantánamo Bay, Cuba. In the first three months of 2002, the year operations began in Afghanistan, American forces airlifted over 600 prisoners

to Guantánamo for long-term detention. Taliban fighters, who had at one time represented a now-defunct state government, necessitated a further definition of enemy captives. It was decided that Taliban prisoners would face prolonged captivity at Guantánamo in a status akin to those al Qaeda members they had harbored, that is, without legal combatant POW status, but rather as unlawful combatants of a rogue regime that had harbored terrorists.¹⁸ Ten years later, the United States is still holding many of these “unlawful combatants,” while lawyers and politicians argue over their future in a fight without a foreseeable end.

Since most of them are not sponsored by a nation-state to which they owe their allegiance,¹⁹ however, any pledge per Article 21, not to reengage in hostilities against the United States and its allies after release, relies almost entirely on their personal sense of honor.²⁰ When contemplating the applicability of parole for Guantánamo detainees, Kenneth Anderson, a professor of law at the American University’s Washington College, acknowledged the importance

of both parties’ having a “shared view as to the legitimacy of parole as a practice with its own norms of conduct, and above all an obligation not to return to the fight.”²¹

But is this a realistic expectation? As one ethicist put it, do terrorists share a “common universe of meaning” with non-terrorist actors?²² It is difficult for



U.S. Department of Justice memo, July 12, 2004

some to imagine how the term “personal honor” could apply to anyone who has been captured fighting with the Taliban or al Qaeda, or any other organization that routinely violates accepted laws of warfare. That being said, when discussing Muslim parole-breakers in the current war, it would be worthwhile to consider Islamic legal views on the subject.

Muslims first codified the rules of warfare based on the Qur’an,²³ and Islamic *shari’a* law, which is based on interpretations of the Qur’an, regulates the international relations of many Muslim states.²⁴ In this conception, the law of war applies as “soon as weapons have been used and armed forces have been deployed, even in the absence of a declaration of war.”²⁵ Similarly, Islamic law does not distinguish between inter-state and non-state armed conflicts, primarily because when *shari’a* law came into being, between the seventh and tenth centuries A.D., the notion of nation states was undefined.²⁶ Accordingly, “the Islamic concept of humanitarian law [*shari’a*], ‘based on an unlimited belief in Divine Authority,’ is applicable everywhere and in all circumstances.”²⁷

According to many Muslim scholars, “a POW is considered a guest, rather than a captive whose fate is enslavement. Similar to the principles of the Geneva Conventions, captives or POWs are deemed to be in the hands of the Muslim Power, but not of the individuals or military units that captured them.”²⁸ The Qur’an, the *Hadith*,²⁹ the *Sunna* (Prophetic traditions), and the four schools of Islamic jurisprudence (*fiqh*) provide extensive instructions regarding the subject of POWs and when/if they should be taken.³⁰ If a Muslim prisoner gives a pledge not to escape, for instance, he must faithfully observe his promise.³¹ If a prisoner is released conditionally, i.e., paroled, the releasee must abide by the conditions set by his captors and agreed upon by his acceptance of release. If a paroled prisoner of war is recaptured he faces punishment, usually capital. According to Islamic rules, a POW who has escaped his captors and is re-captured should not be punished, except insofar as it might constitute a “breach of parole.”³² In at least two instances, the Prophet Muhammad himself is known to have executed parole violators.³³

“The Afghans expect soldiers who have surrendered to behave honorably.”

American soldiers who first arrived in Afghanistan in late 2001 noted that, “The Afghans, in keeping with their custom, expect soldiers who have surrendered to abide by the conditions of their surrender agreement and to behave honorably.”³⁴ Muslim nations have almost universally adopted the Third Geneva Convention, including the 1977 protocols, and Islamic law and regulations on the parole of POWs appear to be compatible with Article 21 of the Convention.³⁵ Islamic scholar Muhammad Abdel Haleem infers from his study of Islamic holy texts and jurisprudence that, “in the sphere of war and peace, there is nothing in the *Qur’an* or *Hadith* which should cause Muslims to feel unable to sign and act according to the modern international conventions.”³⁶

The Way Forward

Almost a decade after the first detainees were sent to the prison at Guantánamo Bay, and three years after President Barack Obama promised to close

the prison, 171 of Guantánamo's prisoners remain in custody.³⁷ As mentioned previously, just over a quarter of the 600 former detainees who have left the detention facility are confirmed or suspected to have re-engaged in “terrorist or insurgent activities” against U.S. or allied forces and civilians.³⁸ The span of time between when a detainee leaves Guantánamo and the U.S. intelligence community first learns that he has reengaged in terrorist or insurgent activities is, on average, 2.5 years.³⁹ There are several reasons to suppose that re-engagement rates will increase in the future.

Detainees who leave Guantánamo are like “rock stars” in the *jihadist* community.

1. Of the 600 detainees known to have been transferred out of Guantánamo since 2002, at least 179 were listed in the high-risk category.⁴⁰ Those who remain in custody generally are more senior members of *jihadist* organizations, who have been in custody longest and have the most evidence against them. They have the highest likelihood of taking senior positions should they be released.
2. Previously released prisoners have had time to reconnect with their organizations, reintegrate into terrorist networks, and get back in the fight. Those in rehabilitation programs in places like Saudi Arabia will continue to be released. Also, with more time, more reports of recaptured prisoners will come in, which is one reason the number of reactivated fighters will rise even as the number of released prisoners decreases.
3. U.S. officials acknowledge that detainees who leave Guantánamo are like “rock stars” in the *jihadist* community.⁴¹ It is likely that these former prisoners are viewed as a force multiplier by terrorist organizations, and quickly pulled back into the organization.
4. Some governments are proving unwilling or unable to mitigate the risks posed by prisoners released into their custody. In some instances, *jihadis* have been set free despite assurances from their governments that they would remain incarcerated.

This raises one of the central questions of this discussion. Given that unlawful combatants (al Qaeda, Taliban, etc.) do not qualify for combatant immunity or legal status, are they still entitled to *consideration* for parole under the LOAC? POWs are never “entitled” to parole; it is an act based on perceived benefit for the detaining power (for instance, to alleviate overcrowding or exchange prisoners), or for reasons related to the health of the detained as per the Geneva Convention Relative to the Treatment of Prisoners of War. This does not mean, however, that they can never be granted privileges or rights that pertain to lawful combatants. It is useful to think of the Geneva Conventions as a “floor” of rights for POWs, beneath which the detaining power cannot go; that same power, however, can always bestow additional rights at its discretion.

Some who refused to sign [a parole] were nevertheless released.

In 2004 the Bush administration created the Administrative Review Board (ARB) process for Guantánamo detainees, where each individual's case is reviewed annually. There is no precedent for such boards, nor are they required by international law, the Geneva Conventions, or Army regulations governing retained personnel.⁴² “ARBs were created to have a formalized, documented and institutionalized process” for detainee transfers and release evaluations, as a means to correct deficiencies in the previous review system.⁴³

The ARB recommends for each detainee either continued detention for another year, release (parole), or transfer.⁴⁴ Those recommended for parole are asked to sign an agreement not to associate with al Qaeda or the Taliban, or “engage in, assist, or conspire” with terrorists or terrorism or combat U.S. or allied forces.⁴⁵ A DoD memo from July 2004 regarding the release of 25 Guantánamo detainees states, “all enemy combatants must sign a conditional release agreement in which they agree not to reengage in armed conflict with the United States.”⁴⁶ This practice does not seem always to be enforced by the releasing U.S. authorities, however, and some who refused to sign were nevertheless released.⁴⁷

What is more, the language in the parole agreement used by the DoD does not require the detainee to forfeit anything if he is recaptured. He is no worse off for having violated his promise, and will simply end up back in Guantánamo (or another facility) as before. This is hardly a disincentive for re-engaging in hostilities against U.S. or coalition forces.⁴⁸

If the United States plans to continue its current practice of “paroling” detainees on terms of an oath, it should follow the letter and spirit of Article 21 of the Third Geneva Convention. The parole documents should have teeth. “The specifications of the parole can be whatever is necessary to accomplish the purpose of excluding the paroled detainee from having any involvement in the conflict,” suggests a recent law review article.⁴⁹ Given the fact that these detainees are not entitled to lawful combatant status in the first place, making clear that any subsequent detention would be less accommodating than the one they are in the process of leaving seems rational and reasonable. Equally important, it also reinforces the intrinsic value of the parole regime *per se* for the future. “A society would fail in this duty if it simply chose not to hold POWs accountable for future acts and then detained them as unaccountable agents, when it *could* hold them accountable and release them,” writes Alec D. Walen on the rationality of paroling Guantánamo detainees.⁵⁰ Holding parolees to their oaths both gives those who wish to leave the fight a plausible reason to do so, and provides the state to which the oath was sworn grounds for re-arrest without waiting for a violent act to occur, if there is evidence the parolee has returned to the fight.⁵¹

Since these fighters already violated the laws of war by not comporting to the legal criteria of combatants, their compliance “with a grant of parole relies on personal honor to a large degree.”⁵² The concept of parole exists within *shari’a* laws of war, but some released prisoners will actively deceive their captors in order to gain release. The Danish Guantánamo detainee Slimane Hadj Abderrahmane openly mocked the document he was required to sign on his conditional release: “They can use it [the pledge] as toilet paper over there in the United States.”⁵³ The Danish government was forced to seize his passport when he attempted to travel to Chechnya to resume *jihad*.

Perhaps the United States should reexamine General Winfield Scott’s precedent during the Mexican-American War (1846–1848) of emphasizing religious authority in the parole process. Future *salafists* to be released from Guantánamo Bay could be made to take a detailed oath “not to reengage” from an Islamic *imam* in order to help impart the gravity of the act they are

Administration of the oath by an imam was “one of the most interesting ideas I’ve heard.”

about to accept. This *imam* should explicitly instruct the prisoner on the renowned 13th century theologian Ahmed Ibn Taymiyyah's fatwas, or religious edicts, governing oaths.⁵⁴ In his collection of *fatwas*, Ibn Taymiyyah states that all conditions agreed to in any contract between Muslim parties (so long as that particular condition does not violate a clear obligation of faith) is religiously binding. A condition of release should be a firm understanding that if a parolee is ever caught in the commission of hostile acts against the United States or its allies, the recaptured offender will be subject to a tribunal according to military law and the international law of armed conflict. While skeptical that an oath administered by a Muslim cleric would make much of a difference with some detainees, one staff judge advocate felt the administration of the oath by an *imam* was "one of the most interesting ideas I've heard, particularly because it reflects the reality that the states accepting parolees have governments which are intertwined with Islam."⁵⁵

On this topic, documents recovered at Osama bin Laden's home after he was killed in 2011 reveal an increasingly legalistic interpretation from bin Laden on oath-breaking under *shari'a*. Faisal Shahzad, a naturalized U.S. citizen from Pakistan who tried to detonate a car bomb in New York's Times Square in May 2010, drew a surprising rebuke from bin Laden. According to one analyst, "it was not the prospect of civilian deaths that upset Bin Laden, but rather the fact that Shahzad had planned the act after swearing a loyalty oath to the United States as a newly naturalized citizen."⁵⁶

Bin Laden wrote:

You have perhaps followed the media trial of brother Faisal Shahzad, may God release him, during which the brother was asked to explain his attack [against the United States] in view of having taken an oath [not to harm it] when he was awarded his American citizenship. He responded that he lied ... [The lie] amounts to betrayal (*ghadr*) and does not fall under permissible lying to the enemy [during times of war] ... [We must therefore act swiftly] to remove the suspicion that *jihadis* violate their oath and engage in *ghadr*.⁵⁷

Categorizing a released Guantánamo detainee who has signed an agreement not to re-engage in hostilities as "paroled" is the most accurate choice of label, and it should be used to describe those who end up reengaging coalition forces. *All* detainees to be released should be made to sign a non-reengagement oath, or they should not be released. Continuing to utilize the term "recidivist" to identify those who reengage in hostile activities against the United States and her allies only perpetuates a false concept of who they are and the gravity of their actions. The Obama administration already refers to the ARB as a "parole board." It is high time this designation was made official, and those who are released from Guantánamo called parolees. Released prisoners who reengage against the United States or our allies must be identified as the parole violators they are, and judged according to the laws of war if recaptured. This suggestion offers an alternate method of conceptualizing the case of the Guantánamo detainees. It would make sense to start now, with the 171 Guantánamo prisoners who remain in custody. ❖

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NOTES

- 1 T.S. Eliot, *The Four Quartets: East Coker II* (London: Faber and Faber, 1944), 26.
- 2 Mark Denbeaux, et al., "Revisionist Recidivism: An Analysis of the Government's Representations of Alleged Recidivism of the Guantánamo Detainees," June 5, 2009: http://law.shu.edu/ProgramsCenters/PublicIntGovServ/CSJ/upload/GTMO_Final_Final_Recidivist_6-5-09-3.pdf
- 3 The law of war (also referred to as the Law of Armed Conflict) consists of a combination of customary and conventional international laws and is grounded in Western interpretations of the concepts of justness, necessity, proportionality, and chivalry. Its current version, codified in the Geneva Conventions of 1949, is a uniquely Western construct that has evolved over time in response to changing environments and watershed geo-political events.
- 4 See Joseph P. Bialke, "Al-Qaeda & Taliban Unlawful Combatant Detainees, Unlawful Belligerency and the International Laws Of Armed Conflict," *Air Force Law Review*, vol. 55 (Spring 2004): 4, and note 5.
- 5 "Leaving Guantanamo: Policies, Pressures, and Detainees Returning to the Fight," Subcommittee on Oversight and Investigations, House Armed Services Committee Print 112-4, January 2012: www.hsdl.org/?view&did=699744
- 6 Reginald Bosworth Smith, *Rome and Carthage: The Punic Wars*, (New York: Charles Scribner's Sons, 1896), 71. See also Howard S. Levie, *Prisoners of War in International Armed Conflict* (Newport: Naval War College Press, 1977), 59, available through: www.lexis.com
- 7 Henry Campbell Black, *Black's Law Dictionary*, 6th edition (St. Paul: West Publishing Co., 1990), 1116.
- 8 "Training and Education Measures Necessary to Support the Code of Conduct," U.S. Department of Defense Directive 1300.7, encl. 2, para. B(3)(a)(5), December 23, 1988.
- 9 William Bradford, "Barbarians at the Gates: A Post-September 11th Proposal to Rationalize the Laws of War," *Mississippi Law Journal*, Winter 2004: 43–44.
- 10 Commentary on [Third Geneva] Convention relative to the Treatment of Prisoners of War, Geneva, August 12, 1949, paragraph 3, 181.
- 11 Manual for Courts-Martial, 1951, para. 12 7 (c).
- 12 Commentary on [Third Geneva] Convention, paragraph 2, 178.
- 13 Ibid.
- 14 Ibid.
- 15 Ibid., paragraph 3, 181.
- 16 Bradford, "Barbarians at the Gates," 44.
- 17 George Lewis, John Mewha, Martin Miller, and John Beeler, *History of Prisoner of War Utilization by the United States Army, 1776-1945* (Washington D.C.: Department of the Army, 1955), 47.
- 18 See, for example, "[Draft] Memorandum from John Yoo, Deputy Assistant Atty Gen., for William J. Haynes II, Gen. Counsel, Dep't of Def. (Jan. 9, 2002):" <http://www.slate.com/features/whatistorture/pdfs/020109.pdf>. See also Tom Farer, *Confronting Global Terrorism And American Neo-Conservatism* (Oxford: Oxford University Press, 2008), 90–95; and Eric Jensen, "The Laws of War: Past, Present, and Future: Combatant Status: It Is Time for Intermediate Levels of Recognition for Partial Compliance," *Virginia Journal of International Law*, vol. 46 (Fall 2005): 1–45.
- 19 Al Qaeda, *hostes humani generis*, are not soldiers of any state; al Qaeda leaders and followers do not pledge allegiance to any state, nor do they serve under any national flag. See Bialke, "Al-Qaeda & Taliban," 12.
- 20 It is interesting to note that the British and the French did, in times past, occasionally strip their own officers who had violated parole of their commissions, or even send them back to the enemy. See Gary D. Brown, "Prisoner Of War Parole: Ancient Concept, Modern Utility," *Military Law Review*, vol. 156 (1998), 211; and Geoffrey Best, *Humanity in Warfare* (New York: Columbia University Press, 1980), 81.
- 21 Kenneth Anderson, "Book Review: Prisoners in War," *Lawfareblog.com*, November 28, 2011: www.lawfareblog.com/2011/11/prisoners-in-war/
- 22 Friederich Kratochwil, "Norms and Values: Rethinking the Domestic Analogy," *Ethics in International Affairs*, vol. 1 (1987): 135, 139.
- 23 Scott R. Morris, "The Laws of War: Rules by Warriors for Warriors," *The Army Lawyer*, December 1997: www.au.af.mil/au/awc/awcgate/law/rules_by_warriors.pdf, citing R.C. Algase, "Protection of Civilian Lives in Warfare: A Comparison Between Islamic Law and Modern International Law Concerning the Conduct of Hostilities," *Military Law and Law of War Review* (1977), 246.
- 24 Majid Khadduri, "Islam and the Modern Law of Nations," *American Journal of International Law*, vol. 50 (1956): 358–359.
- 25 Ray Murphy and Mohamed M. El Zeidy, "Prisoners of War: A Comparative Study of the Principles of International Humanitarian Law and the Islamic Law of War," *International Criminal Law Review*, vol. 9, no. 4 (October 2009): 639.

- 26 Said El-Dakkak, "International Humanitarian Law Lies Between the Islamic Concept and Positive International Law," *International Review of the Red Cross*, vol. 101 (1990):103–104; as quoted in Murphy and El Zeidy, "Prisoners of War," 640.
- 27 El-Dakkak, "International Humanitarian Law," 103-104.
- 28 Murphy and El Zeidy, "Prisoners of War," 640.
- 29 The *Hadith* is the second most important book in Islam. While it has much less to say about the laws of war, it rarely if ever contradicts the Qur'an. T.P. Schwartz-Barcott, *War, Terror & Peace in the Qur'an and in Islam: Insights for Military & Government Leaders* (Carlisle, Penn.: Army War College Foundation Press, 2004), 86.
- 30 Ibn Rushd, *The Distinguished Jurist's Primer*, vol. I (Garnet: Lebanon, 1994), 10.1.3.
- 31 Majid Khadduri, *War and Peace in the Law of Islam*, (Baltimore: Johns Hopkins University Press, 1955), 129.
- 32 Muhammad Hamidullah, *Muslim Conduct of State*, 6th edition (Lahor: Ashraf, 1973), 444–445.
- 33 One was Abu Azzah, released after the Battle of Badr (624 A.D.); see Benedetto Conforti, *The Italian Yearbook of International Law* 2004, volume 14 (The Netherlands: Martinus Nijhoff), 68. The other was Ibn Gharra, released after the Battle of Uhud (625 A.D.); see Hisham M. Ramadan, *Understanding Islamic Law: From Classical to Contemporary* (Lanham, Maryland: AltaMira, 2006), 85.
- 34 "The Liberation of Mazar-e Sharif: 5th SF Group Conducts UW in Afghanistan," *Special Warfare*, vol. 15, no. 2 (June 2002): 38.
- 35 Murphy and El Zeidy, "Prisoners of War," 646.
- 36 Muhammad Abdel Haleem, *Understanding The Qur'an: Themes and Style* (London: I.B. Taurus, 1999), 69.
- 37 House Armed Services Committee, "Leaving Guantanamo:" 38.
- 38 "Summary of the Reengagement of Detainees Formerly Held at Guantanamo Bay, Cuba," Office of the Director of National Intelligence, Washington, D.C., December 2010.
- 39 Ibid.
- 40 *New York Times* Guantanamo Docket: <http://projects.nytimes.com/guantanamo/>
- 41 Catherine Herridge, "Gitmo Repeat Offender Rate Continues to Rise," *FoxNews.com*, December 8, 2010.
- 42 Kyndra Miller Rotunda, *Honor Bound: Inside the Guantanamo Trials* (Durham: Caroline Academic Press, 2008), 138-139.
- 43 House Armed Services Committee, "Leaving Guantanamo:" 38.
- 44 "Order; Subject: Administrative Review Procedures for Enemy Combatants in the Control of the Department of Defense at Guantanamo Bay Naval Base Cuba," Office of the Deputy Secretary of Defense, Washington, D.C., May 11, 2004: www.defense.gov/news/May2004/d20040518gtmoreview.pdf
- 45 House Armed Services Committee, "Leaving Guantanamo:" 21-22. Similarly, a 2008 human rights report from the University of California, Berkeley, reports that within a day of departure, each detainee was told to sign a "release agreement" stating that "[the individual] was detained as an enemy combatant during such armed conflict;" he would "not in any way affiliate himself with al Qaeda or its Taliban supporters;" and that if said individual "violated any of these conditions he agreed that he 'may again be detained.'" The agreement stated that failure to fulfill its promises could result in immediate detention "consistent with the law of armed conflict," but made no mention of liability to punitive sanctions. See *Associated Press v. United States Department of Defense*, August 22, 2006: <http://docs.justia.com/cases/federal/district-courts/new-york/nysdce/1:2005cv05468/269124/28/1.html>; and Laurel Fletcher, et al., *Guantánamo and Its Aftermath*, (Berkeley: Human Rights Center, 2008), 59–60.
- 46 Fletcher, et al., *Guantánamo and Its Aftermath*.
- 47 Ibid., 59–60.
- 48 For examples of these parole documents, see *ibid.*, 60; *Justicia Dockets and Filings*: <http://docs.justia.com/cases/federal/district-courts/new-york/nysdce/1:2005cv05468/269124/28/>; and *The Full Wiki*: http://www.thefullwiki.org/Guantánamo_Release_Agreement
- 49 Chris Jenks and Eric Jensen, "Indefinite Detention Under the Laws of War," *Stanford Law & Policy Review*, vol. 22 (2011): 152: <http://ssrn.com/abstract=1729221>
- 50 Alec D. Walen, "Crossing a Moral Line: Long-Term Preventive Detention in the War on Terror," *Philosophy and Public Policy Quarterly*, vol. 3/4 (October 15, 2008): 15-21: <http://ssrn.com/abstract=1489468>
- 51 Max Paul Friedman, "A Fair, Safe Way to Close Guantánamo," *Christian Science Monitor*, September 27, 2006, 9.
- 52 Jenks and Jensen, "Indefinite Detention," 14.
- 53 "Danish Detainee 'To Join Rebels,'" *BBC World News*, September 30, 2004; Lloyd de Vries, "7 Ex-Prisoners Allegedly Violated Pledge to Renounce Violence," *Associated Press*, October 17, 2004.
- 54 "If Ibn Taymiyyah's name is mentioned, there is no need to seek further evidence," is one criticism of Salafist thinking. See Hassan Hassan, "A Religious Basis for Violence Misreads Original Principles," *The National*, April 9, 2012.
- 55 Personal interview with Colonel James G. Bitzes, USAF, March 26, 2012. Hypothetically, it could also have a motivating effect on the family members who accepted formal responsibility for ensuring that former detainees would not participate in anti-state activities. See Anjum Herald Gill, "17 Ex-Guantanamo Prisoners Released," *Punjab Daily Times*, June 28, 2005.
- 56 Joby Warrick, "Bin Laden's Last Stand: In Final Months, Terrorist Leader Worried about His Legacy," *The Washington Post*, May 1, 2012.
- 57 This document is catalogued as SOCOM-2012-0000015, 7. Note that translations vary to some degree. One version is available at: <http://www.scribd.com/doc/92229022/SOCOM-2012-0000015-Trans>

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<http://docs.justia.com/cases/federal/district-courts/new-york/nysdce/1:2005cv05468/269124/28/>

Teenage Spy: Infiltrating the Irish Republican Army

THE ABILITY TO INFILTRATE A GROUP IN ORDER TO OBTAIN TACTICAL INTELLIGENCE is a critical weapon against terrorist organizations. Open-source literature on human intelligence does not provide many examples of terrorist infiltration, but a notable exception is the story of Martin McGartland, who successfully infiltrated the Provisional Irish Republican Army (PIRA) as a teenager while he was working for the British Special Branch. Recruited at the age of sixteen, McGartland ultimately helped save more than fifty lives and helped affect the outcome of the violence in Northern Ireland.

MAJ Gregory Mayer, PE, USAF

How does an intelligence agency recruit a spy to target terrorists, especially when discovery would carry deadly consequences? This article outlines the weapons of influence, the specific subconscious triggers that an intelligence service case officer can use to recruit an agent, and that will help persuade a new recruit to comply with requests.¹ These methods, developed long ago, can still be useful as counter-terrorism intelligence officers seek ways to influence, infiltrate, and undermine terrorist organizations.

Principles of Influence

A case officer can use six specific “triggers” to influence an agent’s decisions: reciprocity, commitment and consistency, liking, social proof, scarcity, and authority. These six triggers, or rules, which are briefly defined below, can be used to exploit the human tendency to use shortcuts in the decision-making process, rather than to weigh the consequences of every choice before reaching a decision.

The rule of reciprocity states that, “we should try to repay, in kind, what another person has provided us.”² All human societies appear to subscribe in some degree to this rule, which obligates a receiver to repay gifts, courtesies, invitations, and the like. The rule of reciprocity is so strong that a feeling of indebtedness will prompt many people to comply with a request they would normally decline; all that is required is a small gift or kindness to be bestowed before the request is made.³

A feeling of indebtedness will prompt many people to comply with a request they would normally decline.

The rule of consistency stems from the fact that all humans desire to be—and appear to others to be—consistent in their actions, even if the actions are detrimental to their best interests. Being consistent in action is a shortcut in place of having to think through every action. Consistency is used as a weapon of influence when it is paired with commitment: Once someone commits to a cause, that person naturally tends to shape his or her actions to be consistent with the commitment.⁴

The rule of liking notes that humans prefer to comply with the requests of individuals whom they like. Studies have shown that certain characteristics increase likability, and therefore the power to influence. These characteristics include physical attractiveness, similarity to the target, offering compliments, contact and cooperation, and association.⁵

The rule of social proof tells us that people tend to look at others for cues on how they should behave or react. This is especially true under conditions of unfamiliarity and uncertainty, or when someone observes others within a similar demographic behaving in a particular way.⁶

The rule of scarcity shows us that opportunities or possessions seem more valuable if they are limited in supply or duration. This rule is closely linked with the psychological reactance theory, which states that when items (freedoms, goods, services) become scarce, people desire those items significantly more than they did when the goods were readily available.⁷

Finally, the rule of authority dictates that humans have a tendency to obey people who are in charge. Symbols of power, such as titles, clothing, jewelry, or expensive vehicles, tend to reinforce the desire to obey, even in the absence of genuine authority.⁸

Recruitment into the Special Branch

The British Special Branch recruited Martin McGartland to be a spy in 1987. To understand the recruitment process, it is important first to have a clear picture of McGartland's environment, as well as the historical context of the Provisional Irish Republican Army at that time.

In 1969, three monumental events took place in Ireland. First, riots erupted in Belfast as pro-union loyalists (largely Protestant groups, who favored keeping Ireland under the direct rule of London) clashed with nationalist Catholics, burning entire Catholic neighborhoods to the ground. Second, the British sent Army troops into Northern Ireland to quell the unrest. Third, the Irish Republican movement, which advocated independence from the United Kingdom for Northern Ireland, fractured over the use of armed violence. One faction formed the PIRA to counter the sense of defenselessness shared by many minority Catholics in Northern Ireland. The PIRA believed that the British military presence demanded an armed response, and that the British people would not be able to sustain a long bombing and shooting campaign.⁹

This was the reality that Martin McGartland faced while growing up in Belfast: Protestant-controlled police and the British Army were fighting a war of attrition against the PIRA. His childhood Catholic neighborhood was in the heart of PIRA-controlled territory, and he grew up disliking all authority figures, whether they were the state security forces who invaded his neighborhood to search houses and arrest people, or the PIRA goons who administered harsh local justice to anyone they deemed out of line. By 1987, nearly 18,000 British troops were in Northern Ireland and the security situation

In Belfast, Protestant-controlled police and the British Army were fighting a war of attrition against the PIRA.

remained grim: 674 shootings, 236 bomb explosions, 148 bombs neutralized, 955 armed robberies, 1,130 people injured, and 95 people killed.¹⁰ That year Special Branch representatives approached 16-year old McGartland.

The Special Branch used reciprocation techniques right from the beginning of their effort to recruit the boy. His first interaction with the Special Branch occurred when a police officer walked up to him on the street and said he had a couple of mates who might be able to help McGartland pass his driving exam. All he had to do was take a taxi to within two miles of a Royal Ulster Constabulary base, then walk the rest of the way. The encounter intrigued McGartland, and he complied with the offer—a process that forced him to make a commitment to meet with the case agents because he had to expend quite a bit of effort just to have his first meeting.¹¹

Once he arrived at the police station, the Special Branch case officers identified themselves and reaffirmed that they could help McGartland get his driving license. In the meantime, they said, they needed his help to keep an eye on some troublemakers in his neighborhood. At this point, McGartland did not know he would be spying on PIRA members. If he was not interested, McGartland was told, he could go home and forget all about the offer (an instance of using the law of scarcity—act now or it won't be available later). McGartland agreed to meet the officers again, and at this second meeting they had him memorize a phone number, gave him a code name, and instructed him about how to contact them in the future—all actions that reinforced their authority over the situation. They also gave him £40, which was another use of the reciprocation rule.¹²

McGartland explains in his memoir how excited he was after this second meeting. He had £40 in his pocket and two new friends he felt he could trust. They had made him feel important. At this point, he had no idea what his contacts wanted him to do, but he knew they were important because they were Special Branch officers, not normal police. In fact, these Special Branch recruiters were successfully exploiting the rules of liking and authority.¹³

Only after their fourth meeting did the Special Branch officers finally ask McGartland to do anything, and by this point he was thoroughly committed. First, they told him he would be earning £400 per month while working for the Special Branch, which was very enticing for a young man who had been pulling in about £400 to £800 per month fencing stolen goods door-to-door in his neighborhood. These payments are another example of reciprocity. Next, they started showing McGartland photos of people they wanted him to be on the lookout for, and maps of where they lived. After looking for these people for several weeks, he finally spotted one and relayed the person's vehicle registration number back to the Special Branch. After providing information about several more men, McGartland finally was told by the Special Branch officers that he'd been spying on members of the PIRA. By the time he learned that information, McGartland was fully committed to being an agent for the Special Branch.¹⁴

These Special Branch recruiters were successfully exploiting the rules of liking and authority.

His faith in the PIRA was completely shattered ... when a PIRA bomb at the Eneskillin War Memorial killed 11 people and injured 63 others.

How the Relationship Changed over Time

The first major change in McGartland's behavior occurred late in 1987. He observed one of his targets standing on a lone corner, and something seemed out of place. The next night, he saw the man again in the same location and instinctively knew something nefarious was happening. McGartland seized the initiative and began to secretly watch the man. After a short while, he saw another well-known troublemaker arrive along a footpath to meet with the first man. McGartland called in the information to his handlers who praised him for the job he was doing. The next day, the Special Branch told McGartland that he had helped foil a PIRA plot to detonate a bomb along the path when it was used by police or Army foot patrols.¹⁵ This encounter displays an example of a commitment that has produced inner change. McGartland had made a commitment to the Special Branch to be a spy, and was now starting to take consistent action that aligned with his self-image of what a spy should do; he was going above and beyond what was initially asked of him.¹⁶

Up to this point, McGartland had supported the PIRA in taking a stand against the hardline Protestant paramilitary groups who were killing Republicans and Catholics. He did not like the PIRA punishment squads, however, who would strong-arm their own people and beat young troublemakers with metal clubs or shoot them in the kneecaps to enforce PIRA authority in the neighborhoods. His faith in the PIRA, however, was completely shattered on November 8, 1987, Remembrance Sunday, when a PIRA bomb at the Eneskillin War Memorial killed 11 people and injured 63 others, including women and children.¹⁷ In McGartland's own words, "That single bombing ended any doubts that I had experienced over my intelligence work and re-doubled my resolve to do everything possible to end the sectarian violence and save innocent people's lives."¹⁸

While not a formal member of the PIRA, he was making inroads, and the Special Branch was thrilled.

It appears that the Special Branch officers sensed McGartland's new resolve. Just three days after the Eneskillin bombing, they met with him for a serious discussion. Over dinner, they told him how impressed they were with his intelligence work and said they wanted him to do more. They asked him to start frequenting clubs that were known to be PIRA recruiting grounds, and to bolster his relationship with any childhood friends who had joined the PIRA. McGartland was hesitant, but he expressed a sense of obligation to comply because the Special Branch was paying him 400 pounds a month; he was firmly bound at this point by the rule of reciprocity.¹⁹

Shortly after taking on his new assignment, McGartland was hired by the PIRA to provide security for a construction site. While not a formal member of the PIRA, he was making inroads, and the Special Branch was thrilled. McGartland spent four more months identifying many PIRA members from the clubs, and then the Special Branch bought him a car worth £1,600. With this vehicle, McGartland started working as an unofficial taxi driver, and the PIRA began using him to transport punishment squads. At this point, the Special Branch rigged the car with a tracking device so they could pinpoint its location at any time. They also gave McGartland a special radio with a concealed device that he could use to notify his case officers when

he urgently needed to meet them. Finally, they arranged for McGartland to get his own flat so he wouldn't have to live with his mother. The new car, the high-tech spy gear, and the new apartment all contributed to the rule of authority for the Special Branch, and also served as significant contributions to the rule of reciprocity.²⁰

One day, a childhood friend of McGartland's asked him to come and meet Davy Adams, who was the cousin of Sinn Fein president Gerry Adams and a powerful PIRA leader in West Belfast. Adams was impressed that McGartland didn't mind taxiing PIRA members around in his vehicle, even when they had bomb-making materials. He formally asked McGartland to join the PIRA, and McGartland agreed. Adams placed McGartland in the PIRA intelligence wing and had him reconnoitering targets once or twice a week; he would scope out the house of a member of the police or Army whom the PIRA had targeted for execution, watch his movements, and look for vulnerabilities on how to kill the target, all the while informing the Special Branch about the potential targets. Eventually, McGartland was also recruited into a nine-man PIRA operational cell that would plan and execute assassinations and bombings—without much success since McGartland was foiling their operations.²¹

Because of his success in thwarting so many operations, McGartland eventually began to feel that his cellmates suspected him of being an informer. At one point, he was told that a planned bombing had been canceled, but his cell then completed the operation without his knowledge. From that moment, he knew that the PIRA suspected him of working with the Special Branch. In the end, a tasking coordination group comprising officers of the Special Air Service, MI5, Special Branch, and military intelligence acted on a piece of intelligence concerning upcoming operations that McGartland had passed to the Special Branch. This action finally exposed the young spy, since he was one of the very few members who knew of the planned operations and was already under suspicion within the PIRA.²²

From that moment, he knew that the PIRA suspected him.

A few days later, McGartland was detained by the PIRA and taken to a flat on the third floor of an apartment building to be interrogated. The Special Branch was watching, but had lost sight of McGartland when he was abducted so did not see which building he was taken into. They blanketed the area with security forces and helicopters to search for him, which scared his captors, who were waiting for the interrogation team. After being held, tied up, for seven hours in the apartment, McGartland asked to use the bathroom. When he came out of the bathroom, he hurled himself through a window to escape, falling three stories and sustaining massive injuries. When McGartland recovered from his injuries, the British placed him into protective custody, ending his four years as a Special Branch spy.²³

Effect of the Relationship on International Events

In 1997, a senior intelligence officer in London confirmed the worth of McGartland's work: "At least fifty men are still walking the streets of Northern Ireland today, thanks to the heroic work of Martin McGartland."²⁴ The work he performed was part of a broad and deep intelligence effort to infiltrate the

The work he performed was part of a broad and deep intelligence effort to infiltrate the PIRA.

PIRA, which had an enormous impact on the conflict in Northern Ireland. In the late 1970s, the PIRA had been forced to reorganize its command structure, moving away from a traditional hierarchy of brigades, battalions, and companies and placing new recruits into smaller, independent cells known as active service units. This reorganization was in direct response to both intelligence infiltration and the ability of the Royal Ulster Constabulary interrogation squads to break members who had been detained. The smaller service units would limit the number of people aware of ongoing operations, so if someone did break or a cell was infiltrated, the damage would be contained.²⁵

The change in organizational structure, however, still left the PIRA susceptible to infiltration. After Libya began supplying arms and explosives to the PIRA—an estimated 30 tons in 1985 and 1986—the security forces became very good at uncovering hidden arms caches. As the discoveries mounted, the PIRA undertook a long-term investigation to determine who was revealing the locations and movement of weapons. The group got an unexpected view of its susceptibility to infiltration when it learned that the man who for two years had held the post of quartermaster-general of the Belfast Brigade, and thus was responsible for all the city's weapons and explosives, had been a Royal Ulster Constabulary informer for more than eight years.²⁶

In the end, the massive intelligence infiltration campaign was one ingredient in a recipe that pressured the PIRA to come to the peace table. The true legacy of Martin McGartland is that he was able to save lives while also helping to impel the terrorist organization toward the peace process.

Conclusion

The story of Martin McGartland's infiltration raises numerous ethical questions related to recruiting a teenager to spy on a terrorist organization, which are outside the scope of this short article. The purpose here is to show how intelligence agencies can influence people to do dangerous work, even against their initial inclinations. A key factor in McGartland's recruitment was how his Special Branch handlers used specific triggers to entice him to comply with their requests. The triggers most commonly used were reciprocity, commitment and consistency, authority, and liking. In the beginning, the teenager's focus was on making some money and enjoying the thrill of working for the Special Branch, but eventually McGartland became fully committed to the new cause. At that point, his handlers were able to tap into his inner reasons for compliance: a desire to save innocent lives. McGartland admits in his memoirs that his case officer would reinforce his resolve whenever he had doubts by saying, "Remember, Marty, what you're doing. You're not simply saving a man's life, but the life of someone's father, someone's husband or someone's son. They will never know what you did for them. But you will know. When this is all over, you will realize the lives you saved by your courage."²⁷ This quote illustrates the ultimate lesson from this case study: real compliance comes from aligning inner desires with operational requirements.²⁸ ❖

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NOTES

- 1 Robert B. Cialdini, *Influence: The Psychology of Persuasion* (New York: William Morrow, 1993), 6–7.
- 2 Ibid., 17.
- 3 Ibid., 17–22.
- 4 Ibid., 59, 64, 67.
- 5 Ibid., 167, 173–76, 188.
- 6 Ibid., 116, 129, 140.
- 7 Ibid., 238, 245.
- 8 Ibid., 213, 221.
- 9 Brendan O'Brien, *The Long War: The IRA and Sinn Fein*, second edition (Syracuse, New York: Syracuse University Press, 1999), 20–21.
- 10 “Background Information on Northern Ireland Society—Security and Defence,” University of Ulster’s Conflict Archive on the Internet, last modified January 17, 2012: <http://cain.ulst.ac.uk/ni/security.htm>.
- 11 Martin McGartland, *Fifty Dead Men Walking* (Norwalk, Conn.: Hastings House, 1997), 51.
- 12 Ibid., 54–56.
- 13 Ibid., 57.
- 14 Ibid., 58–60.
- 15 Ibid., 61–63.
- 16 Cialdini, *Influence*, 97.
- 17 McGartland, *Fifty Dead Men Walking*, 65; O’Brien, *The Long War*, 142.
- 18 McGartland, *Fifty Dead Men Walking*, 67.
- 19 Ibid., 69–80.
- 20 Ibid., 80–81, 88–89, 92.
- 21 Ibid., 102–3, 105, 117, 130.
- 22 Ibid., 204–6, 216, 219.
- 23 Ibid., 229–34.
- 24 Ibid., vi.
- 25 O’Brien, *The Long War*, 109.
- 26 Ibid., 135, 150.
- 27 McGartland, *Fifty Dead Men Walking*, 166.
- 28 Randy Burkett, “NS3160 Human Intelligence Class Notes: Understanding Human Motivation,” April 12, 2012.

ETHICS AND INSIGHTS

The Hero Thing

George Lober

George Lober guides U.S. and international military students through the tricky terrain of ethics and critical thinking at the U.S. Naval Postgraduate School, Monterey, California.

SIX MONTHS AGO, IN RESPONSE TO A QUESTION, I STOOD BEFORE A CLASS OF forty American and international military officers and told them they were not all heroes. Interestingly, my remarks were not met immediately with protests and rejection. That may be because the students respected my opinion enough to at least listen and consider it, or it may be because a number of them agreed with me. Yet even as I expressed it, I knew that many of the fine men and women in service throughout the world did disagree with me. So, for the sake of discussion, here's my case.

First of all, merely putting on a uniform or a badge doesn't imbue anyone with heroic qualities. I wish it were that simple. I wish that every uniformed man and woman marching in every parade in every street in the world was automatically instilled with bravery, compassion, nobility of person, and impeccable moral judgment the minute they put that uniform on, or the minute they graduated from basic training. But experience and simple reason indicate that's not the case. Becoming a hero, I believe, is more complicated than that.

Second, virtually every military, law enforcement, and fire protection institution I can think of offers awards for heroic conduct by its members. But obviously, not everyone who serves in such institutions receives such an award. In fact, these institutions typically present their awards for heroic conduct to select individuals in recognition of extraordinary performance under extraordinary, usually life-threatening circumstances. I think, then, it's fair to suggest that when the institutions they belong to don't recognize everyone in uniform or behind a badge as a hero, maybe it's because they're not. Maybe most of them are decent, hard-working men and women, engaged in difficult jobs that demand self-sacrifice and dedication as they protect their societies. If so, they absolutely deserve all the gratitude, respect, and support their societies can extend. They just don't deserve—and I suspect most of them don't need or want—to be placed on a pedestal and worshipped as heroes.

Third, not everyone who joins the military does so with heroic intentions. Put another way, there are lots of reasons why someone may choose to join and serve in the armed forces: for the job security, the benefits, for the personal challenge, for the opportunity to test themselves; because the military is the best of possible alternatives, because they see no other choice; because they want to get away from home, to find themselves, to prove something to someone else, to spite someone else. All of these reasons seem to me understandable. These are the ordinary motivations of regular people, trying to cope. They are not necessarily the motivations of heroes seeking to put themselves in harm's way to protect others. Some of these regular people will certainly go on to do profoundly heroic things when the situation demands it of them, and then they will fully deserve to be honored as heroes. But not before.

I suspect most of them don't need or want ... to be worshipped as heroes.

Why am I telling you this? What does this have to do with ethics? I believe when a society indiscriminately labels everyone who serves to protect it a hero, it renders a profound moral disservice in three ways. It burdens those who serve with the responsibility of being a hero always. It places them on a superior moral plane, and then expects them to conduct every aspect of their lives in accordance with that superior standard. By automatically labeling them as heroes, we imply that they're somehow better than the rest of society, regardless of whether they see themselves that way. When they falter, they're often seen as disappointments, not only as individuals, but as representatives of their institution. We essentially put them up on a high moral shelf and keep them there. That's the first disservice.

The second disservice begins insidiously for some people. It's my observation that the need always to meet a higher moral standard can eventually cause powerful, contradictory, and unanticipated reactions in some military and law enforcement professionals. Some individuals who, throughout their careers, have taken justifiable pride in living under and meeting a higher ethical standard can, over time, develop a sense of disdain and disregard for the very societies they swore to protect. They can draw the conclusion that the society they serve is actually morally inferior in comparison to themselves and, therefore, not necessarily worthy of their full respect. Or, as one former U.S. officer put it, "How can we not think of ourselves as morally superior when society expects us to be and tells us we are?" That officer, I think, has a point.

The third disservice is simply this: when a society paintbrushes everyone who serves to protect it a hero, it indirectly denies those protectors their humanity and experiences. I once had a U.S. Navy SEAL tell me that combat is an orgy of hatred and violence. Yet even in such a dehumanizing environment, society often expects that "our heroes" will conduct themselves nobly and never commit un-heroic deeds. They will always be brave, noble, unshaken by the experience. Because they are heroes, they will not feel guilt for what they've seen or done, will not experience PTSD, or require treatment upon returning home. Rather, because they're heroes, they'll return home unchanged and resume their lives and duties as paragons of moral virtue.

What I am suggesting is that by labeling all those who serve and protect as heroes, a society conveniently distances itself from its protectors and, I believe, very often conveniently absolves itself of the real ethical responsibility of confronting the hard, frequently ugly truths of the sacrifices, horrors, and traumas that those who serve and protect have endured.

Do real heroes exist? Of course they do. I've met a couple: humble men of unparalleled bravery and virtue, who, in a terrible situation, managed to accomplish the valorous and extraordinary. But I've known a lot more men and women who are simply doing the very best they can to protect their society, sometimes at great personal cost to themselves and their families. And while they are not heroes, they deserve better than to be given the label, and then discreetly ignored once they return home, the parade ends, and the uniform comes off. ❖

"How can we not think of ourselves as morally superior when society tells us we are?"

When society paintbrushes everyone who serves a hero, it indirectly denies [them] their humanity and experiences.

THE MOVING IMAGE

Not Just a Russian *Platoon* in Afghanistan

Kalev Sepp

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9 Rota (Devyataya Rota) / 9th Company (Slovo, Art, CTC, UMG, I+I, MRP, 2005; dubbed in English)

WATCHING THIS STORY OF RUSSIAN INFANTRYMEN IN AFGHANISTAN IN 1988, veterans of the current war may sense they have shared not just the geography, but the same enemy, the same struggles, and the same ultimately unattainable objective.

A joint Russian-Finnish-Ukrainian production, *9th Company* carries the familiar Hollywood war movie tag, “based on actual events.” Indeed, there was a 9th Company, part of the 345th Guards Airborne Regiment, which fought in most of the major battles of the Soviet-Afghan War. During the initial invasion in 1979, it was the 9th Company that stormed President Hafizullah Amin’s palace in Kabul. The soldiers’ optimistic view that the Afghan campaign would be over in a few weeks was mistaken. Nine years later, the company was part of a major offensive to open the road between Khost and Gardez. On January 7th and 8th, 1988, over two hundred mujahideen attacked their outpost on Hill 3234 along the mountain road, but the 39 Russian paratroopers, with the aid of continuous artillery and air support, heroically held their ground. In the end, six Russians were dead, and all but five were wounded. This sacrifice went unrewarded. A year later, all Russian combat troops were ordered to withdraw from Afghanistan.

These are the historical outlines of the company’s story. First-time director Fyodor Bondarchuk, however, takes considerable artistic license to tell a different tale. In his version, when the fight begins, the company loses radio contact with its brigade, so no one knows the men are under relentless attack by the mujahideen. When relief forces finally arrive, there is only a single Russian survivor. This recalls similar “desperate last stand” movies like *Seven Samurai* (1954), *Steel Bayonet* (1957), *Black Hawk Down* (2001), and even *Aliens* (1986).

But Bondarchuk has put much more into this film than a familiar to-the-last-man version of this battle (he also adds himself, playing one of the seasoned paratroopers). The movie follows several pals, each with his own motives, who volunteer to do their internationalist duty in Afghanistan. In serial episodes, they bid tearful farewell to family and girlfriends, endure intense training that bonds them, arrive as wide-eyed replacements at Bagram airfield, then join the hard-bitten fraternity of combat infantrymen in the hills, valleys, and villages of eastern Afghanistan. Again, this is a standard war movie sequence, firmly established by *Beau Geste* (1939), and brilliantly executed in *Gallipoli* (1981). Bondarchuk has a notable cinematic pedigree—his father, Sergei Bondarchuk, directed the monumental, Oscar-winning *War and Peace* (1965–68). Still, despite the emotional strength and visual impact of many of the scenes, the film feels uneven and sometimes awkward in its pacing, scripting, acting, and storyline. For example, these parachute troops don’t seem to go through parachute training, which is too bad, as the director missed all the possible amplifying plot-points there. Then again, at two hours and nineteen minutes long, the movie needs less, not more.

What makes *9th Company* worth watching? It's certainly no primer, good or bad, on counterinsurgency. The occasional vignettes that may evoke a sense of *déjà vu* in some U.S. and allied veterans of the current war are not sufficient to qualify the movie as a cautionary tale. The rip-roaring combat sequences have been done as well, maybe better, in *Generation Kill* (2008). That said, several aspects of the film commend it to military professionals.

What cinema fans will recognize in *9th Company* is a fresh take on the standard cast of war movie characters. Call the roll, they're present for duty: the college kid, the mama's boy, the loudmouth, the steely captain, the war-worn colonel, the apathetic "Remf," the battle-wise squad leader, the camp instructor (here, as a weary political officer teaching Afghan culture), and that classic war movie figure, the drill sergeant. Warrant Officer Dygalo (Mikhail Porechenkov) joins Gunnery Sergeant Foley (Lou Gosset, Jr.) from *An Officer and a Gentleman* (1982), and Gunnery Sergeant Hartman (R. Lee Ermey) from *Full Metal Jacket* (1987), in the "War Movie Drill Instructor Hall of Fame."

But the central appeal of the film is the full-blooded Russification of these stock characters. This makes for both an entertaining turn on these roles, and also some Tolstoyan insights: the brutality of Red Army boot camp; the cynicism of the sergeants; the fatalism of the veterans; and a distinctly Russian view of what is just and unjust in life and war. A good way to appreciate this is to watch and listen to the film in the original Russian, with subtitles in the language of choice. Filmed in the Crimea and Uzbekistan, the stark, sandpapery locations have the striking look and feel of Afghanistan. The native costumes are genuine Afghan. Also, the Russian tanks, helicopters, and weapons are the real thing, thanks to the Ukrainian armed forces, which provided all the correct Soviet-era kit.

Criticized by many "Afghantsi" veterans for its inaccuracies, *9th Company* was nonetheless a box-office smash in Russia, and won the Nika (the Russian Oscar award) for Best Film. There are some documentary approximations. *Armadillo* (2010) recounts the deployment of a Danish army unit to Afghanistan, from departure to return, and raised a debate about the role of their forces in that war. *Restrepo* (2010; reviewed in CTX vol.1, no.1) reveals why the United States military made so little progress in Afghanistan in the first eight years of its war there; *At War* (2007) delivers much the same message. Among fictional accounts, *Platoon* (1986), about a dysfunctional American unit in the Vietnam War, may excel in terms of drama, but doesn't match *9th Company* in its concluding commentary on how soldiers come to grips with having fought a war with no victory and no defeat.

Twenty years later, and about a hundred miles from 9th Company's fight for Hill 3234, a lone American platoon guarded an outpost by the village of Wanat, near the Pakistani border. On July 13, 2008, the 48 U.S. paratroopers of 2nd Platoon, "C" Company, 2nd Battalion, 503rd Parachute Infantry Regiment, with 24 Afghan Army troops, fought off repeated assaults by over two hundred Taliban guerrillas. The paratroopers lost nine dead, including their platoon leader, but they held their ground. Three days later, they were ordered to abandon the outpost and leave the valley. The men of 9th Company could've told them how that felt. ❖

[This is] a distinctly Russian view of what is just and unjust in life and war.

A commentary on how soldiers come to grips with... a war with no victory and no defeat.

THE WRITTEN WORD

Find, Fix, Finish: Inside The Counterterrorism Campaigns That Killed Bin Laden and Devastated Al-Qaeda

Nate Moir

Aki Peritz and Eric Rosenbach
(2012)

New York: Public Affairs Press
ISBN-10: 1610391284
Hardcover: \$27.99 USD
238 pages

Find, Fix, Finish is a well-written, fast-paced, and compelling overview of U.S. counterterrorism operations in Afghanistan, the Middle East, and the United States since 9/11. Authors Aki Peritz and Eric Rosenbach are former counterterrorism officials with the CIA’s Counterterrorism Center and the Senate Select Committee on Intelligence, respectively. Their collaboration credibly dissects the evolving legal and operational complexities of conducting counterterrorism.

The book is organized into 12 chapters that present a mix of analysis and case studies. For instance, chapter 2, “Atrophy: National Security before 9/11,” assesses pre-9/11 counterterrorism mindsets, while chapter 11, “Geronimo,” describes the stalking and killing of Osama bin Laden. By developing their work in this way, the authors balance the tragedy of 9/11 with the ways in which progress and failure have informed and shaped U.S. counterterrorism efforts since then. One of the most positive outcomes over time is the improvement in interagency cooperation and international liaisons with

partners, which have greatly enhanced counterterrorism’s success. This is a theme that becomes evident as the book progresses, although it is not explicitly noted until the final chapters.

In the initial period following the 9/11 World Trade Center attacks, U.S. counterterrorism was conducted in a “go it alone” atmosphere, and encountered some notable pitfalls. This was particularly the case regarding the incarceration and interrogation in 2003 of Khalid Shaykh Mohammed, the apparent mastermind of the attacks. The alleged extreme interrogation methods used on KSM, as he is known in the press, sparked wide controversy over the ways in which intelligence was being extracted from high value targets. While the authors do not preach, they provide a number of cases to demonstrate that due diligence, through the compiling of evidence and legal prosecution, proved more successful than “enhanced interrogation” because of the follow-on intelligence potential. Chapter 9, “The Enemy Within,” for example, traces the case of Najibullah Zazi, an Afghan immigrant who plotted with two friends to attack New York City’s subways with triacetone triperoxide-based explosives. In Zazi’s case, interagency cooperation between the FBI and NYPD was initially problematic, but their work improved as officers from the two agencies overcame past misgivings and lack of trust. In contrast to the KSM interrogations,



the authors suggest that the Zazi prosecution was successful due to the downright hard work of intelligence analysis, improved communication, and willingness to share information. In other words, they imply, positive outcomes are more likely when extreme interrogations techniques, i.e., torture, are avoided.

Another intriguing theme in the book regards the conduct of operations that have reached critical decision points. For instance, is taking out a high value target to stop him from acting worth the loss of potential intelligence that might reveal a related network or the target's associates? Again, the book uses a number of examples to show that this dilemma has no set formulas for success. What is more, the authors note, the risk of alienating or even radicalizing local populations when drone strikes or other operations kill or injure civilians cannot be ignored.

This well-researched book has one prominent shortcoming, which is the authors' reliance on current journalism for a substantial amount of their source material. An example of this is the recent death (on June 4, 2012) of Abu Yahya al-Libi, the alleged Number Two in al Qaeda's hierarchy. Chapter 8, "An Increasing Preference for Lethal Ends," details the death of al-Libi in January 2008, while other records indicate that he was killed in December 2009. Al-Libi's third demise in June 2012 demonstrates that Peritz and Rosenbach are dealing with fleeting information that is difficult to verify; a bit more explanation as to the reliability or unreliability of sources would have strengthened their work overall. As it is, this uncertainty undermines the analysis in that entire chapter.

Despite this weakness, not uncommon to books on current events, *Find, Fix, Finish* is a worthwhile overview of U.S. counterterrorism over the past dozen years. While well-informed readers may need to look elsewhere for new information, the book offers a useful analysis of what the United States has learned from its mistakes, and how it continues to refine its operations. ❖

ABOUT THE REVIEWER

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RESOURCES: PUBLICATIONS

Understanding the Form, Function, and Logic of Clandestine Insurgent and Terrorist Networks: The First Step in Effective Counternetwork Operations

by Derek Jones

Issue Date: April 2012

Lieutenant Colonel Derek Jones wrote this comprehensive study of clandestine cellular networks and their effect on counterinsurgency operations in 2008, while a student at the School of Advanced Military Studies, Fort Leavenworth, Kansas. His award-winning monograph provides a theoretical, doctrinal, and operational understanding of the form, function, and logic of these networks, offering readers useful insights into their complex nature. LTC Jones warns that failure to thoroughly understand clandestine cellular networks has implications for the way network theorists study and model networks, as well as for those who plan how to defeat them. The author ends with several recommendations for the U.S. military, on ways to approach the problem of clandestine cellular networks.

Strategic Culture and Strategic Studies: An Alternative Framework for Assessing al-Qaeda and the Global Jihad Movement

by Richard H. Shultz

Issue Date: May 2012

In this monograph Dr. Shultz advances our understanding of al-Qaeda through an analysis of the shared beliefs, assumptions, and modes of behavior that comprise the strategic culture of this non-traditional adversary. Through a strategic culture framework, he identifies and assesses the factors and developments that have shaped al-Qaeda's evolution and behavior over nearly two decades. Dr. Shultz traces the internal debates and strategic-level decision making amongst al-Qaeda factions following the Soviet withdrawal from Afghanistan, and the subsequent strategic reassessment as the mujahidin were sent to other geographical areas to pursue operations against both a "near" and "far" enemy. An examination of al-Qaeda's discourse over core strategic subjects of doctrine, strategy, operational art, and related issues offers valuable insights into the behavior of al-Qaeda and its affiliated movements.

Confronting the Terrorism of Boko Haram in Nigeria

by James J.F. Forest

Issue Date: May 2012

Counterterrorism expert James Forest assesses the threat Boko Haram poses to Nigeria and U.S. national security interests. As Dr. Forest notes, Boko Haram is largely a local phenomenon, though one with strategic implications, and must be understood and addressed within its local context and the long standing grievances that motivate terrorist activity. He describes Nigeria's ethnic fissures and the role of unequal distribution of power in fueling terrorism, which, combined with the ready availability of weapons, contribute to Nigeria's other security threats, including militancy in the Niger Delta and organized crime around the economic center of the country, Lagos. To meet the security challenges posed by Boko Haram and others, Dr. Forest advocates the use of intelligence-led policing and trust-building between the government and citizenry. ❖

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The Combating Terrorism Exchange (CTX) is a quarterly peer-reviewed journal. We accept submissions of nearly any type, from anyone; however, submission does not guarantee publication. Our aim is to distribute high quality analyses, opinions, and studies to military officers, government officials, and security and academic professionals in the counterterrorism community. We give priority to non-typical, insightful work, and to topics concerning countries with the most pressing terrorism and CT issues.

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- **photographic essays**
- **video clips** with explanation or narration
- **interviews** with relevant figures (no longer than 15 minutes)
- **book reviews** (500–1,000 words); review essays (1,000–3,000 words); or lists of books of interest (which may include books in other languages)
- reports on any **special projects**

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