

ENDING THE ERA OF AL-QAEDA AND ITS AFFILIATES:
An approach reforming, integrating and ending dissonance between military and civilian efforts

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What the United States (US) says in press releases and public statements are not always aligned actions, and it is more than a perception problem. The disparity between action and speech confuses the signals for both current and potential allies, as well as their enemies over how to act to maximize the potential benefits for aligning action and perception. If actions do not align with words, the United States potentially alienates its allies and further radicalizes those being fought. The reason to be concerned by this is that it potentially undermines any long-term efforts taken by the US and its allies to reverse the tide of terrorism sweeping the planet. In a 2009 speech by President Obama in Cairo, he said the following:

We meet at a time of great tension between the United States and Muslims around the world -- tension rooted in historical forces that go beyond any current policy debate ... So long as our relationship is defined by our differences, we will empower those who sow hatred rather than peace, those who promote conflict rather than the cooperation that can help all of our people achieve justice and prosperity. And this cycle of suspicion and discord must end. I've come here to Cairo to seek a new beginning between the United States and Muslims around the world, one based on mutual interest and mutual respect, and one based upon the truth that America and Islam are not exclusive and need not be in competition. Instead, they overlap, and share common principles -- principles of justice and progress; tolerance and the dignity of all human beings. I do so recognizing that change cannot happen overnight. I know there's been a lot of publicity about this speech, but no single speech can eradicate years of mistrust, nor can I answer in the time that I have this afternoon all the complex questions that brought us to this point. But I am convinced that in order to move forward, we must say openly to each other the things we hold in our hearts and that too often are said only behind closed doors. There must be a sustained effort to listen to each other; to learn from each other; to respect one another; and to seek common ground.¹

Since 2010, the United States has made a greater effort to use rhetoric in a manner that seeks to stop perceived targeting of Muslims to one that specifically targets violent, often Muslim, extremists. More precisely there is an effort, however successful, to have the perception reflect the reality that America is attacking those with direct ties to al-Qaeda and its affiliates. This shift in rhetoric has promoted a broader engagement based on mutual respect and aligned interests, by

making clear that the targets of America's efforts and those of its allies are against enemies of both the United States and mainstream Muslim communities worldwide.

However, as will be explained further on, while the language has changed the practices are primarily continuations and expansions of the earlier "hard" counterterrorism policies and their legal foundations. Of particular concern is how various efforts have been taken to stabilize and strengthen weakened states, and in some cases going so far as to enact the foundational aspects of state building. That is actions that both attempt to alleviate underlying problems promoting involvement in terrorism, as well as providing the means for these states to be more self-sufficient in combatting those terrorists that exist in their country.

While directly attacking current threats to the governments and citizens of the US, its current and potential allies are important; it does not remove the reason for the terrorist proliferation. To this end, this paper will endeavor to delineate how state building should be the United States overarching mission in the realm of anti-terrorism efforts. First, state building will be examined; the foundational military based efforts will be discussed. The civilian efforts, bolstered by location specific knowledge of non-governmental organizations (NGOs), which will build on a militarily constructed framework that will be enumerated; after this the importance of having rhetoric align with actions will be more fully detailed, as a disconnect may further strain operational successes and exacerbate failures.

Once these sections are concluded, the current and potential structure of the US military will be detailed. This is not done to infer that either the US or specifically are the center of state building efforts, but because the US possesses the resources, knowledge, and ability to take the lead in this task, but in order to do so without possibly undermining its other security interests, it becomes necessary to fundamentally change the structure of its military. The final part of this

shift toward a more comprehensive joint state building undertaking is a brief discussion of two things that have a great potential to undermine the proposed change, use of contractors both military and civilian groups and the present application of armed Unmanned Aerial Vehicles (UAVs), by the US currently and possibly by others in the near future.

Will the various proposed changes allow the United States to continue what is presently working and keep itself and its allies safe, all the while dispensing with practices that detract from progress made, particularly those with impediments to long-term gains? By doing this the author endeavors to provide a comprehensive solution to a complex, multifaceted problem, in a way, that maximizes present and future attempts to remove contributing factors that lead to the creation, proliferation and continuance of both destabilizing extremism and more precisely - terrorism - particularly that of al-Qaeda and its affiliates.

Also, if it does not address the ideas that created al-Qaeda as well as the unstable environment that their corrupting influence exploits, will they not continue to be replaced by other terrorist organizations that continue to form and fill the gaps left by those eliminated?

The US State Department began their Foreign Terrorist Organizations (FTO) list in 1997. Between then and September 10, 2001, they listed 24 groups (three of which were de-listed). Since 9/11, 33 more groups have been declared terrorist organizations. It is true that six have been de-listed, but of those, only two had ties to al-Qaeda. Furthermore in the case of the Moroccan Islamic Combatant Group, while some of its assets and personnel were captured, their remaining members only joined another extremist group with stronger ties to al-Qaeda.²³⁴ As the ever-expanding FTO list shows, a new plan is needed to be successful both in combating terrorist groups, chiefly al-Qaeda and its affiliates, and in addressing the underlying conditions that permit them to prosper, one that will gain the support of American citizens and its allies.

Moreover, by including actions to continue achieving immediate goals, America can prevent a backslide in progress while waiting for its actions - long-run goals of marginalization and stabilization - to fully manifest. In transforming the US response, it will better be able to bring about a future where state stability and prosperity are commonplace worldwide, and terrorist groups, in particular al-Qaeda and its affiliates are ineffectual, marginalized, insubstantial shells of their present selves, if they continue to persist at all. With all of this in mind, this paper will now first give an overview of state building followed by an examination of the military and civilian efforts to achieve said construction.

State Building Overview

America's state building experience goes back to the rebuilding post-World War II. The successes in Germany and Japan have not been matched. Granted the building efforts had options at their disposal that would not be feasible today. In the case of Germany most party members were pardoned, because they had technical skills needed to grow their economy and reduce their reliance on the Allied military. Allied forces also controlled the new, to manage perceptions of their actions, while suppressing history unfavorable to fixing the national identity. Although in the strictest sense what happened in the 1950s was primarily nation building and not state building, it showed what the United States and its allies could do if so inclined. Traditionally nation-building referred to reformation of a national identity while state building dealt with infrastructure and institution building for an underdeveloped state.

Also, while the contingency planning process was military led during the implementation in Japan by General Douglas MacArthur, but his staff was a completely integrated civil-military group reporting to him through the Joint Chiefs of staff to improve both the planning and implementation. As Secretary Stimson noted "WWII demonstrated with unrepeated clarity the

close interconnection between military and civilian affairs.”⁵ Later on the divergent schools of thought further confused the issue of state building. One school, exemplified by the news media today, portrays it as foreign countries intervening. The other, primarily academia, referred to efforts undertaken by indigenous people.⁶

More recently nation building has been used to describe "the use of armed force in the aftermath of conflict to underpin an enduring transition to democracy."⁷ However, to avoid confusion what will be herein referenced as state building, will refer to foreign intervention to aid the state in reducing social issues that lead to destabilizing extremism and in most cases will begin with military, intervention to stabilize and begin state building that will be expanded on by civilians.⁸ More specifically it will be purposeful efforts by a foreign government, namely the United States, to construct institutions of the national government that can eventually take over and satisfy the needs of their people. These efforts will often be characterized by military occupation and transitional government assistance if needed, as well as long-term engagement involving large-scale investment. Also, it may use propaganda to gain support for actions and policies with people of both the foreign and host government.⁹ Historically the United States has been quite successful with nation building such as post-WWII, but not as successful in state building when the infrastructure for nation building does not exist as seen in Iraq and Afghanistan during and after the war.¹⁰

The ultimate goal is to create self-sustaining sufficiently strong government, although the military is biased toward quick exits. Instead of fully implementing a state building strategy that will allow for a smooth withdrawal, while leaving institutions that can do everything needed to maintain and enrich the country. To achieve this, more integration in civilian efforts and the ability to compliment the military's earlier efforts achieves longer lasting results. In the case of

Iraq, Donald Rumsfeld discussed a "lite" nation building strategy. The result was a rapid transition to Iraqi control in which it is up to them – excluding ex-Baathists - to bring about change. However, the result was perceived as illegitimate by many citizens, and is an administratively weak new government the Iraqi officials were ill equipped to confront an uncertain future. It seems to be a long way from the stability and construction products of America's past, and more of an intellectual justification for tough-love.

Two years after the US left Iraq, in 2013 alone, more than 8,000 people were killed, according to United Nations [UN] estimates. Furthermore, most of them were civilians. Also it was a result of the previously suppressed Shia majority commencing marginalization of the Sunni minority. Also with the Sunni ability to protest suppressed by the government, the al-Qaeda affiliate Islamic State of Iraq and Syria was able to exploit the discontent and gain a foothold the US had fought for years to remove.¹¹ Did the US efforts in Iraq and Afghanistan over the last decade go as smoothly as they should have, given that they were preceded by five nation-building efforts, four in Muslim dominant nations, during the late 1980s and 1990s? There were even similar problems of collapsed central governance in Somalia, Bosnia, Kosovo, Haiti, and Afghanistan. However, in the cases of Bosnia and Kosovo, the foreign forces were able to address the security issues and return stability, unlike the other cases where instability still exists. As the RAND study points out, while the United States substantially improved its ability to fight insurgencies, there has not been a comparable improvement in either military or civilian agencies to "successfully conduct post combat stabilization and reconstruction operations."¹²

During the Bush administration, the US supported the Northern Alliance in Afghanistan in its efforts to establish a non-Taliban government. While this was done to stabilize the

country's political landscape and gain the support of the various warlords to aid America's coalition campaign against Taliban fighters linked to al-Qaeda, it ignored the history of the post-Soviet withdrawal period when civil war began ravaging the country. Also, although India saw the change as an opportunity to forge closer ties with Afghanistan, the move angered Pakistan, who favored the Taliban government leading to the Taliban insurgency swelling in size and strength. So after 2004 when the US was relying on "light footprint" strategy based on air raids, and the US choosing to support the less favored group, led to falling local support and less credibility, due to America in many ways propping up the non-Taliban central government.¹³

While this not a prescription for allowing internal conflicts to play out without US intervention - such as that described by strategist and historian Edward Luttwak - so long as it does not undermine American's interests, including maintaining and extending Afghanistan's limited social progress in light of Islamist and tribal-centric conservative resistance. By tipping the balance of power in the country as the United States has, it distorted the underlying and enduring local realities of power, and therefore must be taken into consideration in future actions both in Afghanistan and other terrorist breeding grounds. As he stated in "Give War a Chance," unlike NATO intervening on behalf of the Bosnian Muslims and Kosovo Albanians against their vastly more powerful adversary the Serbians during the 1990s Balkans war, countries like Afghanistan are not surrounded by permanent NATO forces and EU territory on all sides, meaning shifting governance like was done, created a precarious situation for the government being aided. Also unlike Europe the countries that surround states including Afghanistan are not necessarily committed to maintaining a peace they've helped create or the resulting power balance shift.

If anything resulted in the case of Afghanistan while Western-led forces did tip the balance in favor of the non-Pashtun ethnicities and the less conservative Pashtun of the Northern Alliance, it has also further entrenched the conservative groups that fight on the side of the Taliban more for familial and tribal honor than as true supporters of the insurgency - but no similar mass constituency exists for the sake of liberal reform, resulting in a stagnation of long-lasting change.¹⁴

President Obama attempted to address concerns and regain support of the Afghan people by reviewing the situation and forming a strategy emphasizing intolerance of a corrupt and ineffective government, but as current leadership is strong enough to currently retain control, the US is stuck with them for now. Also due to the Bush administration's focus on addressing security concerns while failing to address more civilian state building issues, resulted in a lost opportunity to more fully transform Afghanistan into a more equal future partner in the desired stabilization of the region.

Some programs employed were the Disarmament, Demobilization and Reintegration (DDR) program, the Security Sector Reform (SSR) actions, and the Disbandment of Illegal Armed Groups (DIAG) initiative as well as other improvements to the Afghan National Army and Afghan National Police. However, none of these addressed the sizable issues in the state's governance in any of its three branches, instead substantive actions were at lower levels of government, stopping short of restoring institutional legitimacy in the eyes of the Afghan people.¹⁵ Also, starting in 2005 and continuing through the end of his presidency, some temporary relief was provided through Provincial Reconstruction Teams - PRTs to the locals, even they did not address the underlying issues. In this vein the Afghan Compact (later modified through the Afghanistan National Development Strategy) that worked in conjunction to create

greater social engagement in an effort to improve local support in Afghanistan, with limited success. In doing this – effectively in conjunction with military efforts - a more balanced approach could form a sustainable equilibrium between military solutions and state building efforts.¹⁶

Over the last few years, the Obama administration has called for the need to win their hearts and minds, but this realization may be coming too late. America and its allies do not seem to want or feel able to support the necessary engagement, but "the path to the exit door is likely to be protracted, tortuous, and bloody"; as a result.¹⁷

Now it has been argued that long-term state building will not materialize in a meaningful fashion in the near future, due to the resource requirements and long-term commitment and current economic and political realities. However, if the United States can better connect its various foreign operations, both civilian and military, and utilize NGOs and international partners to improve governments plagued with, but incapable of excising terrorists, one can presume possible comprehensive state building. On the subject of long-term engagement, the United States will find it more difficult in some ways to gain support, but this is more a matter of proper planning to resolve the problems and proper framing of the discussion to predict resulting issues.

By moving beyond simply fighting, can United States seek to end the endless series of crises, and confront the underlying pathologies that give rise to interstate violence and extremism?¹⁸ Presently US state building efforts remain in the doldrums, with America's strategy continuously shifting from one action to the next. As a result, state building in any meaningful capacity is not currently occurring, and it is simply a slogan in press releases, disconnecting rhetoric and action. It is wise fully to integrate national efforts, and move beyond

stopgap measures that are costly while providing ephemeral solutions, to offset single-state costs by increasing reliance on international partners. Also, it is fine to utilize various (international) INGOs' specialized knowledge in targeted piecemeal approaches.

An Examination Of Military and Civilian State building

In the wake of the turbulence throughout Northern Africa and the Middle East, resulting from the Arab Spring and its inability to survive expectations, coupled with foreign troop withdrawals and their country's overall instability all parties have to re-evaluate their methods to improve their success rate. It is important for the US to find new allies, as well as reengage and expand its role in counterterrorism operations to curb the continued spread of terrorism. However, if long-term goals are not taken into account, this may go against the United States' interest in creating long-term partners to help in its global efforts to end the epoch of terrorist networks, due to the immediacy of its vision.

Since 2001, when the Bush administration expanded and refocused United States Agency for International Development (USAID) to provide greater aid in countries where terrorism persists through a refocusing of the State department to aid in what was called transformational diplomacy. Coined by Secretary of State Condoleezza Rice, this type of diplomacy was supposed to work with our allies to "build and sustain democratic, well-governed states that will respond to the needs of their people and conduct themselves responsibly in the international system."¹⁹

This can be done through regionally focused improvements, aimed at cooperative state building, complimenting, supporting, and expanding the military's gains. However by linking civilian efforts, with those from the security domain overshadow the State department, its partners and by extension USAID's traditional development efforts and turning it into a quasi-security agency. So-called "transformational diplomacy" in countries like Kenya is only a return

to the Cold War policing assistance. While there is a place for such support, there is a difference between improving individual security from common crimes and helping those who are ready establish a system that can remove regional extremism. The Bush-era funding of the East Africa Counter-Terrorism Initiative (EACTI) impinges State's institutional legitimacy and does not properly address this problem; it simply politicizes it into centering on short-term objectives.²⁰

The East African Regional Strategic initiative replaced, in 2009, the EACTI. This program extended the program across the horn of Africa, like other programs begun in the early 2000s, for example, the State Department's Pan-Sahel Initiative (PSI) in West Africa. However they were they are incorporated, like PSI into the Department of Defense (DOD) focused programs to support Operation Enduring Freedom. What results is an interagency effort to undermine current terrorist haven through particular development and diplomacy programs, instead of focusing on potential longer-term gains by focusing on human security.²¹ In its present incarnation, the perceived politicization of US development by some governments and INGOs has resulted in an increasing focus on short-term security interests at the expense of long-term development projects that are more US-centric.²²

Also, USAID for the remaining long-term initiatives in unstable countries may alienate or discriminate against people through its adoption of the Partner Vetting System, according to the ACLU in addition to privacy concerns, the system also creates due process issues, as it relies on the government's secret intelligence databases.²³ While this is done in an effort to stem the potential for terrorists to acquire assistance funds, and promote its legitimacy especially in terrorist infested countries, where such is not always an easy proposition due to other US past and ongoing actions.²⁴ This exacerbates an already potentially significant problem in which other organizations that the US collaborates with such as the World Bank, the European Union (EU),

and Department for International Development (DFID) may be impacted negatively by suspicions of USAID resulting from the changed mandate of the State department, through which it has undertaken a coordination role for all government based civilian efforts through the five-year-old Civilian Response Corps (CRC), and through which the State department tries to harmonize civilian and military activities.²⁵

Regardless of al-Qaeda's exploitation of the turmoil surrounding the various protests since 2011, they are still representative of a small minority. While they have sought to shape their message and recruitment strategies to these events, the majority of their audience only seeks greater political freedom and economic opportunity. The majority does not seek an unending series of wars with westerners or infidels regardless of al-Qaeda proclamations. This shows a desire for the human security focused development that organizations including CRC are becoming known for.

Various terrorist groups primarily al-Qaeda, fashion their rhetoric and actions so that each time these people castoff the yoke of their tyrant be it Hosni Mubarak or Muammar Qaddafi or their more recent successors, al-Qaeda and its ilk frame or attempt to frame events, in a way, that vilifies the west, in particular America, and America's move toward its own immediate security even at the expense of these exploited peoples does the US no favors in the long-run. In essence, the terrorists try to hijack the revolutions, pointing to how America and its allies often worked with these failed regimes, providing them support. Instead of furthering opportunities for more sustainable and mutually beneficial progress, the United States and its partners perpetuate short-term patches to failed systems. Will increasing human security focused state building, as opposed to just strengthening state security, not benefit the US and its global partners to a greater degree in the long run?

Instead of simply attaching America's backing to whoever is in power at a given time, what if America where possible helped to bring greater political freedom and economic opportunities to the peoples of these war-ravaged countries through state building mechanisms? By understanding that to ally itself in any great fashion to the tumultuous regimes on this long but inevitable road to greater freedom and opportunities, simply creates fodder for al-Qaeda and its affiliates to exploit. Essentially, does America need to re-brand itself not as the controlling overseer dictating terms of other countries' futures, but instead as a partner or guide that understands it has a substantial but secondary part to play in these countries futures?

The present and continuing efforts in counterterrorism continue to align the US with failing or fallen regimes and undermine its long-term goals. In more free, prosperous and stable countries there will be fewer opportunities for al-Qaeda to exploit. It may not be as clear-cut as excising them, but it is necessary for both America and these peoples' future security. To this end America should focus on building stronger, more stable governments. Also in these efforts, it seems as though the United States' singular concern is with Islamist parties. Is this because it fears extremist sympathizers undermining the democratic reforms and simply giving Islamic extremism more power; regardless of what al-Qaeda publicly declares not all of them are their allies. The past has shown the US that when a terrorist or insurgency group wants to retain political power - in a democracy - it has to move away from the extremes to increase their appeal with the voters.

Examples of this phenomenon abound. When looking at the PLO (Palestine Liberation Organization) and its pledge to avoid violence and terrorism in exchange for United Nations (UN) recognition, Sinn Fein and the Provisional IRA's (Irish Republican Army's) demilitarized, and Hezbollah's political recognition and pressure to end their violence; each group made some

concessions for a seat at the table so to speak. Inversely, when such groups do not compromise or fail to become more centrist, they suffer backlash from their supporters as in the case of Egypt after the Arab Spring.

This is due to the aforementioned dissonant goals between these groups and those they have often come to represent, meaning they can change or go back to being associated with terrorism, insurgency, and other illegal largely condemned actions. For instance, the Muslim Brotherhood won nearly half the Parliamentary seats, and its candidate Morsi became Egypt's first democratically elected president; however they failed to compromise on their extremist authoritarian position, and they lost the support of the Egyptian people, as well as creating a situation the conservative clerics and authoritarian military leaders were able to exploit.

By focusing on undermining al-Qaeda's and its affiliates' ability to function and sustain themselves through the continual renewal of their power through sanctum and novitiates, America reduces terrorists' hold on these regions through non-security based aid. To see this as a series of asymmetric military campaigns, even one with a political and ideological component is a failure to utilize all available tools to achieve America's broader policy goals. To this end there are a number of strategies to employ for long-term improvement. Essential to this is increasing the United States' humanitarian assistance and development aid, to reverse the worsening security conditions throughout the Maghreb that are essential to the cooperation and delivery mechanisms used in reforms, as well as for the promotion of state building initiatives. If the United States and its allies are to create sustained improvements throughout the Maghreb and also throughout the Middle East could they maximize these efforts effects if they are holistic and regionally specific as well as cross-program integrated?

Although these potential alterations could do much to better prepare the US for present and future threats, would a specific effort to improve institutional strength, and sustainability solidify and improve these gains? Also by doing this, will America prevent holes and overlaps in the support structure, and also improve them so that the people in these regions have control over their own future? Through this, the United States creates self-sufficient future partners instead of weak, ineffectual possibly corrupt puppets. Furthermore guarding against a corruption of these states, aids in the prevention of exploitation by terrorist groups, either those that exist now or those that may exist in the future. This is particularly true in the case of the mistaken belief that simply expanding the amount of aid directly translates into “the ability of America to positively influence events abroad.”²⁶ Take Pakistan and Egypt, countries that receive a great deal of aid are they anymore in tune with American values, and are such a thing necessary for protecting our interests?

What if to accomplish this, the United States consults its allies to see what they may be doing that the US is not? Then from this, determinations can be made to augment best both in resources and scope their efforts to enhance local, regional and national peace and security, democratization and good governance, especially through improving law enforcement cooperation and judicial system improvements. King Abdulla of Saudi Arabia has responded by pledging greater protection of his country’s critical infrastructure.²⁷ Also, he is addressing the underlying causes through education and judicial reforms as well as economic diversification. Yes, he has also enacted some legislation reminiscent of America’s own detention programs, and it is true that the specific efforts his government’s undertaken may not translate to less stable non-monarchies. However, some of his reforms, as mentioned, are beneficial to the marginalization of undesired destabilizing elements, providing useful information and a reminder

that there is not a universal approach to resolving this problem set. In seeing what its allies are doing, America can better assist these countries in humanitarian capacities as they will already be presumably focusing on security issues to gain their citizens support as in the case of Libya in regard to potential US and NATO-led training.²⁸²⁹ In regard to current USAID and CRC practices for fragile states (formulated for places where development and government have failed), it is useful to have the military increase dialogue with development experts to better compliment civilian development work, particularly in creating enough security and stability that organizations including the CRC and its partners will have more infrastructural support from which to build. This leaves the primary security operations with better-equipped entities such as the DOD.³⁰ Also while there have been efforts to expand its new regional role as a conduit in civil-military partnerships, as shown in the Provincial Reconstruction Teams employed in Afghanistan, they have failed in their present form.³¹ To improve future efforts the US should work with its international partners to make the broken states' leaders central to plans. Specifically they can do this through a focus on the peace building and state building goal, conceived under the International Network on Conflict and Fragility (INCAF) guidance. Work with local leaders of target states to legitimize the political environment, through justice reforms, while improving government based services, economic opportunities for citizens, and overall state stability through comprehensive security improvements.³²

Also, while the current and proposed counterterrorism operations are largely beneficial, will they improve if placed in the framework of America's overall goals? It is imperative to understand that such operations are not the central focus of many of these unstable countries beyond the understanding that making it a priority means potentially more military aid both financially and militarily. This financial assistance may be beneficial in retaining their power,

but it could also potentially undermine what credibility America retains in the Middle East and Northern Africa.³³ Consequentially some countries that the United States have an interest in do not have the necessary state structures or political consensus to make these drastic changes feasible, as their countries presently exist. In these cases, the US needs to re-examine current efforts and work with NGOs and INGOs. By augmenting them with states' resources through USAID and its foreign and international equivalents, it can improve economic opportunities and freedom before endeavoring to implement state building mechanisms for systematic reforms at all levels of governance.

Closing Aid Gaps Through [I]NGOs

At the end of September, Secretary of State John Kerry and Turkish Foreign Minister Ahmet Davutoglu announced the commencement of a \$200 million "Global Fund for Community Engagement and Resilience." The aim of the fund is to give grants to organizations trying to counter violent extremism. It will reach its initial funding goal through an initial contribution of approximately \$2.5million from the United States, with the rest coming from primarily from the 29 members plus the EU comprising the newly formed Global Counterterrorism Forum. This will be augmented by some private companies so that a decade from now it can reach the funding goal.³⁴ This program is illustrative of the support the United States should cultivate in the area of countering violent extremism.

One problem existing in this area has been its lack of a clear definition of extremism and under-financing of counter-extremist organizations. Often the best practices are highly individualistic as are the specific catalysts they seek to address. Also, while funding these initiatives are narrower in scope than large nations are used to, the seemingly minor things they hope to achieve quite important as they provide the often necessary piecemeal approach needed

at the local level. Furthermore, these programs are often America's best possible investment in countries that are difficult to work with due to perceived terrorist connections or inability to presently be feasible partners in a more comprehensive and news making fashion. American support of these types of initiatives is essential to curbing terrorist recruitment, and the persistence of terrorist safe havens.

Furthermore, there is the understanding that local under supported NGOs have an often-vital comprehension of the intricacies of their specific problem and how to address it. Can America bear this financial and logistical burden alone in coming years? America is currently the primary financier with all allies benefiting for far lesser contribution. It is crucial to its success that the US understand this if it is to increase reliance on such initiatives in the future as America gains more international support due to changes in other areas types of overseas operations. Furthermore, this is a promising start, but it does not presently have the needed financial and logistical support necessary for integration into more long-term state building plans for the countries that the US determines need such assistance.

Also, although this Fund, created – in part – by the State Department, seeks to be inclusive of stakeholders at all levels in its governance and increase the chances of approval for small, but important proposals, it is not without its problems. From receiving funding and being implemented, will its inclusion of the host country in decision-making make it potentially more politically risk-averse toward smaller NGOs? As a result, this creates a potential vacuum in aid to countries that infected with widespread corruption or party to individuals complicit in terrorist actions, where it would help fill the gap in nation-based aid. This is because the 2010 US Supreme Court decision in *Holder v. Humanitarian Law Project et. Al.*, altered the prohibition of material support to terrorism legislation introduced in 1994 that was expanded first through the

USA PATRIOT Act, which means NGOs could be breaking US laws by providing much needed support.

When the Act was first enacted it had a material support exclusion for humanitarian assistance for people who were not directly involved in terrorism, meaning among others, associates of current terrorists or people who had not broken laws, but had expressed interest in perhaps becoming an acolyte. After the Oklahoma City bombing, this provision was narrowed to medical and religious materials. What has been left, as a result, is an obfuscated understanding of whether current humanitarian assistance falls within the prosecutorial scope of the material support statute. Moreover, if the material support involves a FTO then the provision that such support, which otherwise exists when not involving FTO, is given with the knowledge or understanding that they are aiding in the execution of a terrorist act does not exist in such a case. They are deemed culpable if associating with someone or something that engages in terrorist activities regardless of humanitarian intent. What if through more clearly defining what may be prosecuted under the material support statutes INGOs could be sure in their undertakings, and what if the United States went further and reconsidered the previous exclusions for certain humanitarian assistance that were discontinued?

In addition, while the International Emergency Economic Powers Act, declared certain automatic exceptions during a declared state of emergency for "donations ... of articles, such as food, clothing, and medicine, intended to be used to relieve human suffering,"³⁵ in the wake of September 2001, Executive Order 13224 overrode the humanitarian exemptions on grounds that allowing such donations would not only impair the President's ability successfully to deal with the declared an emergency, but could potentially endanger American forces in the regions where they were operating.³⁶

If America's goal is to deny terrorists, their networks, their associates, and possible future or unintentional associates any quarter then this is the correct strategy. However, what if America's goal should be not purely to cut off any conceivable resources, but to create a doctrine, policy and practices that take into account the knowledge that potential short-term and long-term benefits to NGOs and those that benefit from their efforts outstrip any possible terrorist gains. Furthermore, NGOs provide services and alternatives to current and potential terrorists to dissuade them from their current or potential actions. Much like gangs or guerillas in other parts of the world, to see long-term sustainable revamping does not the United States need to increase the opportunities for the peoples in these countries? More precisely the impoverished, disadvantaged communities, by first promoting the work of NGOs and then with longer lasting more systemic change through improvements to these countries' governments, when Nation based efforts and economically and politically feasible.

Furthermore, in regard to the limitations imposed by the above statutes and others enforced by the Department of the Treasury's Office of Foreign Assets Control (OFAC), in some cases there may be a need to provide some incidental transaction with local groups that may have ties to terrorist organizations due to how pervasive they may be. The aim being not to provide material support, but to be subject to protection rackets in order to safely conduct their work until the necessary state mechanisms are in place and equipped to deal with these problems.

If this were unacceptable, then what if to still achieve the long-term goal the US provided such groups in the short term with some protection while they work to improve these areas to such an extent that their efforts are not putting them and those they help in danger? This could be done either through America's or conceivably their country's military or through private contractors until they are capable fending for themselves. However, to what degree is terrorist

association in any tenuous capacity unacceptable to the US? In many of these tribal societies there may be a few remote members with terrorist affiliations, but the rest are blameless, so who is barred from help from the US. For instance, in the fall of 2011, US Secretary of State Hillary Clinton appealed to the terrorist group al-Shabaab to allow food aid into famine-stricken parts of Somalia under its control. While did not acquiesce, more recently they have largely for propaganda purposes as there are many people starving, however were US aid workers to do so they could still theoretically risk legal action due to al-Shabaab's terrorist classification.³⁷ There was some immunity outlaid for some NGOs, by the OFAC, which is responsible for the administration and enforcement of sanctions. However, their aegis against the current anti-terrorism laws, only apply to those NGOs entirely financed by US government grants. Also, while US government officials including the USAID administrator has stated NGOs can operate without a license from OFAC in Somalia, this does not guarantee immunity from potential Justice Department prosecution, not through actual policy as that would be politically untenable, but by not making it a priority.³⁸³⁹ NGOs have also requested that USAID modify existing rewards to include non-US-funded activities. However, this has not occurred.

There were some NGOs that paid for access to be able to operate in Somalia in 2011-2012 during the famine, but acquiesced to their conditions to prevent being banned by al-Shabaab. Unlike the World Food Program and the UN Children's Fund who were barred over perceived western spy infiltration, some permitted NGOs paid "registration and protection fees" as well as hiring al-Shabaab crew to monitor their work, allowing passage.⁴⁰ In response to al-Shabaab's restrictions on western aid organizations and agencies, as well US potential prosecution under anti-terrorism statutes, other groups filled the aid gap in particular al-Qaeda, which is attempting to win over Somalis' hearts and minds.⁴¹

For these state building endeavors to be multilaterally successful, it is important for international cooperation at all levels. Moreover, through better integration with and sourcing for nonmilitary efforts- both local education programs and improvements to their access of new situational and economic opportunities, America will be able to address human security issues, which underscore terrorism persistence. The problem with aid and more comprehensive state building is the seemingly greater complexity and sustained duration, compared to public discourse on military efforts. That is not to say that the legal or institutional intricacies and institutional hurdles are not present in military combat. However, it is more easy build support in the halls of government and the support of the people in issues involving direct actions with immediate dividends. Say, for example, that the United States government wants to kill some terrorists, or restructure current DOD bureaucracy to more facilely address the threat at hand, it also wants to simultaneously, in varied government agencies and their alien and non-government partners, better countries' governance to reduce future threats. Which does one suppose is more rectifiable?

This author believes both are achievable and essential to approaching US and international security. Gone are days when military officers needed only be masters of military things, and civilians bridged the gaps in cultural, linguistic, political, and institutional awareness. Today they are both taxed with political knowhow and the toll of increasing expansive public relations necessities, and the knowledge that improper solutions only delay the return of problems, years or decades hence.

Furthermore, both groups — in both government and non-government capacities — find themselves sharing the weight of John Locke's famous dictum that governments exist to safeguard, as best they can, life, liberty, and property.⁴² However by fully utilizing each group

and subgroups' strengths they can share the increasing burden of state building, and accomplish far more than would have been possible by themselves.

Also by doing this, keeps the local leadership as central to both the decision-making and execution process aids in its potential to succeed. Currently, a case could be made that the US and its allies are working in a manner that exhausts its resources and provides grounds for terrorist recruitment to flourish, but through a concerted effort by the US to stabilize the country enough to build and the using both our own knowledge base and that of local leadership this can change. Instead of overreaching and allowing terrorist exploitation of fragile situations as detailed in al-Qaeda theoretician Abu Bakr Naji 's (real identity unknown) 2004 book, *The Management of Savagery*, and from which al-Qaeda chief Ayman al-Zawahiri urged al-Qaeda leaders such as al-Qaeda in Iraq's Abu Musab Zarqawi to do in 2005, by ending his sectarian war and broadening his base through any means that were Islamically acceptable. Of course, Narqawi and his followers failed to heed Zawahiri's advice based on Naji's blueprint, failing in their own limited state building efforts, but it shows that there is a concerted effort on the part of terrorists — however unsuccessful — to try and exploit situations where US state building efforts are failing.⁴³ Also as their efforts in southern Yemen and Somalia show there is by and large an Islamist rejection throughout the region of al-Qaeda's Islamic state model, which means there are local partners out there for the US and its allies to find and to assist instead of lead where possible, presently there are no examples in which international assistance for state building has been successful, instead when a foreign donor takes the lead as in the case of Afghanistan, for instance, the "aid overwhelm[s] and marginalize[s] the Afghan state, thus undermining the very state building process it supposedly is designed to promote."⁴⁴ Perhaps it was the faulty belief that a failing state, as seen by US policy makers at the time, was the entire reason for terrorism

and could be cultivated out of existence, however by seeing a weakened states as simply more subject to destabilizing elements that are no-longer territorially-bounded, it becomes preferable to have useful partners in these governments that the US and its allies are seeking to build up. Therefore, these interventions cannot be in any capacity thinly veiled projections of America or more broadly western ideology, as it may not work in every case, meaning reliance on local leaders for insight and direction through which to provide support is paramount.⁴⁵

Also, in order to succeed in any state building endeavor, it is important to consider non-state armed actors, not terrorists, but local insurgencies that may be associating with terrorists simply to get more prestige or help. In these cases finding ways to limit their political and or economic maneuverability, while perhaps helping to push them toward one of three outcomes. Disarmament and eventually disbandment, transformation into a political force that can be integrated into the official state structure, or criminal element that can be dealt with by local law enforcement; once the likely or desired outcome is determined the US and its allies can help the state take the lead in bringing about the outcome and, as a result, also show their ability, to their people, of being able to effectively govern.⁴⁶

Now that both the military and civilian aspects of combatting al-Qaeda and like-minded groups through state building have been examined, why is it important that these be addressed and what is the interplay between what the United States says and what it does?

The barbaric practice of terrorism – deliberately threatening or harming noncombatants to achieve political, ideological, or material gain – must be abolished through the concerted efforts of all peaceful nations. This will inevitably be an enduring endeavor that focuses on more than defeating existing terrorist organizations; it also will aim to deter future acts of terrorism and to diminish the underlying causes that enable terrorism to flourish. Though acts of terror can never be wholly prevented, terrorism must be reduced to a level that is isolated, rare and clearly irrational; that is, useless as a tool of practical policy or politics. This will ultimately allow terrorism to be combated as a criminal activity within single states, not as a global war.⁴⁷

Rhetoric Versus Actions

While terrorist networks do not need mass support to allow for their continued existence, the discussed dialog can have a powerful impact on their operations, but this result is more profound when sustaining the dialog through performance. Al-Qaeda remains an imminent threat, so to marginalize their existence and cause their ultimate end, by collapsing al-Qaeda's networks the United States will have to severely — with the unified effort of all our global partners — restrict their interstate coordinating capabilities. In doing this these afflicted countries in the process of rebuilding and improving will be more capable of dealing with attempted resurgence as an internal issue, once those more capable, including America help reduce al-Qaeda and its affiliates' remaining transnational capabilities if the afflicted such as Afghanistan are unable to currently to do so by themselves.

However, America does not want to become Sisyphus with a self-perpetuating problem. Therefore, this will only work if it promotes practices that give state security and economic prosperity to African and Middle Eastern people, in a way that promotes American interests in all timeframes so that country-specific efforts are underway to alleviate our policing burden. To this end, beginning five years ago, the United States has begun to change its public and private rhetoric from the War on Terror (WOT) to Overseas Contingency Operations (OCO).

This change in name while coinciding with a stronger emphasis on the legal basis not just moral imperative has not drastically changed the operational and organizational system to align with the re-branding.⁴⁸ As actions do not transform to reflect the change in rhetoric, and support for US actions will not be reinvigorated. If, however, OCO came to focus on longer-term stability and marginalization efforts, the US may regain the trust and help of its allies in both promoting and carrying out the various military campaigns that will arise on this path to

promoting the US interests overseas. Through proper context both policy makers and the broader public are less likely to have fear-based responses that undermine the slow, but sustained global improvements.

During the first few years after 9/11 the Bush administration constructed a deeply resonating narrative of terrorism as an existential threat to the US that must be confronted with perhaps an unending conflict, in which the ends wholly justify the means.⁴⁹ This narrative was normalized through hegemonic discourse that focused on war, in particular, combating terrorism as a persistent part of US policy, and impacting American culture, and Americans' lives for many years, perhaps decades, to come.⁵⁰ With the pervasive institutionalization of the WOT ideology under Bush's tenure, any substantive changes, for instance, those during the Obama presidency are difficult to achieve, due to their basis in Bush-era changes and likely institutional intransigence. However, if the United States is to have substantiated perennial success, it becomes necessary to not signal an illusion of change where OCO is not substantively different besides its renaming. Furthermore, with its continuation and expansion of WOT actions, was the aforementioned change simply over optics? Should the reframing convey to everyone that a non-warfare based doctrine, in which war plays only a partial role, should replace the military-centric WOT? In this regard, the military is placed within a comprehensive framework promoting positive, viable and sustainable growth, and evolution of society and politics in terrorism ravaged states, instead of perpetuating a war and policing efforts ad infinitum without an exit plan from the entire state of OCO.

Would doing this decrease prevalence of the shorter-term WOT actions, and replace them with those that better reflect OCO, to align with a more comprehensive and better-suited viewpoint? This development has begun with the move announced in the new DOD budget on

April 6, 2009, in which it began moving away from conventional warfare and towards counterinsurgency, in particular low-intensity conflicts.⁵¹ This is a promising start, however, if a new doctrine is created, will it more easily allow the United States to see these military conflicts in broader terms and enact even broader changes?

Should these overseas missions be seen as anything that marginalizes extremist behavior, including shorter term destruction of terrorist capabilities as well as more long-term actions focused entirely on removal of recurrent causes? Through a multifaceted multi-temporal approach, the United States can augment its capabilities and the resulting successes and become a better facilitator and partner in promoting a better future for its citizens and those of its allies around the world.

However, in order for US actions in combating the persistence of groups such as al-Qaeda, and eliminating the causes of violent radicalization, should perception, and practice become slightly obfuscated mirrors of each other? In this way, action could reflect talk and vice versa, but if needed, one could potentially act or speak, in a way, that is covered with the other. In other words, they reflect each other often enough that even when they are unable to do so, there is enough respect for American integrity that this lack is not noticeably deleterious to future interests.

American leaders are obliged to reformulate present actions to reflect a more pragmatic palaver, but there is a need to recognize that in order for this transformation to occur and be sustained, support from its allies is vital. In particular, if America is to produce a multi-decade process towards stability and decreased radicalization, which threatens trans-state stability and resulting prosperity, it will need both continual vocal support for its actions, as well as increased financial supports.

Furthermore, as the need for military action, will hopefully lessen over time through OCO, it will become more important to rely on the strategies and services of NGOs to aid these victimized countries and their people. While the eventual goal can be a reduced need for asymmetric military operations and an increase in both military and civilian state building efforts, this will be precipitated by the removal of imminent al-Qaeda threats while increasing efforts to remove the underlying catalysts. In this fashion existing instability and prevalence of destabilizing, violent networks will necessitate continuance of military intervention in its traditional capacity but stabilization efforts will decrease this need if done properly. If the US changes the state of play in all the aforementioned areas will it be more successful than it has been thus far?

Can the United States, through changes in the military and civilian spheres enact state building that endures, as well as unify where possible perception and reality, and move the world beyond the era of transnational terrorist groups in particular al-Qaeda and its affiliates? To be successful it will be necessary to reform the way the military currently operates better to provide for this dual role of going after immediate threats, terrorist or otherwise, while also setting the stage both socially and physically for civilians both governmental and non-governmental to enact the lion's share of state building.

Can America be expected to successfully combat both non-state actors and unstable or hostile governments in an increasingly complex geopolitical landscape if it does not fully adapt? The fog of war is becoming more prevalent as numerous groups often with unclear motivations proliferate, and the United States' focus shifts to confront these emerging threats. Also in this shift if America continues to adapt to increasingly fluid smaller scale threats, it must take care

that it does not lose its traditional Cold War inter-state capabilities should a future need to wage direct large-scale or when proxy wars arise.

Military Structure

Beginning in the 20th century US policy makers, seeing a nation increasingly threatened by wars and state instability in a “shrinking” world, stopped trying to keep the outside world from shaping America and instead began efforts to reshape the world. These efforts began a long series of dramatic shifts over the past decades to confront the mounting challenges. Particularly since the end of World War II, the United States Armed Forces have undergone a number of major changes to confront increasingly complex threats. Beginning in 1949, the idea of total war with the Soviet Union meant the horrifying potential for global nuclear confrontation. So, beginning in the 1950s and through the Kennedy Presidency of the 1960s, the growing spread of communism created a dominant belief that greater flexibility within military doctrine was needed. What resulted was the Limited War school of thought that put forth a more nuanced use of military force that would fight proxy wars as exemplified in Vietnam. This strategy could both confront a complex threat and re-shape the world to fight the spread of Communism, without resorting to direct combat that might escalate into a nuclear exchange.⁵²⁵³

When in Vietnam the US military used precise calculations in the application of limited force fighting the Viet Cong under unified civilian control. With the Viet Cong fighting a total war against America, the US military doctrine backfired because it relied on the presumed nominal sovereignty of Vietnam, which led to its downfall as the prevailing doctrine towards the end of the war. In the light of the perceived failures, military reformers have sought to reinstate a military-centered strategy in which the military regained its role in dictating military stratagem. In essence while there was an attempted integration of civilian and military groups, through the

Civilian Operations and Rural Development Support, its implementation was too little too late; and as a result while the US continued to operate under the fiction of sovereignty and thus gave the lead to the State department, it was a false premise that Vietnam continued to be sovereign and not just self-governed after 1956. The civilian leaders argued that the idea of Limited War where militaries would be used to signal for diplomatic efforts instead of fight using our full strength had caused needless losses that did not contribute to the US's Vietnam goals.

Specifically the attempts at coercive diplomacy by the Johnson administration, through an open-ended war commitment based on intimidating the North Vietnamese leadership out of a full scale war and toward negotiating was based on the flawed assumption that intimidating the enemy leaders would end their war goals and bring them to the negotiation table. Beginning with the March 1965 bombing campaign, the US signaled for a diplomatic resolution but they misread either their own ability to project power or the North Vietnamese's commitment, leading to the military's push towards regaining primary control over tactical and strategic decisions.

By the 1980s primacy of military engagements and decisive victory had returned to US military doctrine, yet the failed 1980 hostage rescue and the 1983 barracks bombing in Beirut heralded the doctrine of Overwhelming Force. This has also been known as the Weinberger doctrine and in some capacity as the Powell doctrine. Central to this doctrine is clear objectives, the means to achieve them, and general support. It also returned military victories to the centerpiece of a strategy focused on operational concerns dominated by military and like-minded civilian leaders. A central characteristic of this doctrine was the military only fighting when success is assured, and reason for fighting was worthwhile.⁵⁴⁵⁵ The problem with the perspective was its rigidity over the numerous military deaths from anterior doctrines. Success, however, in both Panama and later in the Persian Gulf, gave it staying power.

The decline of the Soviet Union and the change of the international landscape coinciding with the start of President Clinton's first term began the era of Precision Strikes, which lasted until September 11, 2001. The change came about due to the 18 American soldiers killed hunting Somali warlord Mohammed Farah Aidid during the Battle of Mogadishu. The rise of cruise missiles and air strikes were shown in smaller scale operations like the bombing of al-Qaeda camps in Afghanistan and larger scale bombings in Kosovo. The focus on precision-strikes was meant to be seen as low-risk and shape diplomacy, but also reinforced the belief that America was no longer willing to sustain casualties. This was demonstrated in the law enforcement approach to combatting terrorism, but also emboldened the terrorists who were operating under the same conclusion, of America's distaste for direct, large-scale and or sustained intervention.⁵⁶

However, unlike President Clinton, President Bush favored overwhelming direct engagements, and so he adopted the Decisive Action doctrine that returned focus to direct combat operations. This change also recognized past successes under prior doctrines and sought to form more suited force structure, personnel system, and strategy so as to utilize technology. In a way, this increased the America's decisive lethality in combat operations and removal of the need for large logistical and defense apparatus on frontlines. In this way, for example, the technology of the Clinton era was combined with the Overwhelming Force of the 1980s, and the limited political goals of the Vietnam War; all in an effort to create something greater than the more limited combined successes of the past doctrines.⁵⁷ However, the use of COIN (counterinsurgency) tactics to achieve these doctrinal goals has shown military strategists that to effectively confront conventional and unconventional foes in an era of both mass anti-terrorism efforts as well as the potential for more traditional battles, the tools we use to achieve military goals while accounting for broader strategy and policy considerations the approach needs to be

both adaptive and comprehensive. Counterinsurgency in the most basic sense is the actions taken by the incumbent government to quell or contain an insurgency taken against its nation, but more broadly it is one of the main tools at the military's disposal to stabilize and strengthen governments while denying sanctuary to al-Qaeda or those that aid it or its affiliates.⁵⁸ As the US continues its shift toward a broader spectrum of conflict, outlined in the Pentagon's Quadrennial Defense Review, will it have to reform the tools that it utilizes as well as the system meant to use them to confront our plethora of present and future challenges?

With the November 2013, release of Joint Publication 3-24 and upcoming publication of the new COIN field manual (FM 3-24), the debate over institutionalizing lessons learned since reigniting America's combat operations that began in the early 2000s. However two problems arise and detrimentally impact overall US national security strategy. While the publication shows advancement in US conceptualization of problems and solutions from their initial formation in 2001, the DOD continues to see COIN as a strategy, even conflating it with strategy and policy as opposed to the reality that it is only one of many tools to achieve larger goals.⁵⁹⁶⁰ "COIN is neither a concept nor can it be a strategy. Instead, it is merely an acronymic descriptor of a basket of diverse activities intended to counterinsurgency."⁶¹

Also, while using COIN is inescapable as it is currently the best tool for reducing existential threats to long-term building endeavors, it is less effective because of its use in a traditional large, cumbersome military structure that has been shown to over estimate its own infallibility. Although COIN seeks to address the issues seen in previous wars of highly advanced large forces trying to fight smaller more mobile forces, its current structure disallows the full strength of its force from being brought to bear. Immaterial is whether it is against al-Qaeda and its affiliates or their supporters including the Taliban. One of the debates central to a

discussion on the effectiveness and focus of COIN is over what it should focus on in conjunction with previously discussed military transformation it is useful to conclude the following debate to resolve COIN so that it will fully aid in the military's part of state stabilization required for a successful state building that follows. Although FM 3-24 is an amalgamation of best practices based on past engagements, would not the integration of a foundational theory such as Clausewitz's *On War* provide much-needed context? Presently the FM 3-24, while displaying an array of tactics covering manifold operational foci, confuses their application by placing it within a population-centric viewpoint.⁶²

In the past, going back to the late 19th century, it was believed that there was no center of gravity in irregular warfare. Practitioners including Joseph Gallieni and French Marshall Louise Lyautey, whose work was encapsulated in *Counterinsurgency Warfare: Theory and Practice*, took lessons learned by French forces in places like Vietnam, Morocco, and Algeria to form the "population-centric" school of counterinsurgency. They believed that the center of gravity in asymmetric conflicts is the civilian population, and that if that is who got their help they would be compensated with loyalty and defeat the insurgent threat. More recently this conception dominates FM 3-24 used by the US Army and Marine Corps.⁶³ The competing theory presumes population-centric COIN is folly, and the sole focus should be pursuit and destruction of insurgents. In this camp are a number of military theorists: American Col. Gian Gentile and Col. Ralph Peters, British civilian theorist William F. Owen and Israeli academic Martin Van Creveld. The underlying premise of both is a presumption of static center of gravity with their COIN focus and an arbitrary connection to the non-center factors.

Still, as Clausewitz long ago theorized in *On War*, any conflict is subject to three competing forces. While his ideas are rather abstract, he provided examples; essentially they are,

the populace will be violent and hateful, the military characterized by probabilities and chance, and governing organizations responsible for policy but subject to the irrationality of war. As he articulated in his treatise, "A theory which would leave any one of them out of account, or set up any arbitrary relation between them, may immediately become involved in such a contradiction with the reality, that it might be regarded as destroyed at once by that alone."⁶⁴

Both major schools of thought presume that the center of gravity is one of the trinity, but Clausewitz never states that. While he provided some examples he described the center as the thing that everything depends on, the hub of all movement and power.⁶⁵ While the initial focus was on enemy-centric COIN as seen in Afghanistan, by 2006 and the progressive focus on Iraq led to a polar shift toward population-centric COIN.

Presently Clausewitz's work is not being properly utilized, instead in an overly narrow and simplistic application in which the US focuses primarily on population-centric or enemy-centric instead of giving equal weight to both. By targeting few or often disproportionately one dimension of the conflict, which undermines America's application of the optimal COIN tactics within the Decisive Action doctrine, and jeopardizes state building interests.⁶⁶ In fact, recently Douglas J. Feith, Under Secretary of Defense for Policy, said, "nation building is not our strategic goal."⁶⁷ Also in 2008, chairman of the Joint Chiefs of Staff Adm. Michael Mullen declared in 2008, troop focus was to "hunt the Taliban and al-Qaeda," not to abet the Afghani population or enact state building efforts, believing the military successes were enough.⁶⁸ In any event as detailed by former Ambassador to Afghanistan Eikenberry, when the Western forces focused on the civilian population, particularly during and after the surge, the desired COIN state building actions were interpreted to mean anything and everything; as a result there was nothing substantial enough to build on for the inadequate number of civilian specialists that followed.

Instead of a detailed data driven, politically bounded long-term plan, what resulted was, as Karl Eikenberry called it, a disjointed highly flawed plan subject to every new COIN toss.⁶⁹

Transforming the US Military Structure

Regardless, in order to fully address this, it is beneficial to update the military's operational and organizational structures, to aid in the integration with civilian actions. By restructuring the military to move beyond the present limitations resulting from the population-centric COIN strategy being utilized by multiple branches of the US military, the US may apply a far more nuanced and complex approach, which could collectively affect a far greater difference than any constituent aspect.

In the latter part of 2006, it became necessary to change the way the US conducted war to address the shift in the types of enemies and threats being faced. As a result, certain US generals implemented the current COIN strategy.⁷⁰ While COIN did a number of important things including making civilians and noncombatants the focus, in its current incarnation it is being viewed as a strategy instead of a tool or mission created to achieve an aspect of the United States' strategic goals. Also, it created a false dichotomy of civilian-centric COIN versus combatant-focused COIN, as will be discussed certain restructuring will bypass this conundrum allowing for use of all available tools to achieve overall goals.⁷¹

Indicative of the current approach is the central massive, long-lasting elephantine military presence in whatever country deemed to be problematic. Instead, to be effective, would it not be better for America to see the overall design in the country or region - destabilized by extremists such as al-Qaeda - as one of marginalizing the threat first through smaller more rapid overwhelming force at pivotal targets? Through this strategic use of troops and civilian contractors could be used to stabilize and rebuild. However, this large core should not preclude

small-scale individualized efforts instead if the situation calls for it. In some instances, will it not be more effective and efficient to send in smaller, more mobile units to quell the radicalization instead of a full-scale force?

For example, to combat the immediate rise of possible future al-Qaeda affiliates the US could send in small highly mobile ground teams to stem the rise, while security and strengthening the central authority, possible local militaries, police, government as opposed to leading or working alone. Then to bring in non-state actors such as local NGOs to be supported by the UN and the USAID during which the military will withdraw personnel. If necessary could the US, or another international partner contract some private security personnel to protect these aid workers and the populations they are working to improve, if the area is still unstable but not enough to warrant a traditional military contingent. The author believes this to be the case because it could change the prevailing mindset in state building from long-term military-centric occupations to a civilian-centric but military augmented operations, without unduly endangering US lives – civilian or military, government or non-government. However, before discussing contractors and the merging of military and civilian roles in state building, does the military need to be radically transformed to help in its changing dual mission of warfare and specifically COIN tactics in the context of state transformations?

If the United States is to move beyond a military-centric approach to one in which the military is part of a more comprehensive strategy, both during and post-conflict will it have redress the current organizational and leadership mechanisms? At present there is a potential inability for the United States to update these mechanisms, which may inhibit the military's ability to fulfill its changing role. Over the last two decades, there have been a handful of transformative pieces on how to best structure the military to confront the problem of

counterinsurgency and asymmetric warfare all in the context of long run state stability and interstate relations. To fulfill this task three pieces on military responses to emerging threats will be examined to explain the optimal restructuring of the United States military to better handle present and future conflicts.

While this author will not espouse all of their proposals or their underlying presumptions, as they are quite expansive, more so than necessary for this paper. Furthermore in regard to the second piece on the delineation of divergent responsibilities, this author is replacing the espoused reason for the change from disconnectedness to extremist ideology and terrorist network proliferation, but does not believe the change undermining the transformation of the force structure. This author has also concluded based on the below evidence that the following arguments by Col. (Ret) Douglas Macgregor and geostrategic Thomas P.M. Barnett together present a viable solution to an age-old problem. This problem is fighting the next war with the tactics and strategies of the last war or going too far to overcome prior failings recreating old weaknesses.

In the late 1990s, Douglas Macgregor penned, *Breaking the Phalanx*, in which he advocated greater horizontal integration within the military branches to make them more effective and more able to quickly deploy for Joint operations. Should America preempt operational failures and large-scale defeat instead of being reactive to reordering the military? Simply taking the current structure and adding more technology or weaponry is neither the best use of resources nor the most effective; instead he advises that keeping pace with technological advancements, but not forcing the use of said technology, in a way, that undermines its purpose. What if the military were restructured to allow for greater ability to bring medium-to-large forces to bear more rapidly as opposed to massive forces at a slower pace? Important to note is that

while America military has not learned from his lessons, others including the Chinese People's Liberation Army have.

According to a 2011 study by the US Army's Strategic Studies Institute, the "PLA is redesigning its forces into battle groups, using modular force structures and logistics to support operations in high altitude and complex terrains, conduct out of area operations, and develop the core for its vision of a hardened and network centric army."⁷² The United States is increasingly involved in frequent lower-intensity asymmetric warfare and state building as opposed to traditional state-on-state conflict. Since this is the case is it wise to follow suit and reform military structure to confront this wide array of possible situations, but do so, in a way that retains traditional capabilities in the event they are needed is not a simple task. Perhaps, to this end, the military should incorporate the ideas of the Macgregor Transformation Model, but is that enough?

While Macgregor's ideas will do much, to fully address the multitude of roles that the US military has been trying to fulfill, what if, to prevent state building from potentially undermining strictly military capacities it could restructure itself to a far greater degree. However, can this be done without sacrificing any of these needed capabilities, and in a way that promotes its ability to conduct both war and peace operations with equal success? In the wake of the US-led invasions of the Middle East in the early 2000s, Thomas P.M. Barnett presented the idea of restructuring the United States military into a force which recognizes these dual roles and which addresses them in the most efficient, responsible and sustainable manner possible. The two groups that will comprise the US military are the "Leviathan" and the "System Administrator." The Leviathan will act as a traditional military where overwhelming force is used to bring a swift end to the conflict using young, energetic forces, being sure to utilize Macgregor's

aforementioned changes. While the System Administrator will focus on nation building and peacekeeping operations, and will be comprised primarily of current more seasoned veterans thus extending soldiers' careers, and be replenished when soldiers reach a certain age or experience level in the Leviathan.

In this regard, the military will provide basic infrastructure and initial support and security for when their civilian counterparts come to aid in state building. Barrett argues that there should be one exception to this delineation in that the Administrator's staffing could include the US Marines, which Macgregor recommends downsizing, to provide the System Administrator with access to overwhelming force when needed, without compromising the Leviathan's focus on traditional military operations. By separating these two aspects for future operations, neither function would be inadequately or improperly supported, and if this could be achieved, could it not potentially fix the overly complex mission that every soldier, however inexperienced, may be given in the current state of military affairs?

By separating and restructuring the military into these dual roles to focus on operational capabilities and purposes, the DOD prevents confusion both within and outside the military over what a given soldier's or unit's purpose is and their place in the overall plan. Essentially the guiding principle for the coming decades, especially for the military, would be that the United States cease thinking of war in the context of war, and instead think of war in a broader context [economics/human security/political access/judicial impartiality/prosperity opportunities/et cetera], so that it does not become an end to itself or in conflict with America's state building aims beyond individual battlefields. Parsing the structure in conjunction with the operation-oriented reforms of Macgregor, better the military for an increasingly nuanced future marked by short conflicts and long post-conflict (re-)building periods?

This will become especially important in regard to military action, including the drone program and low-intensity conflicts ensuring a merited response, which is proportional and in line with long-term defense interests and accounting for the public response. Now that the issues of military armaments and force structure have been discussed, the continued reliance on contract employees will be examined first in why the US continues to use them as such an integral part to its actions and what will be needed for their optimal future use.

Specifically what is necessary so that that they can compliment either military or civilian groups abroad without potentially undermining their efforts. Furthermore, while armed contractors will be the focus, as they have the greatest potential to undermine a mission as seen with the Blackwater [presently Academi of Constellis Holdings] 2007 Bagdad massacre, the problems and changes prescribed will benefit our use of all types of contractors. Neither contractors nor the discussion that follows it on armed drones are the only issues that may jeopardize these transformations for state building efforts. They are simply too large and all-encompassing issues to be ignored; they will have a profound impact on the success or failure of above state building and corresponding changes.

A Brief Historical Context of Civilian Contractors

Use of mercenaries and civilians was common in Europe until the 1600s; they were also used, primarily in support personnel roles, during the American Revolutionary War. Although civilians still work in transportation, construction, food and medicine for the military in varying capacities, and were often locals, it was not until the Vietnam War that the military component transitioned into its present form. In March 1965, *Business Week* called Vietnam a "war by contract."⁷³ With the sudden advancements in standard military equipment, the military had to

adapt. While there was no shortage of soldiers, they had limited technical training. This created a need for civilian contractors to compliment American soldiers.

Maintenance crews from companies like General Electric, who put them in harms way to make field repairs and improve infrastructure. Also during much of the cold war the defense industry continuously expanded to offset military posturing by the Soviet Union. However, the rise of a specific subcategory of military contractor, those involved in supporting military operations, beginning in the late 1990s Private Military and Security Companies (PMSC) began augmenting the deployment force. The reason being that for tasks of shorter duration, like Bosnia or Somalia, increasing the size of the military, growth lasting decades, makes less sense than outsourcing for a far more limited duration. Although the United States has the world's largest military budget, it could no longer fully self-support in overseas operations.⁷⁴ Their use has greatly increased since President Obama took office.⁷⁵

According to the Commission on Wartime Contracting in Iraq and Afghanistan, America is no longer capable of conducting "large or sustained military operations" without heavy contractor augmentation.⁷⁶ In recent times, private civilian contractors have even exceeded US troops at times, and this shows no sign of abating, does the United States need to create systems that regulate the need to evolve so that they can continue being a part of American military without potentially undermining it.⁷⁷ Not only have there been high levels of corruption, mismanagement, fraud, and waste by military contractors over the last decade, instead of creating more comprehensive oversight and accountability, certain people within the US government continues to hold them un-accountable.⁷⁸

Better Future Integration and Control of PMSC

Beyond the direct state changes, it is necessary to address the muddled legal issues pertaining to US government use of PMSC. In 1961, President Eisenhower warned, "We must guard against the acquisition of unwarranted influence, whether sought or unsought, by the military-industrial complex." If America continues to be beholden to the deleterious effects of PMSC actions, could the other changes undertaken in conjunction to advance in the marginalization of terrorist groups be for not? The outsourcing of these traditionally military and security services is weakening the monopolistic control over the use of force that has been fundamental to and based on the sovereignty of modern states as encapsulated in the system of collective security laid out by the UN Charter. As the latest wars and conflicts have shown, the persistent impunity with which these companies operate may unnecessarily perpetuate potential damage, from their cavalier regard for civilians to the US military and its broad goals. This is especially true if the administrations both current and future are able to alter other US policy toward long-run global stability.⁷⁹

Presently the laws at both national and international levels fail to make a determination as to whether such help are civilians or combatants or some undefined third category. The current support of the United States for the Montreux Document on Pertinent International Legal Obligations and Good Practices for States related to Operations of Private Military and Security Companies during Armed Conflict of 17 September 2008, does not fill the necessary legal vacuum in regard to PMSC due to it is a non-binding self-regulatory form built on existing international norms.⁸⁰ Also the foundational international conventions such as the UN Mercenary Convention do not extend to these legally registered entities, although US laws and regulations, was well as the Geneva Conventions and UN Convention Against Torture do. However for US laws only personnel but not the companies can be held responsible in either civilian or military

courts, but there are numerous barriers to doing so, including the procedure, contractor, classification of assignment, and political considerations. Internationally, if PSMC are more tightly regulated regardless of whether they are culpable in the distasteful acts displayed in mass media, those that are dismantling the hard fought reputation of PSMC to be seen as more than mercenaries will be held to the same standards as those that hold themselves to the military's standards. To this end, if America were to push for the adoption of conventions such as those proposed by the UN Working Group on the use of mercenaries, PMSCs would perhaps be set in a congruously applicable and enforceable legal system.⁸¹ Closer to home, fixing the current legally opaque existence of PSMC that have resulted in a lack of accountability even to the US government will sustain the continuance and expansion of the "hearts and minds" tactic.

In respect to contracts between the US government and PSMC, which detail the operational guidelines and for now remain mostly confidential presumably for trade secrets and national security concerns, outcry is dismissed. What if this were remedied to increase the release of PMSC contract operational limits, as doing so would not presumably harm operational capabilities pertaining to American interests in the majority of cases?

Particularly US citizens, in efforts to effectively promote state stability and marginalization of those who undermine, in the longer-term, such efforts will require a comprehensive legal system to ensure accountability, to protect aid workers and other non-combatants. Specifically through more clearly delineated guidelines on what various groups may do. In particular when there are legal ramifications for working with organizations, people or governments that align either purposefully or negligently with those deemed to be terrorists, more precisely enumerating guidelines for what PSMC may do and not do on behalf of the US, third parties or in some cases foreign interests.

The US military, as well as its allies, will continue to outsource much of US foreign actions in both military and civilian operations, but in doing so it can no longer allow such companies to operate without placing checks on their power and their authority. The continued use of PMSC is useful for US operations, but only if it can be fittingly controlled and integrated into national security policies.

Now that the issue of contractors' ability to undermine national and international efforts has been detailed. The second large threat to this shift toward state building is the use of armed Unmanned Aerial Vehicles (UAVs) due to the civilian casualties, lack of public discussion, and the proliferation of potentially damaging information. Which collectively destabilize areas where they are currently used.

Evolution and Current Drone Applications

Since 9/11/01, the use of UAVs has continuously expanded in scope, frequency and the areas of operation. While only five percent can become armed drones, with a growing arsenal should the American state adopt a comprehensive legal and operational framework to retain control that may be jeopardized once other states have a greater stake in this? Since September 2001, the overall inventory has increased from just 50 to 7,500 as of April 2012.⁸²⁸³ With the expanding use of armed drones, America can track potential targets for greater durations. Predator and Reaper drones can remain armed and airborne for over 14 hours. More traditional platforms have less ability to track for sustained durations; F-16 and A-10 aircraft can only stay aloft for up to four hours.⁸⁴ Furthermore, these surpass the responsiveness of the land-based platforms such as TBMs (theater ballistic missile). In certain military circles, this is known as the "find-fix-finish" loop. In addition, drones have the unique capability of redirecting launched explosives should civilians move into the target area.

In August 1998, prior to the advent of armed drones, the US used a cruise missile salvo in a failed attempt to kill Osama bin Laden. Using this weapon, however, does not provide the near-instantaneous response that came with UAVs. To launch these attacks it is necessary to predict where the target will be hours in advance, study pertinent intelligence, get presidential authorization and then program and launch missiles.⁸⁵ By transitioning to the UAV weapons platform the delay between intelligence confirmations, required authorization and the destruction of a target shortened. Furthermore through American aid both in humanitarian and security efforts the US has been able to benefit from host-state support to facilitate US drone operations both armed and unarmed.

There are numerous differences between drone strikes under Barack Obama and George W. Bush, in particular their use of armed drones in overseas operations. For example, the number of attacks has drastically increased over each of their predecessors, particularly in non-battlefield locations. In the wake of 9/11, President Bush authorized 50 such attacks, whereas President Obama authorized 350 as of last year.⁸⁶ Throughout most of Bush's presidency, he reined in the drone program by only permitting attacks against particular persons, primarily those presumed to be of high value to al-Qaeda and its support network. By the end of his presidency, however, he authorized the start of the practice that would become known as signature strikes, or as the Central Intelligence Agency (CIA) has labeled them "crowd killing" or terrorist attack disruption strikes (TADS). Beginning in 2008, the US could target those who were suspected to be al-Qaeda or Taliban leaders. This practice was expanded beyond Pakistan by President Obama to include Yemen.⁸⁷

However, the increasing intensity of drone strikes since Obama took office is not the only difference. While the Bush administration, did not publicly speak on any aspects of the drone

programs. During the Obama administration, there have been efforts for greater transparency. In John O. Brennan's April 30, 2012 speech, he said, "in full accordance with the law ... the United States government conducts targeted strikes against specific al-Qaeda terrorists, sometimes using remotely piloted aircraft, often referred to publicly as drones."⁸⁸ This development, however, has been limited, as a constraint from the past non-discussion, but the opportunity for more public discussion in Washington DC springs forth.

Also in addition to much of the programs covert status, and the judicial justification for sustaining its secrecy, has barred exhaustive investigations into its efficacy. Resulting from this speech is the greater opportunity to examine one of the chief issues in the burgeoning public forum over the disparity between the supposed and actual targets of drone strikes. This distinction is important to make as the program is becoming more transparent. According to US officials, those targeted are limited to those who are an imminent threat. Included in this definition are "high-level al-Qaeda leaders ... planning attacks," those who are "specific senior operational leaders of al-Qaeda and associated forces" and other "individuals who are a threat to the United States" particularly those involved in planning attacks.⁸⁹⁹¹ Back in December 2011, President Obama bragged, "twenty-two out of thirty top al-Qaeda leaders had been taken off the battlefield," all but Osama bin Laden were claimed to be due to drone strikes.⁹²

In other words, he claimed that 73 percent of al-Qaeda leadership's deaths had been due to counterterrorism operations, almost entirely those involving the drone program –that's an impressive statement. Earlier in the summer of 2005 President Bush made a similar boast of success, in which he claimed that 75 percent of al-Qaeda's leaders were either captured or killed.⁹³ However, multiple reports have concluded that the vast majority of the estimated few thousand dead were neither leaders of Taliban nor al-Qaeda forces. Indeed most were low-level

unknown, suspected militants who were probably only insurgents fighting their own country.⁹⁴ The question that arises raises concerns that the part of the drone program, in which the United States eliminates non-high-value targets may not be sustainable, it may even undermine strategic US security interests, due to the level of uncertainty and overall scale both real and perceived. Although this drone warfare is far from settled, it has opened the way for changes in US policy to occur. However, if America is going to enhance its long-term capabilities then it is becoming increasingly apparent that there is an imminent deadline after which non-state and state actors, which both have an increasing stake in the outcome, could unduly affect the terms. While most capable countries have signed on to the Missile Technology Control Regime aimed at preventing the proliferation of armed UAVs, various countries are not signatories, also as it is not currently illegal to export UAVs so long as they are not used to attack another country; they will be exported at an increasing rate. According to a number of analysts every country may have access to lower-end in terms of payload within five years, and a decade from now access to high-end state of the art UAVs. Furthermore with China announcing the exporting of armed UAVs to Saudi Arabia, “you could soon have U.S. and Chinese made drones striking in the same region.”⁹⁵

There are currently personality strike centric warfare investigations and a recent resolution by the United Nations into casualties from which the United States has abstained.⁹⁶ Also, the European Parliament is developing a legal framework for armed drone use.⁹⁷ Concurrently President Obama has publicly emphasized the need to re-evaluate and possibly reformulate the ways it conducts drone operations. In a speech on May 23, 2013 at the National Defense University he stated,

America's legitimate claim of self-defense cannot be the end of the discussion. To say a military tactic is [presently] legal, or even effective, is not to say it is wise or moral in every instance ... over the last four years, my administration has worked vigorously to establish a framework that governs our use of force against terrorists -- insisting upon

clear guidelines, oversight and accountability that is now codified in Presidential Policy Guidance that I signed yesterday ... [For instance] I've asked my administration to review proposals to extend oversight of lethal actions outside of warzones that go beyond our reporting to Congress.⁹⁸

In the past year, there has been little progress about refining the unclear aspects of US drone use. About increasing oversight, the efforts have all but stalled out. Although the Senate Intelligence Committee quietly approved substantial changes to increase oversight and transparency, nothing has come of the bill. Changes in the bill were approved as a response to both domestic and international pressure. These changes included requiring the US intelligence community publicly to disclose yearly statistics on the number of injuries and deaths resulting from drone strikes including the proportion of non-combatant fatalities. There is also undisclosed language purported to increase scrutiny of decisions on targeting US citizens or residents in overseas strikes through an independent alternative analysis.⁹⁹ Although as of April the Senate has stripped the bill of the requirement publicly to disclose statistics on targeted killings.¹⁰⁰ Also in the past year Congress has been blocking, under partisan concerns and pressure from the intelligence community, Obama administration's attempts to consolidate the US drone programs under the singular authority of the Pentagon.¹⁰¹

A number of senators also delayed John O. Brennan's CIA vetting to get access to Justice Department justifications for drone operations, constraining releases. One concern raised by commentators has been that the reluctance to provide greater transparency may result from the administration's continuous remarks that the civilian casualties are minimal. Also, there is a perception of broader intransigence within Congress on other aspects mentioned by Obama, particularly the lesser public outcry over remote killing versus past detainment efforts.

Over the last two years the number of supposed civilian casualties has decreased and the overall number of strikes this last year has also decreased, yet whether this is a result of President

Obama's pledge of system-wide reform is presently unclear.¹⁰² Currently, the placations continue, in a recent statement, National Security Council spokeswoman Caitlin Hayden spoke of White House exploration of sharing more information with the American people.¹⁰³ Whether anything will come from this, history indicates it will take months or years. In one promising move, President Obama and the Justice Department did not appeal the ruling requiring the release of a redacted version of memos regarding targeting of American citizens including Anwar al-Awlaki without trial. Through the release of the redacted form of the memo, showed that the Obama administration believes it had the right to kill Awlaki because he was a senior member of al-Qaeda and posed an imminent threat to the United States; furthermore, it was concluded that his US citizenship did not impose constitutional limitations that would preclude the lethal action.¹⁰⁴ Although this may prove significant, will substantial work not still be needed, to answer the unanswered questions including the reliance on the perceived veracity of statements from various federal agencies?¹⁰⁵ Far beyond promises, there has been no marked progress toward addressing international concerns. Also, unresolved are the effects of a proliferation on civilian casualties and challenges to international legal status quo.

Reforming And Restricting Drone Use

As mentioned the United States conducts two types of drone missions. There are those, often termed "signature" strikes, in which the United States targets, known, often high-value terrorists; and there are those primarily happening outside traditional war zones, which target individuals who are unknown, called "personality" strikes. The latter, unfortunately, leads to high noncombatant casualty rates. This is a problem that is recognized both in the phrasing of casualty reports, which often list even unknown young males as combatants,¹⁰⁶¹⁰⁷ and the denial of involvement in such attacks when incendiary evidence to the contrary presents itself,

particularly in regard to Pakistan.¹⁰⁸ Further obscuring the situation is the use of the CIA is used for a particular strike in an attempt to create deniability either for America or the host country. Recently in an unusual move the US acknowledged its role in the Yemeni wedding procession deaths last winter, showing perhaps an effort to become more open? This is beneficial given the presumption that many of them already hold the US responsible for their loss.

Is acknowledging America's responsibility to admit when its operations result in civilian casualties an important first-step, and one that should increase in the future? If the United States does not do so, will this necessitate having to further reduce its operations, beyond present changes in these countries, to recover from the increasing strain on American remote killing, as a result of their current prevalence? Essentially if the United States were to take responsibility for both the positive and negative aspects of UAV attacks, would it, while having to bear the brunt of outcry and opposition to their general continuance, also allow for greater narrative control due to perceived transparency and accountability?¹⁰⁹

In the vast majority of drone strikes, resulting in noncombatant deaths it has been US practice to distance itself, as stated, from the associated bad press. However, by acknowledging the intelligence failure and seeking to rectify it for the viability of subsequent drone strikes, America can start rebuilding its image in regions affected by such mishaps. Presently the United States only acknowledges that Joint Special Operations Command (JSOC) was responsible, when the news is positive or presumably because of the extensive photographic evidence of civilian injuries and deaths.

In the other cases of DOD led strikes in Yemen even after the Yemeni Parliament passed a ban on drone strikes, the use under DOD control continued unabated. Moreover, while Yemeni executive leadership is collaborating in these actions, could continuing these strikes without

universally moving to more open practices, perhaps undermine US efforts to manage perceptions through increased accountability?¹¹⁰ Also how effective are these changes, when other actions, for instance those by the CIA continue to result in ignored accidental deaths, it is not as though any drone strike occurs in a vacuum? Furthermore, while there is a reason for some denial, which is why the US uses the CIA in Pakistan where their government's support is an issue, the scale of covert fully denied operations undermines that purpose and overshadows DOD disclosures.

Should the media continue to be something to fear as shown in the cases of civilian deaths in Yemen, or should it become a partner that promotes the US's successes and holds it answerable for its failures. By being more forthright in presenting its shortcomings, would the United States be able to more successfully shape perceptions of all its actions increasing overall support? In this respect, America could present facts including the fact that the civilian-to-combatant kill ratio for drone attacks is lower than other forms of combat with the rate even when it first became a tool of US actions abroad, with one in five being a civilian death. Also, this is far lower than the one in three or even four out of five deaths in previous conflicts depending on which war is examined, and this ratio is improving daily with better intelligence acquisition.¹¹¹ Moreover, by increasing American openness in this respect, perhaps there will be a reduced pressure for the American government to disclose the drone strikes where there is a direct threat to intelligence sources. In this regard could the US increase perceived transparency and accountability toward the public and the international community, insuring that the information that is essential to ongoing operations does not come under threat?

These mounting concerns are, among other places, displayed in the many op-ed and editorial pieces in American papers, publications by numerous International INGOs, and the ongoing UN investigations into pertinent civilian casualties. The public, who clamor for a system

that seems more clear-cut and open, support this change. Moreover, the American public supports military drone strikes (75 percent) over those of the CIA (65 percent).¹¹² Would shifting the majority of drone operations to the DOD lessen the demands for pertinent CIA strikes information that presumably jeopardizes the important deniability?

By restructuring the current system for drone usage, would the US government be better able to increase acceptance of their continued and ever expanding use? At present, drones are eroding domestic support and creating foreign ire as seen in news headlines from Yemen and in US changes to ground operations in Pakistan.¹¹³¹¹⁴¹¹⁵ If America moves away from its unfavorable moral and legal justifications, will it be better prepared to formulate a transnational legal framework while its still the global leader in UAV use?

Some people pushing for greater transparency argue that a reformation would facilitate exhaustive investigations and increased public disclosure, ensuring accountability in any cases where civilian casualties are suspected. Would this not at least reduce public outcry that undermines America's self-righteous position? Beyond this damage-control campaign, can the US push for comprehensive international drone legislation that minimizes potential imminent operational constraints if it does not have a stronger foundation from which to advocate?

This is apparent in the current impunity with which the covert drone-programs foment locals, and become a tool for al-Qaeda recruitment. Not only does one civilian death create a handful of potential recruits and at the very least possible future terrorist safe havens, but also it undercuts America's ability to use such locals for intelligence gathering efforts.¹¹⁶

In recognizing the US' responsibility to protect civilians, even outside acknowledged war zones could the United States successfully transition from straight warfare to longer-term state building efforts, even though in some instances this construction may be facilitated by a focus in

the immediate future on combat? Doing so syncs American rhetoric with its chosen actions and successfully shapes both the future of asymmetric operations under the umbrella of state stability and radicals' marginalization. However, it takes into account the more immediate narratives. Some features of these actions remain classified and unspoken; however, this is only so that all aspects remain viable. With the potential CIA to DOD leadership shift, the majority of operations could perhaps be more openly discussed and at least more easily accountable, but would this end up helping the CIA retain and possibly increase secrecy and deniability for its reduced number of operations and make it easier to operate in publicly hostile countries including Pakistan?¹¹⁷

Another reason besides optics and impacts on intelligence acquisition is CIA mission integrity; would this change clear up the currently murky congressional oversight resulting from differing reporting and oversight protocols between the CIA and DOD, and reduce certain types of actions in certain regards to maximize benefits from this change? The current differences between the two are quite complex. For clarification, there may be instances where the state may need to carry out covert actions to maintain secrecy. However, the primary and majority of strikes should be shifted to the DOD for the reasons enumerated above. Also as CIA director John O. Brennan stated in his February 2013 nomination hearing, "The CIA should not be conducting traditional military activities and operations."¹¹⁸

In this development, could the CIA retain the capability, in a diminished capacity, to conduct drone strikes that would be feasible, ignorable by foreign leaders and prevent risky operations from being used as anti-American propaganda? Currently, the American government either remains silent or denies involvement when it unintentionally kills civilians. This results in propaganda efforts to curry support or sympathy by terrorist networks or states wanting to use US drone strikes covert presence as a scapegoat for their own airstrikes or as unfortunate

tragedies in which either party can form an unflattering narrative.¹¹⁹ As former US Secretary of Defense Rumsfeld said, "While the enemy is increasingly skillful at manipulating the media and using tools of communications to their advantage, ... we have this advantage as well ... the truth is on our side, and ultimately, in my view, truth wins out."¹²⁰

However, if America wants to steer the narrative and prevent widespread propaganda efforts by its enemies, is it not necessary for the American-led adoption of an international legal framework specifically addressing UAV use? Perhaps doing this would improve US credibility enough to retain and expand support from the citizens and countries it relies on for support and intelligence, which are being influenced by opposing narratives. Through restructuring current efforts and leading this campaign, can American interests be given greater impact on the result, and make it possible to reduce the detrimental effects of America's past and present ill-perceived actions, increasing operational security in addition to currying public favor?

This growing need for America to help lay the foundation for an international framework is quite apparent, "Since 1942, the U.S. military has enjoyed an unrivaled capability to fight the nation's wars overseas" nonetheless, "precision-strike[s] will [eventually] proliferate into the hands of prospective American adversaries both large and small ... This outcome could potentially constrain the United States' ability to project power overseas to the point of forcing a fundamental rethinking of America's role in the world."¹²¹ Although a profound change may indeed become necessary, when the US chooses to pursue this, will impact its influence over the result. Directly affecting either beneficially or deleteriously both drone and more broadly present and future US military capabilities that are integral to US foreign policy. Finally, while this is a complex problem, and the focus here is to potentially reduce the scale of the program in an effort

to curb un-desired deaths, does this shift in control not achieve this goal and the related concerns such as oversight and the public's demands for limpidity?

With this overview coming to a close, what has been learned? The current fragment largely military approach is not working. It is beneficial to increase and better incorporate civilian endeavors both governmental and non-governmental to create a comprehensive multi-faceted multi-temporal global approach. To fully realize this, the US military should be divided between the two different tasks so that neither attention nor resources are being split. Also to alleviate some of the burdens this could create a force structure that could be altered to downsize the two halves without undersized US forces in any capacity; perhaps other nations will eventually follow suit and further alleviate our burden. Finally, if state building is to be truly successful, the issues pertaining to the current use of contractors and armed drones must be satisfactorily resolved.

A Better Future?

What is being considered when America discusses these issues is whether the actions being taken have an effect, in particular do they enhance its al-Qaeda reduction capabilities, and its immediate, medium and long-term goals and the mechanisms necessary to advance them. Is it possible to create an environment, both politically and culturally, in which its citizenry is less fearful, more supportive of these progressions to their nation's overall potential benefit? Also does this support extend to the majority of their citizens? If America can further and far more radically transform its capabilities and overarching policies to excise the disease of militant extremism, in particular al-Qaeda and its affiliates, it will address not only today's problems, but those of tomorrow as well.

“Although Americans today are increasingly skeptical of foreign engagement and global

responsibilities, it is a mistake to view those responsibilities as a burden or as charity,” as Defense Secretary Hagel recently said. “Let us remember that the biggest beneficiaries of American leadership and engagement in the world are the American people.”¹²² If these United States can achieve this multitude of essential changes, it can align the tools and tactics needed to achieve the US’ policy objectives. What will result will be change Americans and citizens of the world can believe in; not only the United States but the whole world will become a safer and more prosperous place in which terrorism is largely a remnant of our past. The author of this conception owes gratitude to the thinkers spoken of and referenced herein and hopes that justice was done to their ideas in this broader conceptualization. The aim of this paper was to bring together a number of important ideas to show what together they can become; hopefully this has been done.

While the reforms spoken of herein are monumental in and of themselves, the United States — with the help of its allies — has brought about large-scale changes before to confront seemingly insurmountable challenges, and this can and should be done again. No state, not even America, can fully defend itself unilaterally against al-Qaeda, its affiliates and its allies. Even with reforms to the overall action to better correlate with dialogue, and more specifically transforming the military to better address actions undermining success, there is a necessity for a coordinated multi-tiered multilateral approach. As President Obama said in his speech in Cairo “I do so [recognize] that change cannot happen overnight,” but in the end al-Qaeda and its affiliates and those who shelter them can be marginalized into inconsequential obscurity and their status as an imminent threat to the United States and the world can be a problem of our past.¹²³

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