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Analyzing U.S. Security Assistance to Kenya

Toby Shepard

The security situation in Kenya has significantly deteriorated in recent years, as the latest attacks by the terrorist group Al-Shabaab demonstrate. Kenya’s responses to these attacks have been marred by corruption, incompetence, crackdowns on civil society, and serious human rights violations. Kenya’s response has not only been ineffective, but counterproductive. The United States has a close partnership with Kenya on security issues and provides significant support to the Kenyan police and military. This paper analyzes U.S. security assistance to Kenya and makes recommendations for changes in the U.S.-Kenya security relationship.

Behind the Façade: Explaining U.S. Elite Opinions on Cyber Security

Max Smeets

U.S. policymakers hold widely varying views on how the country should protect against cyber threats. This ongoing policy disagreement has paralyzed the U.S. government in its effective implementation of cyber policies. This article addresses what drives these various competing paradigms on cyber security. Several propositions are tested employing a new data set encompassing the views, as well as social and professional backgrounds, of more than 450 U.S. cyber security elites. Contrary to the general consensus in the literature, the results indicate that policy makers’ views on cyber security is mostly influenced by their educational background, rather than their organizational position or other factors.
Unraveling the Organizational Collapse of the Tamil Tigers

Sebastian J. Bae

For nearly three decades, the Liberation Tigers of Tamil Eelam (LTTE) was one of the most notorious insurgencies in the world. In 2009, the Sri Lankan military stunned the world by dismantling the LTTE with a campaign of unrestricted counterinsurgency. Current counterinsurgency literature takes a state-centric approach, evaluating state strategies to explain the rise and fall of terrorist groups and insurgencies. Yet, a close examination of the Sri Lankan case reveals the defeat of the LTTE was rooted in internal organizational problems rather than the Sri Lankan government’s counterinsurgency strategy. This paper argues that centralization (geographic, ethnical, and structural), exacerbated by international and domestic pressure, led to the LTTE’s defeat.

From 1976 to 2009, the Liberation Tigers of Tamil Eelam (LTTE) waged a violent campaign for Tamil separatism against the Sri Lankan government. Initially a street gang, the LTTE evolved into one of the most successful insurgencies in the world, possessing an extensive global network, semi-conventional forces with aerial and naval units, internal courts and administrations, and a notorious suicide division (known as the Black Tigers).\(^1\) The LTTE advocated the establishment of a Tamil homeland, *Tamil Eelam*, as the only solution to the oppression of the Sinhalese majority. Since its platform posed

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an existential threat to the state, the LTTE was embroiled in a series of intense conflicts with the Sri Lankan government spanning several decades: Eelam War I (1983-1987), Eelam War II (1990-1995), Eelam War III (1995-2002), and Eelam War IV (2006-2009).² Bruce Hoffman, a leading expert on terrorism, characterized the LTTE as the “most professional terrorist and insurgent group to ever exist.”³ Yet, in 2009, the Sri Lankan military crushed the seemingly unbeatable LTTE in a shocking military victory. This success posed a stark contrast to the modest progress western counterparts have made against terrorist organizations, such as al-Qaeda.⁴

The existing counterinsurgency literature has consisted mainly of a state-centric methodological approach, focusing on the merits of the population-centric counterinsurgency strategy advocated by western states compared with that of the unrestricted counterinsurgency, such as that employed by Sri Lankan forces in 2009.⁵ This article, however, seeks to understand the defeat of the LTTE beyond this counterinsurgency paradigm by focusing on the organizational culture and structure of the LTTE to explain its sudden collapse. Utilizing organizational theory as a fundamental framework, this article draws upon scholarly secondary resources, expert opinion, non-governmental organizations’ (NGO) publications, comparative case study analysis, and in-depth military analysis to examine the defeat of the LTTE from the insurgent

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³ Bruce Hoffman (terrorism expert) in discussion with the author, February 2015.
perspective. An accurate understanding of violent non-state actors like the LTTE is critical in an era where asymmetrical conflict is increasingly prevalent. Ultimately, the over-centralization of the organization, in terms of leadership, ethnic identity, and culture, and the mounting domestic and international isolation of the LTTE crippled the organization’s ability to operate, attack, and recover tactical losses, eventually leading to its organizational collapse and defeat.

In sum, the organizational dynamics of the LTTE undermined its ability to adapt to evolving external challenges. Hence, organizational factors are crucial to understanding its defeat, as external stressors both revealed and exacerbated structural flaws. The article outlines in six sections the relationship between external pressures and the LTTE’s organizational flaws and ties these flaws directly to its collapse. The first section provides historical context to the evolution of the organization’s structure within context of Sri Lankan conflict. The second section reviews the established state-centric counterinsurgency narrative that has dominated analysis of violent non-state actors compared to the article’s insurgent-centric approach. The third section examines the increasing isolation of the LTTE, both internationally and domestically, which left the LTTE vulnerable to external military pressure. The fourth section provides a fundamental understanding of organizational theory as a framework to examine the institutional behavior of and constraints on the LTTE. The fifth section argues that the LTTE possessed two inherent structural flaws: a dependency on Velupillai Prabhakaran for leadership and a narrow geographic/ethnic focus. The sixth section outlines how the rigid, centralized organizational structure,

combined with a culture rooted in martial spirit and sacrifice, motivated a fatally weakened LTTE force into conventional military confrontation with the well-prepared Sri Lankan military, leading to its final defeat. To conclude, this article examines the future research avenues of an organizational-centric analysis of violent non-state actors.

**Historical Background: The Sri Lankan Conflict**

Sri Lanka, known as Ceylon during the British colonial period, is a multi-ethnic, multi-religious, and multi-linguistic state with roughly twenty million people. Under British rule, the Tamils, an ethnic minority of the North (roughly 12 percent of the population), dominated the English education system and marginalized the majority Sinhalese population from professional fields. In 1948, on the cusp of independence, Tamils comprised 60 percent of professionals employed by the state and 40 percent of the military.

After independence, the Sinhalese majority, approximately 73 percent of the population at that time, sought to reverse the preferential treatment of Tamils under British rule, and succeeded to great effect. By 1970, Tamils comprised 10 percent of state professionals and less than one percent of the military. Additionally, a Sinhalese-dominated Parliament passed a series of ethnic discriminatory legislation, one of which rendered a million Tamils stateless and disenfranchised. As a result, tension between Tamils and Sinhalese intensified politically and socially around oppositional ethnic identities, with many believing one ethnicity was benefiting at the

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8 Ibid., 388.
9 Ibid., 389.
10 Ibid., 388.
11 Ibid., 389.
expense of the other. The Tamils began to see the Sinhalese as the “bucolic hordes, bent on brutal oppression.”

Beginning in 1956, ethnic tensions erupted in violence in response to the Sri Lankan government’s implementation of the ‘Sinhala Only Policy,’ which declared Sinhala as the sole official language.

Ethnic discourse between Tamil and Sinhalese identities shaped the overarching cleavage in the Sri Lankan conflict. Sri Lankan Buddhist priests, or sangha, propagated the ethnic distinctions between Sinhalese and Tamils, which were rooted in “the mythical history created by nineteenth-century Buddhist elites who effectively weaved folklore and religion to claim a North Indian heritage and fashion a nationalist ideology.” The ideology was so powerful that no institution, public or private, could resist being acculturated into a pro-Sinhalese, pro-Buddhist mentality. Meanwhile, the Tamil identity developed in opposition to the Sinhalese narrative. Although this bifurcation was mostly artificial, the ethnic cleavage remained socially and politically potent and strict. As a result, the sangha controlled electoral blocs and provided legitimacy for the government rooted in a political and religious identity. This status imbued the sangha with almost impeachable power to the point that being Buddhist became integral to being Sinhalese.

Therefore, amidst growing Tamil dissatisfaction with Sinhalese governance, Velupillai Prabhakaran established the LTTE on March 5, 1976. His successful assassination of Alfred Durayapa, then mayor of Jaffna, in July 1975 had

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15 Ibid., 66.
propelled Prabhakaran into the spotlight and established his reputation as a Tamil hero.\textsuperscript{18} Brig. General H. De Silva’s initial campaign to crush Tamil militancy involved extra-judicial killings and disappearances, which only fueled the emerging Tamil insurgency. On July 23, 1983, the LTTE conducted a deadly ambush against the Sri Lankan Army killing thirteen soldiers. On July 24, 1983, widespread riots erupted across the country beginning in Colombo, the capital. Over seven days, mobs of mainly ethnic Sinhalese brutalized Tamils, looted Tamil businesses, and killed an estimate of 400 to 3,000 people.\textsuperscript{19} Ultimately, the ethnic violence of the Anti-Tamil Riots of 1983, also called the Black July Riots, catalyzed Tamil support for the LTTE and transformed a peripheral political militancy into a full-blown Tamil insurgency.

Isolating the Tamil Tigers: A Pariah in the Post-9/11 Era

From the 1970s to 1990s, India was an influential external backer of the LTTE, seeking to solidify its position as South Asia’s hegemon.\textsuperscript{20} A politically powerful Tamil population in India’s southern state of Tamil Nadu served to connect the subcontinent to Sri Lanka’s insurgency. Though a separate Tamil state in Sri Lanka posed the risk of similar ethnic separatism in Tamil-dominated southern India (or Dravida Desam), New Delhi sought to promote Indian influence in Sri Lanka through various Tamil insurgent groups.\textsuperscript{21} India sought to leverage the Tamil insurgency, including the LTTE, as a tool to spy on the government in Colombo and manipulate Sri Lankan politics.\textsuperscript{22}

\textsuperscript{18} Ibid., 394.
\textsuperscript{19} Ibid., 394-395.
\textsuperscript{21} Ibid., 600-601; While India sought to expand its foreign influence, it constantly had to balance this policy with the danger of a Tamil insurgency in India, particularly as India already struggled with Maoist and Sikh insurgencies.
\textsuperscript{22} Hashim, \textit{When Counterinsurgency Wins}, 96
For example, India used the LTTE to gather information about potential leasing of the strategic harbor of Trincomalee to the United States.23

By mid-1987, through Indian patronage networks, 20,000 Tamils were “provided with sanctuary, training, and weapons by the Indians.”24 Beyond the reach of the Sri Lankan government, the LTTE transformed the Indian state of Tamil Nadu into a critical logistical base and safe haven. The city of Dharmapuri, for example, provided explosives while the city of Thanjabuar served as a communications node.25 Weapons, ordnances, expertise, funding, and political support all flowed from the Indian sub-continent to Prabhakaran’s Tamil territory in Sri Lanka. While the support was extensive, Prabhakaran understood India’s support of the LTTE was geopolitically motivated and temporary. The relationship between India and the LTTE was one of mutual exploitation, with each using the other for their own specific yet temporarily overlapping goals.

The precarious alliance between India and the LTTE would not last long. Pressured by domestic outrage to the growing spillover from Sri Lanka’s insurgency, New Delhi deployed the Indian Peace Keeping Force (IPKF), expecting a brief and decisive engagement in Sri Lanka. However, the peacekeeping operation rapidly turned into a grueling counterinsurgency campaign. From July 1987 to March 1990, the IPKF suffered 1,200 soldiers killed in action and 2,500 injured while fighting the LTTE.26 The brutality and cost of the IPKF intervention fundamentally changed India’s perception of Tamil separatism and the LTTE. On May 21, 1991, as the IPKF campaign was steadily ending, Rajiv Gandhi, the former Prime Minister of India from 1984 to 1989, was assassinated by a female LTTE

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23 Ibid., 96.
24 Ibid., 89.
25 Ibid., 90.
suicide bomber, solidifying an irreparable rift between the LTTE and India. The LTTE was no longer viewed as a useful foreign policy tool, but rather as a dangerous threat to India’s security. As a result, the LTTE lost a crucial supplier of both political sanctuary and military arms.27 Realizing India merely sought to use the LTTE and would never truly support an independent Tamil homeland, Prabhakaran’s decision to assassinate Rajib Gandhi embodied his belief “that the LTTE would one day have to wage war with India in order to create eelam.”28

Following 9/11, the LTTE was officially designated as a Foreign Terrorist Organization by the U.S., which only increased the LTTE’s difficulty in distinguishing itself as a legitimate nationalistic movement. Amidst the U.S. Global War on Terror, the international community became much more critical of violent nationalistic movements employing terrorist tactics. The 9/11 attacks by al-Qaeda created a political environment in which government complicity in terrorist organizations’ activities was untenable. The LTTE’s terrorist tactics, particularly suicide bombing, resulted in an uncomfortable and striking parallel between the LTTE and al-Qaeda.29 As a result, the Tamil diaspora grew concerned that the LTTE’s use of terrorism would undermine the legitimacy of Tamil separatism. However, despite a change in rhetoric during his annual Hero’s Day speeches, Prabhakaran continued terrorist campaigns in pursuit of his vision of Tamil Eelam, notwithstanding the political costs.30 Moreover, the LTTE’s ethnocentric abuses, including the forced expulsion of 60,000 Muslims from the Northern Province, pitted the international

29 Hashim, When Counterinsurgency Wins, 191.
community against the LTTE. The growing discontent among the Tamil diaspora and international community would later set the stage for Colonel Karuna’s landmark defection.

Motivated by the attack on Colombo’s airport in 2000 and the political climate after 9/11, India’s decisions in 2001, including the Indo-Sri Lanka Comprehensive Economic Partnership Agreement, cemented its policy reversal vis-à-vis the LTTE and consolidated its support for the Sri Lankan government. The loss of material support and political asylum from Indian Tamils in Tamil Nadu detailed above proved disastrous to the LTTE. On top of denying the LTTE support, India began providing military aid directly to the Sri Lankan government. In 2006, India discreetly transferred five Mi-17 helicopters to the Sri Lankan Air Force, which would later provide critical aerial support during Eelam War IV. In 2007, India contributed significant intelligence to assist the Sri Lankan Navy’s campaign against LTTE vessels. By Eelam War IV, India, once a critical external sponsor of the LTTE, had become an adamant international opponent.

Between 2002 and 2006, the Sri Lankan military aggressively pursued new political allies, military capabilities, and resources in preparation for a final confrontation with the LTTE – particularly through the support of China. In 2005, China provided $1 billion in military and financial aid in exchange for development rights in Sri Lankan infrastructure.

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32 Vinayagamoorthy Muralitharan, also known as Colonel Karuna, was the top LTTE military commander of the Eastern Province. After more than twenty years of fighting for the LTTE, Karuna defected in 2004 to the Sri Lankan military, disavowing terrorism. Before his defection, Karuna was considered the second in command, only after Prabhakaran.
34 Gokhale, Sri Lanka: From War to Peace, 121.
projects. Through Chinese aid, the Sri Lankan government was modernizing and expanding its military capabilities. By 2007, China was the “single largest source of bilateral aid” to Sri Lanka, building roads, power stations, and ports. As a result, Sri Lanka was no longer bound by restrictive aid packages from western states. China’s political patronage shielded Sri Lanka from United Nations (UN) censure and allegations of abuses by human rights organizations. Emboldened, the Sri Lankan military waged an unrestricted military campaign, which included the unrestricted shelling of cities in Tamil occupied territory in Eelam War IV. Meanwhile, the media blackout and the decreased influence of Western states and the UN isolated LTTE from external support and protection from human rights groups, which routinely allowed the LTTE to regroup during humanitarian ceasefires.

Concurrently, through expert diplomacy, Sri Lankan Foreign Minister Lakshman Kadirgamar established the LTTE as an international pariah by painting it as a violent, drug-smuggling terrorist group. Furthermore, the LTTE’s assassination of Sri Lankan Foreign Minister Lakshman Kadirgamar in August 2005 only confirmed for the international community the LTTE’s insincerity during the 2002-2006 peace process. Foreign governments, previously complicit in the LTTE’s international activities, began to dismantle its diaspora network. The 2005 Canadian ban on LTTE funding networks denied the group roughly $12 million

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36 Smith, “Understanding Sri Lanka’s Defeat of the Tamil Tigers,” 43.
39 Foreign Minister Lakshman Kadirgamar was the principal actor behind the political isolation of the LTTE from the international community, branding the group as ruthless terrorists. His assassination by a LTTE sniper in 2005 polarized popular opinion against the sincerity of the LTTE in pursuing diplomatic peace.
dollars in annual revenue—a crippling financial blow.\textsuperscript{40} Similarly, by 2006, the European Union had banned the LTTE as a terrorist organization, closing down its political affiliated branches and groups.\textsuperscript{41}

The mounting international isolation, financially and politically, crippled the LTTE’s ability to sustain its campaigns and combat effectiveness. These changes are primarily external to Sri Lankan tactical choices and as such provide important context for the LTTE’s defeat. These changes do not, however, fully explain the Tiger’s collapse, as the group did not enjoy extensive international backing throughout its history.

\section*{Declining Domestic and International Support}

The LTTE relied heavily on the shared ethnic identity among Tamils to marshal both material and political support for its operations.\textsuperscript{42} Clandestine networks depend on auxiliary components, including underground supporters, to provide logistical, operational, and political support. For example, doctors can treat wounded insurgents in clandestine hospitals. Chemical engineers can devise explosives and biological weapons for terror campaigns. Shopkeepers can provide sanctuary for insurgents or supply intelligence on military movements.\textsuperscript{43} After the LTTE’s split with India for material and political support, the Tamil diaspora network filled the void, providing millions of dollars of funding. The diaspora also brought to bear advanced expertise in engineering, money laundering, weapons and ordnance, and political advocacy

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\textsuperscript{40} Smith, “Understanding Sri Lanka’s Defeat of the Tamil Tigers,” 42; Gokhale, \textit{Sri Lanka: From War to Peace}, 40.


\textsuperscript{43} Jones, \textit{Understanding the Form, Function, and Logic of Clandestine Insurgent and Terrorist Networks}, 14-15.
\end{flushright}
abroad.\textsuperscript{44} Thus, full support, or at the minimum widespread complicity, of the population and the diaspora was central to the strength of the LTTE.

The Tamil diaspora served as the “economic backbone of the militant campaign,” providing 80 percent of the LTTE’s fundraising annual income.\textsuperscript{45} The political branches in Europe, the United States, Canada, and Australia roughly produced between $450 and $500 million annually for the LTTE.\textsuperscript{46} Even after a crackdown in 2001, the LTTE leveraged the Tamil diaspora network to produce significant revenue worldwide such as $650,000 per month in Switzerland, $385,000 per month in the United Kingdom, and approximately $800,000 per month in Canada.\textsuperscript{47} Funds were channeled through legitimate organizations such as the United Tamil Organization, Tamil Rehabilitation Organization, and the World Tamil Movement.\textsuperscript{48}

Starting in the late 1980s, the LTTE gradually escalated the level of violence and committed targeting errors, assuming the organization would maintain diaspora support despite escalating violence. The LTTE aggressively targeted both Tamils and Sinhalese.\textsuperscript{49} Between 1987 and 2001, the LTTE committed seventy-six suicide attacks killing 901 people.\textsuperscript{50} The high level of violence targeting Tamils, in the form of various LTTE’s enforcement techniques, eroded support for the organization. Mid-level LTTE leaders extorted taxes, abused civilians, and conscripted labor for personal dwellings. By the 1990s, vicious repression and enforcement became a hallmark

\textsuperscript{44} Solomon and Tran, “Feeding the Tiger,” 16.
\textsuperscript{47} Ibid., 31.
\textsuperscript{48} Solomon and Tran. “Feeding the Tiger,” 17-19.
\textsuperscript{50} Syed Rifaat Hussain, “Liberation Tigers of Tamil Eelam (LTTE): Failed Quest for a Homeland,”, 385.
of the LTTE, which steadily reduced the organization’s legitimacy and popular support. For instance, in 1993 Tamil enforcers brutally beat DBS Jeyaraj, a prominent Tamil journalist, for publishing articles critical of the LTTE.\textsuperscript{51} During Eelam War III and Eelam War IV, the LTTE used Tamil civilians as human shields, conscripted labor including child soldiers, and shot individuals who attempted to flee the violence. Recruitment of child soldiers, some as young as 10-years-old, sparked considerable Tamil backlash against the LTTE.\textsuperscript{52} By 2009, it was clear that the LTTE had changed from “a potential savior” to “a veritable oppressor.”\textsuperscript{53} Any semblance of dissent by Tamils was met with death threats, property damage, and even murder. Social and political discrimination against Eastern Tamils further lowered support for the LTTE. The widening rift between northern and eastern Tamils stemmed from the fact that the majority of the LTTE’s leadership drew from northern Tamils while the eastern Tamils increasingly bore the brunt of the battlefield losses.\textsuperscript{54}

As Tamil support as a whole diminished, the LTTE compensated by squeezing the international Tamil diaspora. Over time, the LTTE began kidnapping Tamils living abroad who returned to LTTE-controlled territory on the charge that they failed to contribute to the organization.\textsuperscript{55} By early 2005, the LTTE’s internal coercion and repression had alienated the Tamil diaspora.\textsuperscript{56} In 2005, a Tamil London resident who formerly supported the LTTE confessed:

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\textsuperscript{51} “Funding the ‘Final’ War,” \textit{Human Rights Watch}, 16.
\textsuperscript{53} DeVotta, “The Liberation Tigers of Tamil Eelam and the Lost Quest for Separatism in Sri Lanka,” 1032.
\textsuperscript{54} DeVotta, “Sri Lanka’s Civil War,” 166.
\textsuperscript{55} DeVotta, “The Liberation Tigers of Tamil Eelam and the Lost Quest for Separatism in Sri Lanka,” 1032.
\textsuperscript{56} “Funding the ‘Final’ War,” \textit{Human Rights Watch}, 14-20.
\end{flushright}
Personally, I supported the LTTE. Ninety percent of our people support them. Most of the people are behind them, even if you don’t take the gun, we support them. But later on, things change and certain groups are targeted. Whoever questions them. We can see their behavior. Whoever asks questions about their activities, they don’t let them live. You don’t have any freedom of speech. I was very quiet for some time, having family in Sri Lanka, so I kept within limits. I didn’t want to expose myself. I can see by experiences that if I do anything, there is a lot of reaction… I’m concerned about my life and my family. The community is very scared.57

By the early 2000s, Tamils’ frustrations and the LTTE’s brutality amplified the rift between the LTTE and the populace it was supposed to represent. Disenchanted Tamils provided information on the LTTE’s operations and strategic locations to the Sri Lankan military, as well as delivered intelligence that allowed for surgical strikes against the LTTE clandestine network.58 Consequently, the LTTE could no longer move among the Tamil populace with impunity.

Colonel Karuna’s defection to the Sri Lankan government in March 2004 marked a significant internal splinter within the LTTE and the Tamil community. Endorsed by Colombo, Karuna’s newly-formed Tamil People’s Liberation Tigers challenged the LTTE’s monopoly on Tamil separatism. The emergence of a legitimate Tamil political party provided a welcome alternative to the long, bloody thirty-year insurgency of the LTTE. Karuna’s appointment as Sri Lanka’s minister for national integration only added legitimacy to his alternative Tamil movement.59 Furthermore, several hundred experienced

57 Ibid., 20.
LTTE fighters departed with Colonel Karuna, which revealed the eroding popular legitimacy of the LTTE as the sole Tamil political representative. The Tamil separatist movement fractured further as groups like Eelam People’s Democratic Party competed for the dissolving LTTE power base. Finally, LTTE leaders’ inept response, rampant corruption, and poor distribution of aid in the aftermath of the tsunami in December 2004 destroyed the LTTE’s remaining credibility.

Organizational Theory: An Internal Perspective

Although there were significant external and internal pressures, such as the split with India and declining diaspora support, the dynamics of the LTTE’s organizational structure undermined its ability to recognize, adapt, and respond to external changes as it had done in the past. External factors did not overwhelm the LTTE so much as the LTTE was incapable of finding appropriate responses to shifting external conditions. This demonstrates that the culture of organizations, or “how they are established, grow, and operate, as well as the logic behind the organizational structure,” in groups like the LTTE plays a large role in the success or failure of an insurgency. For instance, the likelihood of success depends on the organization’s ability to swiftly change its inputs and outputs in accordance with institutional objectives.

In the most basic terms, an organization is a collection of people working together to achieve common objectives through the division of labor. Pfeffer and Salancik define an
organization more loosely as “a process of organizing support sufficient to continue existence.” This broad definition imbues organizations with the innate principle of self-preservation, meaning an organization may alter its objectives in order to continue its existence.

Organizational theory is best characterized as a loose body of work analyzing the behavior, dynamics, motivations, and constraints of organizations. Organizational theory argues that macro-level phenomena, such as war or the development of norms, can be best understood through comprehensive analysis of the institutions that execute and shape individuals’ decisions. Organizational structure enables actors (whether states, corporations, or insurgencies) to create capabilities, develop an organizational culture, and moderate behavior.

According to Carl H. Builder, organizations, like individuals, acquire “personalities of their own that are shaped by their experiences and that, in turn, shape their behavior.” However, counterinsurgency experts and practitioners often neglect the significant role of organizational structure. For instance, the Army’s Field Manual (FM) 3-24 “provides only one dedicated paragraph on the role and ‘interplay’ of organization in insurgency and one paragraph on clandestine networks.” Recognizing this gap, this article seeks to connect the LTTE’s collapse to organizational weaknesses and suggests that the circumstances and decisions leading to the LTTE’s defeat in 2009 may be better understood through an analysis of its organizational structure.

The LTTE's centralized structure, and resulting institutional culture of blind loyalty, sacrifice, and martial victory, served to

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65 Pfeffer, New Directions for Organizational Theory: Problems and Prospects, 8.
66 Ibid., 6-9.
68 Builder, The Masks of War, 7.
69 Jones, Understanding the Form, Function, and Logic of Clandestine Insurgent and Terrorist Networks, 4.
enable and constrain its operations at various times. The LTTE was a two-tier organization arranged geographically around seven regular commands, each led by a commander who reported directly to Prabhakaran. The military wing was the foundational and dominant tier, largely resembling a conventional professional military with uniforms, codes of conduct, and specialization. The principally subordinate political tier was comprised of a main office with lower functional subdivisions focused on propaganda and ideology. At the top, Prabhakaran led the Central Governing Committee, which oversaw and directed both the military and political divisions. The two-tier structure propagated a culture of organizational centralization, which undermined the LTTE’s ability to adapt and evolve as an organization and insurgency in several distinct ways, which are examined below.

**Structural Centralization of the Tamil Tigers**

The centralization of LTTE leadership on Prabhakaran produced several distinct repercussions. By examining Prabhakaran’s cult of personality and the geographic/ethnic concentration of the LTTE, the article will outline these organizationally based weaknesses, specifically: an organizational culture rooted in sacrifice and martial spirit, a lack of organizational learning, structural rigidity, and an absence of second-tier leadership. Admittedly, there exists an intrinsic overlap between the specific weaknesses above. The structural rigidity and lack of second-tier leadership are a direct result of Prabhakaran’s cult of personality, rooted in sacrifice and martial spirit, which resulted in a lack of organizational learning.

**Velupillai Prabhakaran – A Cult of Personality**

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71 Ibid., 25.
Within the LTTE, all nodes of authority and power were singularly centralized around a single man – Velupillai Prabhakaran, its founder and leader. Under Prabhakaran, the LTTE enjoyed tremendous military success and clarity of vision. However, the institutional reliance on Prabhakaran from the tactical to strategic level ultimately crippled the LTTE’s ability to absorb losses, adapt to challenges, and evolve organizationally. Prabhakaran dominated the central leadership committee of the LTTE with a near-mythical status. Over time, “Prabhakaran developed a cult of personality, in which he was not only seen as the leader of the LTTE, but of the entire Tamil cause; he was the face of the Tamil struggle.”72 His cult of personality was so potent that subordinates did not dare to challenge or deviate from his orders.73 From his years studying the LTTE, Bruce Hoffman describes the LTTE as follows:

From its inception, the development and strategic evolution of the LTTE has been inexorably guided by Prabhakaran’s domineering leadership and omnipresent influence. Prabhakaran exercises direct control over virtually every aspect of organizational life, imposing a strict, ascetic regimen on LTTE cadres that is based on unquestioned loyalty to their leader and the goal of Tamil Eelam.74

In a daily ceremony, cadres pledged their allegiances to Prabhakaran instead of the LTTE, the Tamil people, or the promise of Tamil Eelam.75 Prabhakaran, adopting a god-like role, would share a last meal and take a photo with any suicide

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73 Hashim, When Counterinsurgency Wins, 191.
75 Ibid., 143.
bomber before his or her act of martyrdom. Prabhakaran also determined personally the age at which cadres could marry, an unprecedented amount of influence for any insurgent leader. Thus, Prabhakaran established himself as the sole arbitrator of both life and death of LTTE members, whether through martyrdom or marriage. Through these simple yet symbolic practices, Prabhakaran crafted a system that established and reinforced his importance to every LTTE member.

As a god-like paternal figure, Prabhakaran single-handedly forged the collective identity and culture of the LTTE and established an organizational preference towards military gains and sacrifice. Prabhakaran fabricated the historical narrative of the LTTE, shaping the identity of the ideal Eelam warrior rooted in invincibility, selflessness, and martyrdom. For instance, every LTTE cadre is asked to wear a cyanide ampoule around his or her neck, institutionalizing personal sacrifice in case of being captured and facing forcible divulging of LTTE secrets. The ampoule is awarded to each cadre with great ceremony and is seen as “a badge of honor and pride.” This ritual helped to institutionalize Prabhakaran’s belief that Tamil Eelam could only be established through military victory and sacrifice. The LTTE’s inability to revert to previously successful guerilla tactics, like coordinated suicide attacks and small, but complex ambushes, in Eelam IV demonstrates a key way in which organizations often rely on values, historical experiences, and assumptions to make decisions, rather than on simple cost-benefit calculations. To Prabhakaran, the LTTE

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76 Alarcón, “Promotion of Martyrdom in Sri Lanka through Velupillai Prabhakaran’s Personality Cult and the Liberation Tigers of Tamil Eelam,” 38.
77 Hoffman, Inside Terrorism, 143.
78 Bruce Hoffman and Peter Chalk, The Dynamics of Suicide Terrorism (Arlington: RAND, 2005), 64 -65.
79 Ibid., 63.
has overgrown guerilla tactics by Eelam War IV and any reversion would imply a regression in his pursuit for eelam.

The LTTE’s lethal suicide bomber division, the Black Tigers, embodied Prabhakaran’s ideal Eelam warrior and represented the apex of the LTTE’s organizational culture. Unlike Hezbollah, who used the vulnerable or the weak for suicide operations, the Black Tigers were hardened veterans and elite LTTE members.81 The Black Tigers endured intense training for up to five years, learning advanced skills such as constructing bombs and operating in enemy territory. Prabhakaran purposefully cultivated a competitive environment where LTTE cadres strived to become a Black Tiger and receive the opportunity to sacrifice their lives for Prabhakaran.82 Through a tailored narrative of the Eelam warrior, epitomized by the Black Tigers, Prabhakaran fashioned an organizational culture within the LTTE that only gave recognition to a particular type of warrior, one who would not hesitate to sacrifice him or herself. This rigidity and singularity within the LTTE’s cultural identity would play a crucial role in the insurgency’s fatal commitment to conventional battles in Eelam War IV, discussed in further depth in section six.

Paralleling Pol Pot of the Khmer Rouge, Prabhakaran sought to remake an entire society based on a regimented daily life and blind obedience.83 He systemically created a social order imposing his own will and preferences upon the LTTE. Prabhakaran’s megalomania and totalitarian tendencies shaped the LTTE’s fascist character. For instance, if a man violated Prabhakaran’s strict social directives, Prabhakaran locked him in a two feet tall barbed cage, shaming him in front of his peers and commanders.84 Prabhakaran imposed various directives, including standards of dress, the age of marriage, and a ban on

81 Bruce Hoffman (terrorism expert) in discussion with the author, February 2015.
82 Hoffman and Chalk, The Dynamics of Suicide Terrorism, 63.
83 Ibid.
84 Ibid.
alcohol. Similarly, Abimael Guzman, the leader of the Shining Path, a leftist revolutionary organization from Peru, imposed puritanical regulations outlawing fiestas and alcohol.\textsuperscript{85} Each group possessed a dictatorial leader who imposed dogmatic control over daily life, which eventually undercut popular legitimacy and isolated each organization, as will be discussed later in this piece.

In the early 1980s to 1990s, Prabhakaran’s insatiable curiosity to acquire knowledge made the LTTE the “embodiment of a learning organization.”\textsuperscript{86} Although lacking professional military training, Prabhakaran adapted examples of successful military tactics from a variety of sources, including history, books, and films. For instance, a similar scene in the film, \textit{Death Wish}, inspired the infamous assassination of Rajiv Gandhi by a female LTTE suicide bomber in 1991.\textsuperscript{87} Likewise, Prabhakaran established the Sea Tigers, a maritime guerrilla unit, after reading a history of the Special Boat Squadron (SBS), an elite unit of the British Royal Marines.\textsuperscript{88} Prabhakaran’s vision and leadership enabled the LTTE to develop unprecedented tactics and techniques.

Consequently, the LTTE’s singular dependence on Prabhakaran for innovation and adaptability stunted the organization’s ability to develop sustainable mechanisms of fostering adaptability and resilience beyond Prabhakaran’s lifetime. Without mechanisms for collecting, transferring, and integrating knowledge, such as standard operating procedures (SOPs), organizations lack the ability to retain and implement experiential lessons.\textsuperscript{89} Over successive wars, Prabhakaran could not sustain or institutionalize the high level of innovation that

\textsuperscript{86} Bruce Hoffman (terrorism expert) in discussion with the author, February 2015.
\textsuperscript{87} Hoffman and Chalk, \textit{The Dynamics of Suicide Terrorism}, 64.
\textsuperscript{88} Hoffman, \textit{Inside Terrorism}, 143.
\textsuperscript{89} Serena, \textit{It Takes more than a Network: The Iraqi Insurgency and Organizational Adaptation}, , 23.
had been crucial to his early successes. As the organization expanded and achieved success, Prabhakaran focused on maintaining his success more than innovating new ones, analogous to companies losing their innovative prowess as they develop into more established firms. The LTTE slowly became too institutionally dependent on Prabhakaran to provide strategic, operational, and tactical direction. This dependency on a single individual would prove fatal with his subsequent death in Eelam War IV.

Organizationally, the LTTE followed a rigid wheel and spoke system with Prabhakaran serving as the key lynchpin. Although the LTTE possessed specialized tactical units like the Sea Tigers, the divisions remained under central command and control of Prabhakaran. Internal division of labor did not lead to a decentralization of authority and leadership common to cellular terrorist networks. This is in stark contrast with clandestine cellular networks; more resilient organizations retain the same shape while replacing lost personnel, including key leadership. For insurgencies, “rigidity in form and function is thus a recipe for disaster.”

In view of this dependence and central organization, it is not surprising that the announcement of Prabhakaran’s death in 2009 resulted in the LTTE and Tamil insurgency collapsing virtually overnight. This rapid implosion is not without precedent. In 1992, the Peruvian government captured and paraded Manuel Guzman before the media as Guzman recanted.

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90 Bruce Hoffman (terrorism expert) in discussion with the author, February 2015.
91 Bruce Hoffman (terrorism expert) in discussion with the author, February 2015.
93 Jones, Understanding the Form, Function, and Logic of Clandestine Insurgent and Terrorist Networks, 63-65.
94 Serena, It Takes more than a Network: The Iraqi Insurgency and Organizational Adaptation, 10.
95 According to the official account, Prabhakaran had been shot in an engagement with Sri Lankan forces in Nanthi Kadal lagoon, although whispers of conspiracies abound. Hashim, When Counterinsurgency Wins, 193.
his Marxist insurgency, asking his followers to lay down their arms. Following Guzman’s capture, violence in Peru fell by 50 percent, beginning Shining Path’s startling decline. Ultimately, highly centralized organizations like the LTTE and Shining Path do not possess the structural resilience required to endure the loss of their leaders.

Conversely, cellular clandestine networks like al-Qaeda resist fracturing through organizationally dense interconnectivity. Although al-Qaeda branch commanders “answer directly to al-Qaeda's leadership, they have regional autonomy.” In 2011, the strength in the second-tier leadership within al-Qaeda minimized the effect of Osama bin Laden’s death on the organization’s unity or operational effectiveness. Although bin Laden served as the public face and strategic leader of al-Qaeda for years, after his death Ayman al-Zawahiri smoothly transitioned into the top leadership position.

Unlike al-Qaeda, the LTTE lacked both of these features: it could neither replace Prabhakaran nor rely on a base of competent and empowered second-tier leadership. It was thus unable to adapt to mounting tactical losses and pressures. Due to the organizational dependency on Prabhakaran for both strategy and operational decisions, the LTTE lacked “a solid clandestine cellular network upon which to build, support, and sustain the movement, while simultaneously providing the organization with resilience in the face of setbacks.” Had an empowered second tier been developed, regional commanders could have filled the void left by Prabhakaran’s death. However, the course of Eelam War IV exposed the weakness of the LTTE’s second tier leadership, especially through its

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98 Ibid., 133-136.
inability to leverage guerilla and terrorist tactics to complement conventional operations.\textsuperscript{100}

**Tigers in a Cage: Geographic and Ethnic Constraints of the LTTE**

As Prabhakaran’s cult of personality and cultural dominance shaped the internal dynamics of the LTTE, the ethnic discourse of the overarching conflict imposed geographic and ethnic constraints upon the LTTE – limiting the geographic and ethnic pool in which to draw support.\textsuperscript{101} The oppositional ethnic narrative of the conflict established rigid clubs of membership, rooted in the ethnic identities of Tamils and Sinhalese. Whether by ideology or ethnicity, “the talent that the network can recruit is thus limited to the ties that its limited membership can create.”\textsuperscript{102} Although limited membership provides operational confidentiality, the narrow base of recruitment necessarily limits the ability to recoup losses. In the LTTE’s case, the dominant demographic of Tamils in the northern and eastern provinces initially enabled the group to operate relatively freely. Yet, as pressures intensified to recover from battlefield losses, the persistent drain from a limited ethnic and geographic recruiting pool produced internal tensions.\textsuperscript{103} Due to the importance of Tamil ethnicity to the LTTE and its cause, the organization could not co-opt other ethnicities or groups. Thus, the LTTE was forced to adopt the unpopular policy of forced conscription from every Tamil family.\textsuperscript{104} The draconian practice only added to local frustrations and the growing divide between the LTTE and the Tamil populace.

\textsuperscript{100} Hashim, *When Counterinsurgency Wins*, 195.
\textsuperscript{102} Serena, *It Takes more than a Network: The Iraqi Insurgency and Organizational Adaptation*, 18.
\textsuperscript{103} DeVotta, “Sri Lanka’s Civil War, ” 159.
\textsuperscript{104} Ibid., 159.
Over the years, redistribution and land schemes implemented by the Sri Lankan government in Colombo and new immigration from the South increasingly diluted the Tamil ethnic majority in the North and East. These changes had several effects. First, it undercut both the LTTE’s ability to recruit Tamils and the ideological basis for a homogenous Tamil homeland. In Ampara, a sub-district of the Eastern Province, Muslims became “the largest demographic group, with Sinhalese a close second, and Tamils a distant third.”

Second, the lack of dominance of Tamils in the territory the LTTE claimed historically also seriously undermined their core vision of Tamil Eelam. Third, it likely compelled the LTTE to use greater resources “to maintain acceptable levels of secrecy.” A LTTE Peace Secretariat pamphlet stated: “Beyond the need for food and living space, land has a mysterious psychological pull on people. The existence of a people is strongly tied to the existence of their land.”

By stressing the importance of land, the LTTE made the territorial gains the key metric in measuring the success and viability of Tamil Eelam. The city of Kilinochchi served as the administrative and symbolic center of the LTTE in the Jaffna Peninsula. During the thirty-year insurgency, the LTTE developed a pseudo-state with courts, a tax collection system, administrative ministries, and checkpoints. Ironically, the territory the LTTE established and administered served to create distinct boundaries and a clear, decisive target for counterinsurgent operations. As territorial advances solidified the ambitions of Tamil Eelam, the LTTE became progressively vulnerable in anchoring itself to the land it claimed.

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108 Ibid., 189-190.
In contrast, al-Qaeda operates multiple localized branches or co-operates with regional organizations in Yemen, Iraq, Egypt, and the Arabian Peninsula. Al-Qaeda has established branches globally, each with its own particular twist on the core ideology. The level of cooperation and influence of the top leadership differs among the group’s branches and partners. The network maintains an amorphous shape and a complex web of relationships, making systemic attack against them nearly impossible. Compared to the territorially centered LTTE, the organizational flexibility and diversity of transnational organizations like al-Qaeda produces structural resiliency.

The geographic concentration of the LTTE and Tamil separatist movement enabled the Sri Lankan military to isolate LTTE’s operations. From 2002 to 2006, the Sri Lankan Navy made significant acquisitions and vastly improved its fleet. Utilizing swarm attacks, the newly acquired fleet strangled the northern coast and deprived the LTTE of its sea-based warehouses and smuggling operations. The geographic concentration provided a limited and focused area for the Sri Lankan military to target its campaign. Unlike amorphous insurgencies such as the Iraqi insurgency during U.S. occupation, the LTTE possessed distinct boundaries. LTTE checkpoints and administrative buildings clearly demarcated its territory. Although a benefit in its claim to statehood, its geographic borders provided a bounded target for counterinsurgency campaigns.

111 Sageman, *Understanding Terror Networks*, 140-146.
112 Jones, *Understanding the Form, Function, and Logic of Clandestine Insurgent and Terrorist Networks*, 63-64.
113 Smith, “Understanding Sri Lanka’s Defeat of the Tamil Tigers,” 43.
Strategic Miscalculation During Eelam War IV

As the centralization of the organization around Prabhakaran produced structural rigidity in the LTTE, the limited geographic and ethnic space in which the group could operate and rely upon only further reinforced the group’s rigidity. This combination would prove disastrous in Eelam War IV as the LTTE would be strategically constrained by its dependence on Prabhakaran and materially limited due to ethnic and geographic factors. Inherently, clandestine networks like insurgencies “have difficulty comprehensively estimating environmental changes and assessing the effects of these changes on the network and on organizational effectiveness.”114 Furthermore, due to the organization’s rigidity, the LTTE was unable to adapt to the political implications of mounting isolation, the improvement of the Sri Lankan military, or its own operational weakness. For the LTTE, the high degree of organizational centralization around Prabhakaran produced an inflexible organizational structure. By Eelam War IV, the LTTE was incapable of adapting to external pressures and changes. Subsequently, despite intensifying isolation undercutting its battlefield capabilities, the LTTE continued to pursue a detrimental strategy of conventional warfare, leading to a series of fatal miscalculations.

Prabhakaran’s decision to wage conventional battles with the newly improved Sri Lankan military on equal terms allowed the organization’s structural flaws of centralization and isolation to become a deadly strategic flaw. Before Eelam War IV, the LTTE consistently out-maneuvered the cumbersome conventional forces of the Sri Lankan military with a blend of conventional skills, guerrilla campaigns, and terrorist tactics. At its peak, the insurgents inflicted as many as 1,200 deaths on Sri

114 Serena, It Takes more than a Network: The Iraqi Insurgency and Organizational Adaptation, 4.
Lankan forces in Mullaitivu in 1996 and 1,700 deaths in Killinochchi in 1998.\textsuperscript{115}

The power balance shifted after Eelam War III. The Sri Lankan military made significant changes and was no longer a disorganized and ill-equipped force. The LTTE, however, changed for the worse. By Eelam IV, it was no longer the fearsome, well-organized insurgency of the 1990s. Despite these clear trends, Prabhakaran held on to a desire “to maintain the trappings of a state–with a population and standing army holding territory–limited his military options.”\textsuperscript{116} For Prabhakaran, relinquishing any territory or reverting to a guerrilla movement was indistinguishable from defeat.

Yet, successive pitched conflicts from Eelam War I to III had severely weakened the LTTE, which struggled to recuperate its losses. The goal-oriented nature of networks creates lean organizations, particularly in insurgencies. Therefore, a lack of redundancy directly affects an organization’s ability to absorb or replace losses or defections.\textsuperscript{117} For instance, compelled by Prabhakaran’s win or die mentality, over 1,000 LTTE fighters died by consuming cyanide. Additionally, the defection of Colonel Karuna and thousands of veteran fighters severely undermined the LTTE’s fighting capability.\textsuperscript{118} As a result, the LTTE struggled to recruit new fighters to replace losses from within its limited ethnic and geographic pool. Successive wars over the nearly 30-year long insurgency had taken a deep toll on the fighting aged Tamil population. By Eelam War IV, the Sri Lankan Directorate of Military Intelligence estimated 60 percent of the LTTE combatants were younger than eighteen years old, reflecting the

\textsuperscript{115} DeVotta, “The Liberation Tigers of Tamil Eelam and the Lost Quest for Separatism in Sri Lanka,” 1031.


\textsuperscript{117} Serena, It Takes more than a Network: The Iraqi Insurgency and Organizational Adaptation, 16.

\textsuperscript{118} Gokhale, Sri Lanka: From War to Peace, 39-41.
LTTE’s increasing dependency on child soldiers to replenish its rank and file.\textsuperscript{119} Unsurprisingly, the ill-trained and poorly equipped recruits proved unmotivated and ineffectual, making them little more than children with rifles. The depletion of both the rank and file and leadership crippled the insurgency’s ability to mount effective operations during Eelam War IV.

In view of this degradation, many expected the LTTE to return to a guerrilla campaign in order to exploit the inherent weaknesses of conventional forces. In the past, the LTTE employed bold suicide attacks deep into enemy territory like the Colombo airport attack in 2000 and garnered repeated success with hit-and-run tactics and guerrilla-styled ambushes. Many speculated that the LTTE would revert to time tested tactics to endure the latest offensive by the Sri Lankan. Although guerrilla tactics would unlikely produce an outright victory, the LTTE would gain much needed time to recover losses and regroup internally. However, Prabhakaran “wanted Eelam built militarily so as to imbue Tamil society with a martial legacy.”\textsuperscript{120} To Prabhakaran, any regression in the pseudo-Eelam, such as a return to guerrilla operations, would be an admission that the LTTE could not win through conventional battles. As discussed previously, Prabhakaran had carefully crafted an organizational culture of sacrifice embedded within the myth of invincibility. The foundational organizational culture of the LTTE could not or would not accept any regression or retreat. Therefore, the LTTE erroneously sought conventional military engagements with the better-trained and equipped Sri Lankan military and suffered accordingly.

According to the Institute for Conflict Management, the LTTE suffered 4,318 losses after 2008, which is nearly double

\textsuperscript{119} Hashim, \textit{When Counterinsurgency Wins}, 194.

\textsuperscript{120} DeVotta, “The Liberation Tigers of Tamil Eelam and the Lost Quest for Separatism in Sri Lanka,” 1030.
of the 2,319 losses from 2006 to 2007. The LTTE could no longer replenish the relentless financial and operational blows by Sri Lankan forces. By Eelam War IV, “the LTTE was a shadow of its former self, bankrupt, isolated, illegitimate, divided, and unable to meet an invigorated government offensive of any kind.”

Conclusion: The Need to Understand the Adversary

External factors like the growing international isolation of the LTTE applied crucial pressure to the insurgency. Even more importantly, the LTTE’s organizational structure resulted in a counterproductive rigidity in form and function. Due to the internal structure of the LTTE and its resulting organizational culture, it was incapable of adjusting to new external stressors. Thus, contrary to the prevailing counterinsurgency narrative, the defeat of the LTTE is a case of a violent non-state actor self-imploding from institutional vulnerabilities, which were shaped by the organizational culture Prabhakaran had built into the LTTE. These vulnerabilities were then compounded by strategic isolation and miscalculation. Prabhakaran organized the LTTE as a cult of personality waging an insurgency with lethal and blind devotion. As international and internal isolation deepened, the LTTE, made rigid by Prabhakaran, could not organizationally evolve nor adapt to shifting needs. By the end of Eelam War IV, the LTTE leadership was eliminated and its military capabilities shattered, leaving the reemergence of the LTTE in its original form highly unlikely. Prabhakaran served as the binding nexus of the LTTE. With his death, the organization collapsed.

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121 Hussain, “Liberation Tigers of Tamil Eelam (LTTE): Failed Quest for a Homeland,” 408.
122 Smith, “Understanding Sri Lanka’s Defeat of the Tamil Tigers,” 44.
123 Gokhale, Sri Lanka: From War to Peace, 18, 163-164.
The organizational analysis of the LTTE’s defeat in 2009 demonstrates the importance of organizational culture and structure in the success and failure of a violent non-state actor. States cannot expect to universally replicate the Sri Lankan success against other violent non-state actors like the Islamic State in Syria and Iraq or Boko Haram in Nigeria. Violent non-state actors organized differently will demand context-driven counterinsurgency responses. Organizational understanding of the violent non-state actors must be the underlying framework in future counterinsurgency campaigns. Targeted killings or the arrest of key leadership proved successful against rigid, hierarchical organizations like Japan’s Aum Shinrikyo.\textsuperscript{124} Meanwhile, transnational organizations like al-Qaeda have endured losses in key leadership.\textsuperscript{125} Therefore, future research must strive to further connect the examination of strategic and organizational culture of violent non-state actors to the theory and practice of counterinsurgency. In an era where sub-state violence continues to rise, understanding how their motivations, structure, culture, and operations restrict or strengthen these organizations will prove fundamental to the field of counterinsurgency. Ultimately, states must first understand how violent non-state actors organize, operate, and thrive to begin the process of dismantling them.

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\textsuperscript{125} Farrall, “How Al-Qaeda Works,” 130-132.
Sectarianizing Conflict in Syria

Craig Browne

This article uses process tracing to argue that the sectarianization of the Syrian conflict was due to the increased dominance of opposition organizations willing to compete with the regime’s sectarian discourse and behavior. These organizations originated and were supported from abroad. While sectarian identities existed in Syria before the conflict, they waxed and waned with context. Once conflict broke out, authorities were quick to use sectarian tactics. When open conflict broke out, well-organized, well-trained, and well-financed organizations flooded the country and met the authorities head-on in increasingly sectarian struggles.

In early February 2011, several campaigns appeared on Facebook and Twitter, calling for a ‘Day of Rage’ in Damascus on the first Friday of that month. Members of the Syrian public were called upon to stage peaceful protests demanding and improvement in living standards, respect for human rights, freedom of speech, and greater influence for Syrian youth.¹ February 4 came and went with nothing more than a light drizzle troubling the state security personnel who were scattered throughout the streets of the capital.² By December 2012, armed men could be seen outside a mosque in the northern town of Jisr al-Shughur celebrating the destruction of

the “dens of the Shiʿa and rejectors,” a derogatory term for Shiʿa. Standing behind the fighters was the mosque, engulfed in flames. How did a call for peaceful protests citing political and socio-economic grievances come to be overshadowed by brutal sectarian violence?

This article uses process tracing to argue that the increased sectarianization of the Syrian conflict was due to the willingness of opposition organizations to compete with the regime’s sectarian discourse and behavior. These organizations came from abroad and were supported from abroad. In other words, the regime set the scene and the dominant opposition groups wrote the story. Once conflict broke out, governing authorities were quick to use sectarian tactics. In response, well-organized, well-trained, and well-financed organizations flooded the country and met the authorities head-on in sectarian struggles. As such, the increased sectarianization of the conflict in Syria is because sectarian organizations became militarily dominant amongst opposition to the increasingly sectarian authorities. There have been several key players in this sectarianizing process and this article focuses on the most consequential among those: the regime of Syrian President Bashar al-Asad, the sectarianized Fourth Armored Division of the Syrian Arab Army, paramilitary groups loyal to the president and known as the Shabiha, secular opposition groups such as the Free Syrian Army and the National Coalition of Syrian Revolution and Opposition Forces, and the Islamic extremist group Jabhat al-Nusra.

This paper begins by defining sect and sectarianism. Sectarian developments throughout modern Syrian history are then analyzed alongside ʿAlawi theology and history. This sets up the study of the sectarianization of the conflict in Syria, which follows a discussion of process tracing, the methodology

used in this article. This methodology enables competing hypotheses, put forward by the Syrian regime and opposition groups, for the sectarianization of the conflict to be tested against each other. The article concludes by discussing alternative explanations for the sectarianization of the conflict, and outlining the implications of the study.

What’s in a Sect?

Sectarian identities can and do change depending on context. Sectarian labels have become so pervasive in the Middle East, that people often believe, mistakenly, that such social categories are natural, inevitable, and unchanging facts about the social world. This is what Fearon and Laitin term ‘everyday primordialism.’ Indeed, the individuals who construct ethnic identities need not be political or other elites. Social identities are produced and reproduced through the everyday actions of ordinary people. Individuals think of themselves in terms of a particular set of social categories, which lead them to act in ways that collectively confirm, reinforce, and propagate these identities. These are points that must be considered in a study of sectarianism as sectarian entrepreneurs require public acquiescence to successfully mobilize around sectarian rhetoric.

In part due to a storied history of repression and misinformation from non-‘Alawites, accounts orientalist slurs or intra-religious slander often taint accounts of ‘Alawi history and theology. The ‘Alawites are claimed to be “notorious not only for their internal strife, but also for their disobedient and turbulent behavior. Not only were they reluctant to pay taxes and submit to Ottoman rule, but also frequently engaged in acts of murder and robbery against neighboring villages and passing

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Such sweeping generalizations have proven effective political tools throughout Syrian history, however, as analytical assertions they are as lazy as they are fatuous. These claims reify ʿAlawites, giving them the appearance of an internally homogeneous, externally bounded group. It takes ʿAlawites as a substantial entity to which interests and agency can be attributed. Rogers Brubaker calls this reifying process 'groupism.' Such attribution can be extremely effective in social and political struggles, as will be shown throughout the history of sectarianism in Syria. For analysis, it is more productive to think of the sect, whether ʿAlawi or Sunni, as a category rather than a group. If they are thought of as groups, one is led to ask what they want, demand, or aspire towards; how they think of themselves and others; and how they act in relation to other groups. If we consider ʿAlawi and Sunni as categories, it is easier to specify how people and organizations do things with, and to, sectarian categories, and how such categories are used to channel and organize processes and relations. Treating sects as categories invites us to ask how, why, and in what contexts sectarian categories are used, or not used, to make sense of problems, to articulate affiliations, to identify commonalities, or to frame stories and self-understanding. The challenge is to work against the tendency to rehash sectarian frames in academia, the media, and the arena of conflict. The sectarian frame is so well-established in the Middle East that observers tend to see conflict in sectarian and group terms. This is because viewing conflict as between Sunni and Shiʿi is powerfully resonant and widely understood as legitimate. This is not to say that sects do not play any role.

9 Brubaker, *Ethnicity without Groups*, 16-17.
ʿAlawi Theology

In spite of historical accounts riddled with inaccuracies and bias, it is possible to outline some key features of ʿAlawi history and theology without claiming that all ʿAlawites share exactly the same beliefs to the same extent. Until the 1920s followers of the ʿAlawi sect were known in Arabic as *Nusayriyya*. The term originated from the name of Muhammad ibn Nusayr al-Bakri al-Namiri (d. 873 or 883) who lived in Samarra in Iraq. Sunni Muslim scholars and chroniclers describe ibn Nusayr as a Shiʿi extremist whose ideas place him outside the formal Shiʿi doctrine. Ibn Nusayr related himself to the twelfth Shiʿi imam as the door through which his followers could reach the inner meaning of true faith. By adding the central role of the door to Shiʿi Islam, the followers of ibn Nusayr claimed that such doors were the representatives of the true faith.

ʿAli, the Prophet’s son-in-law represents the meaning of the divinity while Muhammad, the Prophet, represents the name that surrounds the meaning in the form of a house. To enter this house one needs a door, which is embodied by Salman al-Farisi, one of the Prophet’s companions, through whom believers obtain access to the inner meaning of the divinity. The apparent influence of Christianity’s holy trinity and the elevation of others to divine status led to a widespread belief throughout the Middle East that ʿAlawites are heretics. It appears that ʿAlawi leaders and intellectuals were cognizant of this perception and so since 1920 leaders and followers have referred to themselves as ʿAlawiyya instead of *Nusayriyya*. By adopting this new name, they stressed their connection to Shiʿi

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11 Firro, ‘Metamorphosis of the Nation,’ 100.
doctrine, claiming it is related to ʿAli, the Prophet’s son-in-law and the first imam of the Shiʿi.\textsuperscript{12}

\textbf{ʿAlawites and Syrian History}

Under Ottoman rule, Syria was not a separate political entity, but was divided into several provinces with the central authority in Istanbul. Although for centuries the basic allegiance of the majority Sunni-Muslim population was to the Ottoman –Islamic state, several regions developed into socio-political autonomies and maintained their communal identities, notably ʿAlawis, Druze, and Christians.\textsuperscript{13} Although they were still seen as non-Muslims by Ottoman authorities, ʿAlawi communities were generally left to their own accord in this era. The authorities would periodically attempt to impose upon these communities, leading to moments of communal solidarity amongst ʿAlawites, such as the revolt of 1854.\textsuperscript{14}

With defeat in the First World War came the collapse and dismembering of the Ottoman Empire and an explosion of nationalism. However, because of the weakness of both the Ottoman government and the Arab government of King Faisal, and because of the range of the economic and political transformation that occurred, no single dominant nationalist discourse could be either ‘coaxed or coerced.’\textsuperscript{15} This lack of unity made it easier for the French Mandate to be imposed upon much of the area of modern-day Syria after the San Remo conference of 1920. Amid this historic period of upheaval, the imagined community of ʿAlawites started to solidify. The

\textsuperscript{12} Firro, ‘Metamorphosis of the Nation,’ 104.
\textsuperscript{13} Moshe Maʿoz, Joseph Ginat, and Onn Winckler, ‘Introduction: The Emergence of Modern Syria,’ in Modern Syria: From Ottoman Rule to Pivotal Role in the Middle East, (eds.) Moshe Maʿoz, Joseph Ginat, and Onn Winckler, (Brighton: Sussex UP, 1999), 1.
\textsuperscript{14} Maʿoz, Ottoman reform in Syria and Palestine, 110.
\textsuperscript{15} James L. Gelvin, Divided Loyalties: Nationalism and Mass Politics in Syria at the Close of Empire, (Berkeley, CA: University of California, 1998), 143.
arrival of the French Mandate was the start of perhaps the most important phase for sectarianism related to ‘Alawites. For both ‘Alawites and Syrians more generally it was the pivotal era for what Anderson terms ‘imagined communities […] because the members of even the smallest nation will never know most of their fellow-members, meet them, or even hear of them, yet in the minds of each lives the image of their communion.’\(^{16}\) It is at this time that ‘Alawites started referring to themselves as ‘Alawiyya, rather than Nusayriyya.\(^{17}\)

Despite this moment of solidarity, there were still factions among the ‘Alawites: the Khayatin, Haddadin, Kalbiyya and Matawira.\(^{18}\) These intra-‘Alawi divisions undermine the notion of sectarianism as a unified, primordial form of identity politics. However, it is the lingering perception of primordialism that informed the politics of the French Mandate. ‘French visions of a mosaic society productively informed the strategies by which the Mandatory Power consciously sought to govern the Levant.’\(^{19}\) The internal borders of the Mandate were in part drawn in perceived accommodation with the ostensibly ‘natural’ religio-ethnic communities of Syria.\(^{20}\) Although the ‘Alawites were internally divided, when they were threatened with domination by a more powerful ‘urban absentee Sunni landowning class’ which supported unity with Damascus, they responded with unity. The ‘Alawites were capable of putting up fierce resistance to external interference in their communal affairs. This they did between the Saleh al-‘Ali revolt in 1919 and 1921 when the French tried to establish hegemony over ‘Alawi areas.

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\(^{17}\) Firro, ‘Metamorphosis of the Nation,’ 118.

\(^{18}\) Firro, ‘Metamorphosis of the Nation,’ 108.


Efforts were made by the French authorities to recruit a local force, called the *Troupes Spéciales du Levant* in 1930. Although relatively unimportant in terms of the overall colonial security posture, the *Troupes Spéciales* disproportionately drew on minority communities, especially Christians, Circassians, ‘Alawis, Isma’ilis, Druze, and Armenians, establishing recruitment patterns that would have profound implications for Syria after independence in 1946.\(^21\) After independence, the proportion of ‘Alawi officers in the military increased until it reached 42% in 1970 under Hafiz al-Asad. This was paralleled by a growth of ‘Alawi members in the senior echelons of the Ba‘th Party, reaching nearly a quarter in the same year. However, this was not a case of sectarianism in the sense of an attempt to recreate Syria as an ‘Alawi nation or state, and certainly not a sectarian privileging of ‘Alawites by law. Rather it was a very traditional use of patronage to extend the influence of the leaders and ensure their survival.\(^22\) In fact, many in top positions were Sunni Muslims, such as Mustafa Tlas, the Minister of Defense, and the Vice President, ‘Abd al-Halim Khaddam. Both men are examples of the fact that personal loyalty to al-Asad was the key requirement for a position in the President’s inner circle.

The major challenge, sectarian or otherwise, to Hafiz al-Asad’s regime was the Islamic opposition among large segments of the Sunni-Muslim population, who rejected the secular ideology of the Ba‘th and ‘Alawi military rule. From his early days as ruler of Syria, al-Asad was aware of the dangers of large-scale Islamic opposition. Anti-‘Alawi tension peaked in Hama in February 1982, when the Muslim Brotherhood tried to provoke sectarian polarization between ‘Alawites and Sunnis in the armed forces, hoping to win to their side the Sunnis who constituted a majority in the regular army. The confrontation

\(^{21}\) Neep, *Occupying Syria*, 34.

between the regime and the Islamic fundamentalist opposition forces turned into an armed uprising involving a whole city and its population. The battles in Hama raged for almost a month and killed over 10,000 people, mainly victims from the population of Hama itself. The regime’s elite troops involved in the confrontation were, however, essentially ʿAlawi in composition, and with some exceptions they held firm.\(^{23}\) Thomas Friedman’s account of the events of February 1982 in Hama depicts a sectarian bloodbath; however, the ‘Hama Rules’ that the author coined reflect the underlying fact that any threats to the president’s authority would be mercilessly halted.\(^{24}\)

Given the impression, whether true or false, of being threatened by the Sunni majority, many ʿAlawites, including many of the regime’s initial opponents, might well have felt forced to cluster together for self-preservation.\(^{25}\) This represented sectarian groupism at its peak under Hafiz al-Asad. In spite of the perception of sectarian favoritism, confession was not the criterion for membership in the president’s inner circle; loyalty to the president was. All strategic positions, particularly those of immediate relevance for regime security, were occupied by figures with strong personal ties to al-Asad. Of course, members of al-Asad’s own family and tribe, and those from the ʿAlawi sect, could be said to have had a comparative advantage in this respect.\(^{26}\)

On June 10, 2000 Hafiz al-Asad died. Within a month, he had been succeeded as the President of Syria by his son, Bashar al-Asad. Under Bashar al-Asad, the influence of the clergy over

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\(^{25}\) Van Dam, *The Struggle for Power in Syria*, 97.

Syrian society increased considerably. Since Bashar al-Asad came to power, even the banned Muslim Brotherhood, which led the anti-regime struggle in the 1980s, has ceased to play on sectarian divisions, stressing instead human rights, the rule of law, pluralism, and national unity. This continued to be the case despite a powerful sectarian frame being established throughout the region in the wake of the 2003 invasion of Iraq. Despite much integration, ‘Alawites relied to a greater extent than any other group on the regime. They assumed a conspicuous role in local administrations, in Homs for instance, state-run media outlets, such as al-Ba‘th newspaper and al-Dunya television, and key state institutions, notably the officer corps of the army. They were most visible, and in the worst possible way, in sprawling security services that operated outside the law and outside formal state institutions. Rural ‘Alawites struggled as a result of cuts in fuel subsidies and laws restricting the sale of tobacco, their primary crop for centuries. Indeed, since the provision of basic services by Hafiz al-Asad in the 1970s and 1980s, many predominantly ‘Alawi villages, with the exception of Qardaha – the home of al-Asad’s tribe, the Kalbiyya – developed little. Having discussed the fluctuating fortunes of sectarianism in Syrian history, this article will now look at the sectarianization of the Syrian conflict.

Methodology

Over time, it became clear there are two main arguments for the sectarianization of the conflict in Syria: The Regime hypothesis that international actors have caused the sectarianization of the Syrian conflict, and the Opposition hypothesis that no matter the language or location, that the al-Asad regime is responsible for the sectarianization of the conflict. This article uses process tracing to adjudicate between the rival claims about the sectarianization of the conflict in Syria, and help figure out how convincing different pieces of evidence are.

The rival hypotheses will be tested alongside each other by looking at diagnostic evidence that illustrates how and when sectarianism came to play a role in the Syrian conflict through use of the President’s speeches and interviews, an analysis of the Fourth Armored Division, use of the Shabiha militias, and the portrayal of the opposing sides as fomenting sectarianism. Process tracing entails the application of any of four different tests of evidence within a case study. The tests are classified according to whether passing it is necessary and/or sufficient for accepting the inference. These tests are straw-in-the-wind tests, hoop tests, smoking-gun tests, and doubly-decisive tests. It is worth noting that usage of each type of test is somewhat subjective and so this article tries to make a strong argument for why it uses certain tests.

Straw-in-the-wind tests can increase the plausibility of a given hypothesis or raise doubts about it, but are not decisive by themselves. Straw-in-the-wind tests thus provide neither a necessary nor a sufficient criterion for accepting or rejecting a hypothesis, and they only slightly weaken rival hypotheses. Hoop tests set a more demanding standard. The hypothesis must “jump through the hoop” to remain under consideration, but passing the test does not by itself affirm the hypothesis.

31 For example, see the Bashar al-Asad speeches cited throughout this article; see also the announcement of the formation of the Free Syrian Army.
Failure to “jump through the hoop” means a failure of the hypothesis. The metaphor of a “smoking gun” conveys the idea that a suspect who is caught holding a smoking gun is presumed guilty. However, those with no smoking gun may not be innocent. Smoking gun tests provide sufficient but not necessary criteria for accepting the causal inference. It can strongly support a given hypothesis, but failure to pass does not reject it. Doubly decisive tests provide strong inferential leverage that confirms one hypothesis and eliminates all others.32 Due to the availability of information, this study relies on hoop and smoking gun tests.

The dependent variable for this study is the conflict’s increased sectarianization. This refers to using rhetoric or acting in defense of a particular sect or religious group, or targeting others due to their sect or religious group. Furthermore, such rhetoric and action can be either real or perceived. For this study, it is not particularly important whether there were genuine sectarian motivations behind actions, whether claims of sectarian victimization were incorrect, or whether elites were using sectarian rhetoric instrumentally. What is important is that actors in the conflict felt they could increasingly utilize sectarian rhetoric and action if they thought it was necessary or effective, real or perceived.

**Sectarianizing Conflict**

If outsiders increased sectarianization of the conflict in Syria, it can be reasonably assumed that Bashar al-Assad would not himself be responsible. Any references to sectarianism by the president would therefore be a response to external attempts to sectarianize the conflict. Malet argues that leaders and organizations can overcome collective action barriers by framing participation in conflicts as ‘a necessary defensive

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mobilization to individuals who are typically active in shared ethnic, religious, or ideological communities.’ The Regime and Opposition hypotheses must pass a smoking-gun test because if there is evidence that the President frames the conflict as sectarian before internationalization, the Opposition hypothesis passes the test. However, the absence of such publicly available evidence would not necessarily prove the President’s innocence.

Presidential Evidence: Bashar al-Asad neither invokes sectarian language, nor sectarianizes the actions of those opposing his government and armed forces. If he does so, this is only as a necessary response to international sectarianism affecting Syria.

Table 1: Presidential evidence

<table>
<thead>
<tr>
<th>Hypothesis</th>
<th>Regime Hypothesis</th>
<th>Opposition Hypothesis</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aspect of Diagnostic Evidence</td>
<td>Sectarianizing the enemy is a response to internationalization</td>
<td>The regime framed its enemies as sectarian from the start</td>
</tr>
<tr>
<td>Claim</td>
<td>References to sectarianism come as a response to internationalization</td>
<td>Al-Asad references sectarianism irrespective of wider events</td>
</tr>
<tr>
<td>Required Evidence</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Result</td>
<td>Fails smoking-gun test</td>
<td>Passes smoking-gun test</td>
</tr>
</tbody>
</table>

After two weeks of widespread civil unrest in his country, President Bashar al-Asad finally made a public address on

March 30, 2011. In his speech to parliament, the President claimed that conspirators were trying to incite sectarianism inside Syria.\textsuperscript{34} This statement came after two weeks of peaceful protest and there is no credible evidence of sectarian opposition to the regime at this stage. June 12, 2011 was the next public occasion in which al-Asad raised the specter of sectarianism. In only his second public speech since March 30, al-Asad told attendees of his speech at Damascus University that armed men ‘invoked detestable sectarian discourse which we have never endorsed,’ proudly adding that citizens ‘prevented all attempts of sectarian sedition.’\textsuperscript{35} Al-Asad continued to make sectarian claims in his speeches throughout 2011 and 2012, irrespective of international involvement in the civil unrest.

Therefore, when al-Asad claimed that ‘the essence of the crisis was to create sectarian strife amongst the Syrian people,’ he appears ironically and inadvertently to be referring to his own policies.\textsuperscript{36}

By the time Bashar al-Asad states in a speech on January 6, 2013, that outsiders are sowing sectarian strife, there is likely a lot of truth to the statement.\textsuperscript{37} However, his own statements from the beginning of the conflict precede any reported presence of outside interference in Syria. While Bashar himself uses sectarian rhetoric defensively rather than offensively, he

still framed opposition to his rule as sectarian from the start when that was not the case. In doing so, the President was surely trying to undermine the national legitimacy of any opposition to his regime. By vilifying opposition to his rule as sectarian, he was trying to limit the appeal of opposition groups to broad swathes of Syrian society. After increased foreign intervention throughout 2012, his claims appear to be much closer to the truth. But, because al-Asad’s rhetoric precedes such interventions, the Regime hypothesis fails the Presidential Evidence smoking-gun test whilst the Opposition hypothesis passes it.

Military Evidence

With an influx of foreign militants and organizations fighting against Syrian forces, it is expected the regime would feel more threatened. In response, the regime would rely on its most loyal coercive instruments, namely those with shared identities or kinship. In this case, use of the Fourth Armored Division of the Syrian Army would be the clearest example of a sectarianized military response. This is because it recruits from ‘Alawi communities, is headed by the President’s brother, works with sectarian militias, and seconds officers to monitor military forces that are not ‘Alawi-dominate. This test is a hoop test because strong evidence that the Fourth Armored Division was used irrespective of international involvement would reject the Regime hypothesis. On the other hand, the absence in a relative rise in deployments and secondments from the Fourth Division would affirm the Regime hypothesis.

Military Evidence: There should be an increase in the activity of divisions in the military dominated by relatives or sectarian

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allies of the regime elite, relative to other battalions, after international interventions.

Table 2: Military evidence

<table>
<thead>
<tr>
<th>Hypothesis</th>
<th>Al-Asad Hypothesis</th>
<th>Opposition Hypothesis</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aspect of Diagnostic Evidence</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Claim</td>
<td>Fourth Division deployed in response to international intervention</td>
<td>Fourth Division deployed and officers seconded at start of the conflict</td>
</tr>
<tr>
<td>Required Evidence</td>
<td>Increased deployments and secondments to other branches as a response to external intervention</td>
<td>Increased deployments and secondments irrespective of wider events</td>
</tr>
<tr>
<td>Result</td>
<td>Fails hoop test</td>
<td>Passes hoop test</td>
</tr>
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The Fourth Armored Division of the Syria Army has perhaps been the most consequential weapon in the Syrian regime’s armory for several decades. It was formed out of the Defense Companies, themselves created in 1971 by the brother of then-President Hafiz al-Asad, Rifa‘t al-Asad. The soldiers and officers making up the Fourth Division always had loyalty and internal stability as their number one priority. Soon after civil unrest started in Der‘a in March 2011, Maher al-Asad’s Fourth Division opened fire on unarmed demonstrators and killed as many as fifteen protestors in the two-day assault on

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the Omari Mosque in the city.\(^{40}\) Maher’s forces quickly came to play a leading role in anti-dissident operations in Der‘a, the coastal city of Baniyas, the central province of Homs, and the northern province of Idlib, with activists reporting 1,400 people killed and 10,000 detained in the crackdown.\(^{41}\) The Fourth Division has also seconded officers to other divisions and brigades in the military, which are predominantly Sunni, in order to prevent defections.\(^{42}\) This meant that the division was stretched to its limits from the earliest days of the conflict. The Fourth Division was regularly used in conjunction with other forces. One soldier who defected from the Fourth Division relayed an account of such collaboration to Human Rights Watch:

“Hisham,” a soldier with the 555th Airborne Regiment, Fourth Division, said that his unit was deployed to conduct arrests in the Daraya neighborhood of Damascus in May 2011. He said: “We had batons, and the Shabiha had weapons; they wore black clothes. We were running after people, and those we grabbed wished they had died because of how badly we beat them. On that day, Captain Mohamed Harb was in charge. He used to shoot with his pistol at those we couldn’t catch. Then my unit and the Shabiha started breaking cars. The Shabiha said that these cars were


\(^{42}\) Al-Jazeera, *al-Firqa al-Rabī‘a fī al-Jaysh al-Sūrī* [The Fourth Division in the Syrian Army], online, July 18, 2012, http://www.aljazeera.net/news/reportsandinterviews/2012/7/18/%D8%A7%D9%84%D9%81%D8%B1%D9%82%D8%A9-%D8%A7%D9%84%D8%B1%D8%A7%D8%A8%D8%B9%D8%A9-%D9%81%D9%8A-%D8%A7%D9%84%D8%AC%D9%8A%D8%B4-%D8%A7%D9%84%D8%B3%D9%88%D8%B1%D9%8A, accessed February 6, 2015.
used by protesters. We smashed them with stones and sticks. One of the guys in my unit didn’t want to participate, but one of the Shabiha put a gun to his head and said, ‘Do it, or I’ll kill you.’”

The Fourth Division’s involvement in quelling unrest started in the earliest days of the civil unrest, when demonstrations were still very much peaceful and free from international involvement. They were relied upon because they could be trusted with the difficult task of ruthlessly suppressing non-violent dissent. Because of the Division’s sectarian recruitment patterns, the popular perception that it is a sectarian division of the army, the secondment of ‘Alawi officers to predominantly non-‘Alawi branches of the military, the coordination with sectarian militias, and complicity in sectarian atrocities, it is reasonable to highlight the Fourth Division as a regime tool that has helped sectarianize the conflict in Syria. The heavy use of the Fourth Division before any international involvement negates the hoop test of the Military Evidence. This damages the Regime hypothesis, while strengthening the Opposition hypothesis.

**Militia Evidence**

An important aspect of regime defense has been the use of the Shabiha. While their make-up has come to encompass broader identities, they originally referred to groups of young ‘Alawi males from the Syrian coastal regions. These armed groups are notable for their loyalty to the Syrian regime and their wanton use of brutality. Their activities have been widely

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reported by activists, local organizations, the United Nations, and media, but denied by the Syrian authorities. While much Shabiha activity certainly reflects loyalty to the President, a substantial proportion of Shabiha behavior speaks to Stathis Kalyvas’ theory of the logic of violence in civil wars. Kalyvas argues that actions ‘on the ground’ often seem more related to local or private issues than to the war’s driving cleavage. This suggests that many Shabiha are perhaps participating in sectarianizing the conflict in order to enrich themselves through looting and bribery. In addition, individual and local actors take advantage of the war to settle local or private conflicts often bearing little or no relation to the causes of the war or the goals of the belligerents. Evidence of Shabiha activity before international involvement in Syria would support the Opposition hypothesis and pass a hoop test. If there is such evidence, the Regime hypothesis categorically fails the Shabiha Evidence test.

Militia Evidence: Shabiha militias were active from the start of the conflict in Syria and therefore provide evidence of the regime’s sectarian strategy.

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The term Shabiha first became prevalent in the late 1970s, after Syria’s intervention in Lebanon in 1976 and the corresponding rise in smuggling from economically-open Lebanon to economically-isolated Syria. Up until the outbreak of the Syrian conflict, the term was used in a relatively narrow sense, to refer to groups of ʿAlawi males from the Syrian coastal regions and their leaders, all of whom came from influential ʿAlawi families. The term itself reflected the thuggish behavior that the Shabiha were known for. They made their living from smuggling electrical goods, tobacco, drugs, alcohol, antiquities, and extorting taxes at will. As Syrian intellectual Yassin al-Haj Saleh notes: ‘Sectarianism is merely a facilitator to the fundamental goal of loyalty to the person of the leader. Indeed, the Shabiha have spread outside their original home and entered circles that are notable for the

<table>
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<th>Table 3: Militia evidence</th>
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<tbody>
<tr>
<td><strong>Hypothesis</strong></td>
</tr>
<tr>
<td><strong>Aspect of Diagnostic Evidence</strong></td>
</tr>
<tr>
<td>Claim</td>
</tr>
<tr>
<td>Required Evidence</td>
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...
strength of their ties of personal loyalty, patronage and duty to the president.’

The term Shabiha has come to refer to the irregular militias the regime uses to combat protestors across the country. In Aleppo, for example, the Shabiha is composed of powerful local families, the most famous of which is the Berri clan, known for its involvement in drugs and arms smuggling. Such families and their foot soldiers enjoy almost total control over their neighborhoods. They answer only to the regime and divide their profits with the regime’s local representatives. One source claims that members of the Shabiha earn between 7,000 lira ($37) and 10,000 lira ($53) for working on Fridays and at least 2,000 lira ($11) for the others days of the week. Another source states that Shabiha leaders went into local markets and offered money to sales workers and cart owners, most of whom were teenagers, to join the Shabiha for 1,500 lira ($8) for every operation. One Shabiha fighter said that this was nearly three times what he would usually make in a day. Shabiha leaders also offered to give these young men hashish and other drugs.

Considering recruitment strategies and actual tactics, and notwithstanding previously-mentioned motivations such as economic gain and Kalyvas’ theory of private grievances, there is certainly a dark perception of sectarianism that surrounds the Shabiha. It is this perception as much as the reality that makes the Shabiha a sectarian player in the conflict. Although Shabiha atrocities are only mentioned in 12% of the reports filed by the Local Coordination Committees in Syria between March 2011 and December 2012, their presence was noted from the earliest days of peaceful protest in March 2011.

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50 Own analysis of reports from: http://www.lccsyria.org
The involvement of the Shabiha militias from the beginning of the conflict is well-documented, as is their planning and organization. As such this sectarianization of the conflict was not in response to internationalization and so the Regime hypothesis fails the Militia Evidence hoop test, strengthening the Opposition hypothesis.

**Anti-regime Evidence**

Opposition groups have obviously played an important role in Syria since 2011. Such groups are so numerous, and so divided, that to conceive of the conflict in Syria as a civil war between government and opposition is misleading. As the Independent International Commission of Inquiry on the Syrian Arab Republic stated at the start of 2013: ‘The dynamics of the conflict have become increasingly complex. The war has become colored by sectarianism, permeated by opportunistic criminality and aggravated by the presence of foreign fighters and extremist groups.’

Before the start of 2013, opposition to the al-Asad regime steadily sectarianized and it is this process that is under investigation here. If the Regime hypothesis is correct, non-Syrian and internationally-supported groups should bring increased sectarianism with them. Evidence of sectarian rhetoric and violence from non-Syrian groups, and the lack thereof from Syrian groups, would be a smoking-gun test as the evidence would be sufficient for the Regime hypothesis to pass the test. On the other hand, the absence of opposition sectarianism after greater international involvement would not mean it does not exist in private spheres.

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Anti-regime Evidence: The greater the influence of outside organizations on the fighting, the more sectarianized opposition to al-Asad will become. As sectarian groups become stronger relative to other opposition groups, the conflict becomes more sectarian.

Table 4: Anti-regime evidence

<table>
<thead>
<tr>
<th>Hypothesis</th>
<th>Regime Hypothesis</th>
<th>Opposition Hypothesis</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Aspect of Diagnostic Evidence</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Claim</td>
<td>Greater external involvement cause the conflict to be sectarianized</td>
<td>Any sectarian responses are a result of regime behavior</td>
</tr>
<tr>
<td>Required Evidence</td>
<td>Opposition groups sectarianize conflict due to operational strength of sectarian groups</td>
<td>Opposition groups only utilize sectarianism as a response to the regime</td>
</tr>
<tr>
<td>Result</td>
<td>Passes smoking-gun test</td>
<td>Fails smoking-gun test</td>
</tr>
</tbody>
</table>

Syria’s armed opposition has always been a splintered array of rebel groups. From the summer of 2011, many groups referred to themselves as members of the Free Syrian Army, or FSA. This term, however, is not used in reference to a specific organization, but rather as a catch-all name referring to the Syrian armed opposition in general. In this way, the FSA label should be understood as a synonym for “the resistance,” similar
to la resistance in France during WWII.\textsuperscript{52} The Free Syrian Army was originally formed by seven officers who had defected from the Syrian Army on July 29, 2011. In the video announcing their formation, the focus of the new organization was clearly on overthrowing the ‘criminal’ regime.\textsuperscript{53} From its formation the leaders of the Free Syrian Army also relied upon foreign support; its first commander, Colonel Riad al-Asʿad, was kept under close protection by Turkish intelligence. While the Turkish claimed throughout 2011 that it was only offering humanitarian space for the Free Syrian Army, there has been speculation that Turkish support went much deeper from the summer of 2011 onwards.\textsuperscript{54} In addition, international funding for the Free Syrian Army reportedly came from across the region and into Turkey.\textsuperscript{55} By the end of 2011, Riad al-Asʿad was publicly stating that the regime relied upon sectarian discrimination, whilst proclaiming that the Free Syrian Army was above such behavior.\textsuperscript{56} This was emblematic of opposition organizations and, as such, warnings of sectarianism have been an important part of opposition rhetoric throughout.

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The opposition to the al-Asad regime was certainly not limited to exiled political groups and defected officers. Jabhat al-Nusra fighters started to filter into Syria towards the end of 2011, with the organization carrying out its first attack on December 23 in Damascus. It was created as a front for non-Iraqi members of al-Qa‘ida in Iraq to get involved in the Syrian conflict, and headed by Abu Muhammad al-Golani. As the brainchild of the sectarian ideologue Abu Musab al-Zarqawi, who was killed in 2006, al-Qa‘ida in Iraq, and by extension Jabhat al-Nusra, is steeped in a history of sectarian violence. It should therefore not come as a surprise that Jabhat al-Nusra’s leaders and fighters routinely refer to ‘Alawites as Nusayriyya, reflecting their belief that ‘Alawites are not Muslims. ‘Alawites are castigated for their mistreatment of Sunnis. Therefore, the stronger organizations that came into Syria from abroad often brought sectarian biases with them. Even non-sectarian groups such as the Free Syria Army used warnings of sectarianism to frame the regime as a threat. All of these organizations had strong links to abroad and, as they got more international support, sectarian violence and rhetoric began to flow more freely. However, the key reason for the rise in opposition sectarianism is that organizations based in the sectarian ideology of Abu Musab al-Zarqawi have been better organized and administered, just as well-funded as other organizations, and they have been able to call upon a larger pool of recruits through the transnational recruitment strategies highlighted by Malet’s theory. Essentially, more resources can be called upon when the group identifies as Sunni, than when a group identifies as solely Syrian. Added to the military experience and

58 This is discussed earlier and in Malet’s Foreign Fighters: Transnational Identity in Civil Conflicts.
later Syrian successes of groups such as Jabhat al-Nusra, these organizations have become increasingly powerful relative to other actors involved in the conflict. This goes against the idea of ethnic outbidding because opposition to the regime did not become increasingly sectarian as groups tried to outbid each other in sectarian terms. Rather, increased sectarianization was brought in from sectarian-inclined organizations from outside the country. Therefore, the Regime hypothesis passes the Anti-regime Evidence smoking-gun test which strengthens the Regime hypothesis on internationalization leading to sectarianization.

Other Explanations

Despite the variables used in this article, there are other possible independent variables that could also explain the increased sectarianization of the conflict. The theory of ethnic outbidding could explain the process of sectarianization as opposition groups competed to show each was more anti-regime and ‘Alawi than the next. However, this theory is based on the primordialist assumption that certain identities are enduring and unchanging. The Syrian conflict did not become increasingly sectarianized because different groups had a singular sectarian view of the regime. Rather, the opposition was overrun by a small number of powerful organizations from abroad that espoused sectarian rhetoric and violence, and met the regime head-on.

Another potential explanation for seeing a rise in sectarian rhetoric and violence in the conflict is the general increase in participants and violence that took place in Syria from the earliest days of civil unrest. There were simply more incidents taking place over time. If this was the case, we would expect to see at least some correlation between the increased violence of the conflict and the increased sectarianization of it. This did not happen. The regime used sectarian tactics and violence from
March 2011. The opposition became militarized from late-2011 onwards. While claims were made by opposition groups and activists that the regime was sowing sectarian tension inside the country, the regime and its supporters were not the victims of obvious sectarian attacks until late 2012. While violence increased throughout 2012, the conflict only rapidly sectarianized towards the end of that year.

Conclusions

In conclusion, the regime’s claims of opposition sectarianism pre-date any actual opposition sectarianism. Meanwhile the Opposition hypothesis is correct but neglects the role of an increasingly foreign opposition in sectarianizing the conflict. Each hypothesis reflects a refusal to recognize the fact that calling others sectarian is itself a part of sectarianizing the conflict and strengthening groupism. With this in mind, the Regime and Opposition hypotheses do not entirely negate each other and are therefore congruent in forming a broader understanding of how sectarianism has come to dominate the Syrian conflict.

While it has been popular in the media to discuss the creation of an ‘Alawi rump state, or even an “Alawitestan,” there is one important issue with this: there seems to be no sign of a movement among ‘Alawites to set one up. While Bashar al-Asad still has the support he needs from key ‘Alawi families, it is likely fear of their fates in a rebel-controlled Syria that ensures this. While the most common perception both inside and outside of Syria is that ‘Alawites are one united block,

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60 McHugo, Syria : From the Great War to Civil War, 255.
intra-ʿAlawi discontent is increasingly being reported, a reality that questions sectarian groupism in Syria.⁶¹

### Table 5: Syria process tracing

<table>
<thead>
<tr>
<th>Hypothesis</th>
<th>Regime Hypothesis: (Internationalization – Sectarianization)</th>
<th>Opposition Hypothesis: (Regime – Sectarianization)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Diagnostic Evidence</strong></td>
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</tr>
<tr>
<td>Presidential Evidence</td>
<td>Failed</td>
<td>Passed</td>
</tr>
<tr>
<td>(Smoking-gun test)</td>
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</tr>
<tr>
<td>Military Evidence</td>
<td>Failed</td>
<td>Passed</td>
</tr>
<tr>
<td>(Hoop test)</td>
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<tr>
<td>Militia Evidence</td>
<td>Failed</td>
<td>Passed</td>
</tr>
<tr>
<td>(Hoop test)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Anti-regime Evidence</td>
<td>Passed</td>
<td>Failed</td>
</tr>
<tr>
<td>(Smoking-gun test)</td>
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</tr>
</tbody>
</table>

That internationalization of the opposition led to sectarianization of the conflicts in Syria and Iraq has implications for border control in such cases. Flows of foreign fighters, organizations, and weapons, would have been inhibited had buffer zones been set up along border areas. This would have restricted the organizational capacities of groups that were able to dominate the opposition narrative of the conflicts. In the case of Syria, Russia and China would probably have vetoed any attempt to include buffer zones along the Turkish, Lebanese, Iraqi, or Jordanian borders with Syria. Indeed, as early as October 4, 2011 Russia and China vetoed a

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United Nations Security Council Resolution in order to uphold Syrian sovereignty and maintain an ostensibly neutral stance towards the conflict. As such, similar zones could have been set up when it became clear by the end of 2011 that the central Syrian government was unable to exercise full control over the entirety of the country.

While sectarian identities existed in Syria before the conflict, these social categories waxed and waned depending on context. Once conflict broke out, the authorities were quick to use sectarian tactics. When conflict broke out, well-organized, well-trained, and well-financed organizations flooded Syria and met the regime head-on in struggles that became increasingly sectarian. As such, the increased sectarianization of the conflict in Syria is due to the organizations inclined towards sectarianism becoming militarily dominant amongst opposition to the already sectarianizing authorities.

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Spit out the Soup:
Counterinsurgency’s Necessary Conditions

Clarke Burns

This article analyzes what pre-conditions are necessary, but not sufficient, for counterinsurgency doctrine (COIN) to succeed. Research identifies four: an adequate number of counterinsurgents, adequate time (12 years), a legitimate supported government, and a lack of safe havens and third-party support. A lack of any of the four pre-conditions can doom a counterinsurgency effort to failure—all four are required if counterinsurgency doctrine, as laid down in Army Field Manual 3-24, is to succeed. This means that waging a counterinsurgency is rarely a viable policy option.

What conditions does counterinsurgency doctrine, as promulgated in the Army’s 2006 Field Manual 3-24, need to exist in order to succeed in quelling violence across a given region or nation and in keeping a desired regime in power for at least 20 years?

These two conditions arguably capture what western democracies, principally the United States, have hoped to achieve in using counterinsurgency (COIN) tactics in various conflicts over the last half-century. They are probably not goals that a government spokesman would admit to, preferring more amorphous goals like freedom, self-determination, and creating autonomous regions that are no longer havens for terrorism.

Four Prerequisites
In formulating and advocating for COIN doctrine as revised in 2006, key proponents like Lieutenant Colonel John Nagl and General David Petraeus were principally responding to tactical exigencies in Iraq. The approach seemed to work, as violence dropped precipitously by 2008. COIN was then transferred to Afghanistan, where its tenets had been indifferently applied until General Stanley McChrystal’s arrival in 2009. COIN had by then acquired a fervent corps of advocates—or “COINdinistas”—that seemed to regard the newly rediscovered tactics as the way forward with many of the United States’ 21st-century security problems. Analysis of four counterinsurgency efforts—Malaya, Vietnam, Iraq, and Afghanistan—along with the plain-text requirements of FM 3-24 indicates that COIN requires a specific set of conditions to work.

**Counterinsurgency doctrine requires four conditions that are necessary, but not sufficient, for this tactical prescription to work:**

- Counterinsurgent-to-civilian ratio of 1 counterinsurgent to every 20 civilians
- Time: at least (12) years
- Legitimate supported government with at least plurality support
- No safe haven or third-party government abetting the insurgency

If COIN is successful, then it follows that counterinsurgents were present in a 1:20 ratio to the civilian population, that adequate time was spent on the campaign, that the supported government enjoyed legitimacy, and that no safe haven was present.

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If counterinsurgents are not present in at least a 1:20 ratio, or if adequate time was not spent fighting the insurgency, or if the supported government was not legitimate in the eyes of its population, or if a safe haven was present—then the counterinsurgency campaign will fail. In other words, the absence of any one of these four elements will cause COIN to fail.

Scope, Assumptions, and Definitions

Scope

Although insurgencies include conflicts in which a state fights a non-state insurgency, such as the Palestinian intifadas, these conflicts are outside the scope of this paper. Rather, this paper will consider only those insurgencies in which a western democracy is attempting to support a foreign government (a third party) against an insurgency in that country with western military forces on the ground.

Definitions

Success in counterinsurgency has two elements: substantially quelling violence in a given area or society (and thereby protecting the population) and maintaining in power the desired regime for at least a generation—defined here as 20 years. This definition is conjunctive; failure to meet either part of this definition means that a given COIN effort is a failure. The civilian-protection goal of COIN is defined as a mortality rate of no more than two percentage points above the country or region’s pre-conflict mortality rate (see footnote 3).

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2 Defined as a mortality rate of no more than 2 points above the country’s pre-conflict mortality rate. For example, in Iraq this would be 7.5/1000 or below. Derived from pre-war Iraqi mortality of 5.5/1000 and mortality of 13.5/1000 for the 40 months post-invasion. Burnham, Gilbert, et al. “The Human Cost of the War in Iraq.” Massachusetts Institute of Technology. September 26, 2006.
The second criterion for success is maintaining the regime or government supported by the United States (or other western power) in power for at least 20 years. COIN is by definition a long-term endeavor; its success must be measured over time. Twenty years strikes a balance between real success—keeping an insurgency at bay for a generation—and unrealistically long time horizons.3

Case Studies

<table>
<thead>
<tr>
<th>Case</th>
<th>Success or Failure?</th>
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<tbody>
<tr>
<td>Malaya</td>
<td>Success</td>
</tr>
<tr>
<td>Vietnam</td>
<td>Failure</td>
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<tr>
<td>Iraq</td>
<td>Failure</td>
</tr>
<tr>
<td>Afghanistan</td>
<td>Failure</td>
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</tbody>
</table>

Malaya

The British counterinsurgency effort in Malaya is the lone success among the four case studies here, and indicates that COIN can work if the four preconditions outlined above are met. The ‘Malayan Emergency’ was fought between the British colonial forces and the Chinese component of Malaya’s population, led by Chin Peng, between 1948 and 1960. The insurgency’s defeat was followed by Malaya’s transition to home rule in 1963. COIN in Malaya was a success because it was able to quell violence in the aggregate (across all sectors of Malayan population) and kept the British and their desired successor government in power.

The British COIN effort incorporated a number of factors—jungle patrols, publicized amnesty programs, aggressive use

3FM 3-24.
of defectors and paroled insurgents, forced relocation of civilians—that may or may not have made the critical difference. These tactics had an environment in which they could work because the four preconditions were met.

Because the insurgents came from a small subset of Malayan society—the Malay and Indian populations of Malaya never joined the rebellion—the number of insurgents was correspondingly small. For this reason, fielding enough counterinsurgents was more feasible for Britain than in other insurgencies since. The English colonial government used local forces extensively—not only military elements, but police, paramilitary, and intelligence units, as well. These added to the bottom line of counterinsurgents without appreciably adding to Britain’s bottom line for funding the counterinsurgency effort.

Malaya was a lengthy campaign; the fact that a successful campaign still took twice as long as did World War II has important implications for policymakers considering a time commitment to COIN. Success in Malaya took 12 years—longer than nearly all of America’s wars, but a normal duration for a counterinsurgency effort. R.W. Komer notes that the COIN campaign implemented by the British was deliberately a ‘long-haul’ approach and took considerable time. However, even this lengthy conflict does not always suffice. At the time of his study of the Malayan and Vietnamese insurgency campaigns, Komer notes that Vietnam had already been underway for 12 years. The length of the Malaya campaign suggests two things: first, that COIN takes a long time, even when other conditions—small insurgent base of support, geographic isolation, no outside help—are favorable; and second, that Britain’s long colonial history likely had an impact on the British people’s time horizon. They were accustomed to long, low-level wars in faraway places by 1948, in contrast

with the American people. Although a full analysis of public opinion’s different impact across societies upon COIN is beyond the scope of this paper, one can draw implications from the time it took Britain to succeed in subduing an insurgency here. Britain enjoyed a best-case scenario when it came to time—it’s population was not exerting significant pressure on it to depart Malaya, and the insurgency it was fighting had significant disadvantages that made it difficult for them to prolong the war by withdrawing further into the terrain. That it still took 12 years to win should indicate that a 12-year commitment is an absolute minimum for a COIN campaign.

Malaya’s government was seen as legitimate by the aggregate Malayan population for two reasons: it was effective and it was on track to transition to Malayan independence. Among the Malayan and Indian ethnic groups in the country, support was higher than among the Chinese minority. The insurgents never succeeded in persuading these other ethnic groups to side with them. The contrast with the recently defeated Japanese occupation force also contributed to a feeling of relative legitimacy.

Malaya’s geographic isolation and lack of third-party support also hampered the insurgency. Malaya is a peninsula and a part of an island; the Chinese insurgents’ natural backer, newly Communist China, was distant and not geographically contiguous. Further, at the time of the Malayan Emergency, China’s civil was had just ended. Mao Zedong’s government had intervened in the Korean War in 1953, but meaningful help to the Malayan insurgents was probably beyond its capability.

5 Britain’s public did indicate some displeasure with its government’s COIN campaign in Malaya, but this appears to have been caused by incidents of brutality by British soldiers in the jungle and not by the length of the COIN fight itself.
Vietnam illustrates how the absence of two of the four factors—the lack of a legitimate government with plurality support and the existence of both external safe havens and third-party support—was enough to lose the war.

In Vietnam, the United States supported a government it treated as sovereign against both a local insurgency and a conventional threat from North Vietnam. The North and the Vietcong insurgency were supported by the Union of Soviet Socialist Republics (USSR). Further, the insurgent forces were able to use Laos and Cambodia as safe havens where they could regroup and from which they could launch attacks. As the war progressed and North Vietnamese Army (NVA) involvement increased, these areas were used as staging grounds that were largely off-limits to U.S. strikes and ground attack. The presence of these safe havens and support from both North Vietnam and from the USSR meant that despite the application of massive firepower, the Strategic Hamlet program, and arming and equipping the South Vietnamese Army (ARVN), the counterinsurgency effort in Vietnam would not succeed.

The endemic corruption and illegitimacy of the South Vietnamese government created an insurmountable obstacle to the counterinsurgency effort. Ngo Dinh Diem, the president of South Vietnam until 1963, was a poor partner for the United States. His successor, Nguyen Van Thieu, a general who later won a dubious election, did little to improve the Republic of South Vietnam’s chances of countering the Vietcong narrative. “[The] South Vietnamese government never came close to

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establishing legitimacy with the bulk of the Vietnamese people.”

The United States chose to support Diem not because of his legitimate standing but because of his anti-communist credentials. This prioritization of ideology over legitimacy meant that the U.S. diplomats and military advisors in the South were pushing with a string—attempting to beat back a growing insurgency with a vehicle that did not have traction among the South Vietnamese. After the rise of Thieu in 1965, little changed. Thieu’s government aroused less antipathy in its citizens than had Diem’s but was no more legitimate. Thieu won a rigged election in 1971 and managed his government largely through personal loyalty rather than merit, a system that ensured the persistence of corruption. Because the United States pressed ahead with its tactical goals of beating back the Vietcong and NVA rather than engaging South Vietnam’s political problems, its counterinsurgency efforts would never succeed.

**Tactical Shift Irrelevant**

Tactical changes in how counterinsurgency efforts were applied were largely irrelevant because of the failure to meet the preconditions above. Scholars have argued in recent years that the conventional tactics used by General Westmoreland contributed substantially to the frustration of the United States’ goals in Vietnam. These scholars contend that Westmoreland’s successor, General Creighton Abrams, instituted a better counterinsurgency strategy that could have succeeded given time. However, whether such a shift occurred is irrelevant. The degree to which counterinsurgency was properly implemented

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in Vietnam was not the point of failure for the U.S. and South Vietnamese objective to beat back the Communist insurgency. Even had General Abrams been in command from the beginning, and even had tactics like the Marines’ Combined Action Platoons (CAP) been put in place across South Vietnam, the presence of safe havens, third-party support, and a deeply unpopular and illegitimate government would have cost the United States the war.

Iraq (Operation Iraqi Freedom)

Operation Iraqi Freedom (OIF) failed due to a lack of all four preconditions: counterinsurgents were not present in adequate numbers, inadequate time was devoted to the effort, the insurgents in Iraq had an external sponsor and (to a degree) a safe haven, and the supported government’s sectarian nature delegitimized it to a great degree.

The United States was waging a de facto counterinsurgency campaign in Iraq from mid-2003 through the full withdrawal in 2011, although the term ‘counterinsurgency’ was not generally accepted until 2006 with the publication of FM 3-24. Iraq was a more complex insurgency than either Malaya or Vietnam, as U.S. soldiers faced attacks from both Sunnis and Shiites as opposed to one ideologically coherent foe. Here, the desired regime was not a specific actor, but rather a friendly, somewhat representative government that could keep Iraq’s three factions—Sunnis, Shiites, and Kurds—together as one country. Success under this metric is arguable, but because the first metric of success—quelling violence—has failed so emphatically, it is not necessary to reach the question of political success to conclude that COIN in Iraq failed.

Counterinsurgents—American, British, and Iraqi—were not present at any point in the 1:20 ratio prescribed by the new FM 3-24. The new field manual, drafted by a team led by General David Petraeus and General James Mattis, stated that a
A 1:20 ratio of counterinsurgents to civilians is considered the minimum troop density required for effective COIN operations.\textsuperscript{10} The problem did merely become evident in 2006, however, with the significant uptick in violence. General Eric Shinseki, then the Army Chief of Staff, testified before Congress before the 2003 invasion that it would require several hundred thousand soldiers to stabilize Iraq after deposing Saddam Hussein.\textsuperscript{11} His candor cost him his job, but General Shinseki was proven correct. Iraq has a population of about 32 million.\textsuperscript{12} A CSIS report from 2008 cites the Department of State’s weekly progress report showing that the Iraqi security forces (ISF) had a total of 465,662 trained personnel.\textsuperscript{13} This includes all Iraqi personnel who could have even a tangential relevance to COIN—police, border enforcement personnel, and even navy and air force members. Further, this figure came after a statement by General Petraeus noting that 133,000 additional ISF personnel had been added in a surge in 2007-08 that matched that of the United States.\textsuperscript{14} U.S. military forces peaked at 157,800 in 2008.\textsuperscript{15} The CSIS report goes on to note the dubious quality of the newly added Iraqi security forces—manifesting doubts about their training that their poor showing against ISIL would validate. Even assuming that all Iraqi security personnel were competent enough to be counted as counterinsurgents, their total along with U.S. military personnel came to 623,462. A 1:20 ratio would have required 1,600,000 counterinsurgents. In other words, even at the height of the

\textsuperscript{14} Ibid.
Iraqi surge in 2008, the combined number of Iraqi and U.S. counterinsurgents was only 39 percent of what FM 3-24 prescribed.

U.S. involvement in fighting the Iraqi insurgency began in 2003 with the invasion and ended in 2011 with the arbitrary withdrawal of all forces. This eight-year campaign falls far short of both the 12 years the British spent fighting in Malaya and the 14-year average for most insurgencies.\(^{16}\) More time in Iraq probably would not have brought victory, but the artificially curtailed timeline meant that the counterinsurgency effort had no real hope of truly prevailing against the insurgency.

Iran’s support of Shiite militias in Iraq contributed substantially to instability and to their ability to effectively kill U.S. troops. The proximity of Iran and its longstanding ties to Iraq’s Shiite population—oppressed under Saddam Hussein—made it a natural third-party supporter of its allies within Iraq. The Iraqi government and the U.S. occupation authorities were unable to close the border or effectively deter Iranian interference for political and practical military reasons. Effectively curtailing Iranian support would have meant risking a full-on war with Iran, something that would have challenged the United States militarily and would have been politically infeasible. The Shiite Iraqi government was disinclined to object too vociferously to Shiite Iran’s activities in Iraq. Arguably this helped them remain in power—tangentially aiding one of the COIN metrics for success—but the inherent illegitimacy that Iranian activities in Iraq and Iranian ties to the Maliki and al-Abadi governments imparted hampered Sunni reconciliation. Sunni Iraqis were incentivized to fight, rather than reconcile, when they saw Shiites hardening their grip on power. This, in turn, meant that counterinsurgency’s task of

quelling violence—already doubly hard because of Iraqi factions and grievances—was unsuccessful beyond a few months in 2008-09. These unresolved grievances have aided the rise of the Islamic State of Iraq and the Levant (ISIL) in northern Iraq.

ISIL’s existence and violence is a direct consequence of COIN’s failure in Iraq. Successful COIN in Iraq would not have permitted ISIL’s rise, and such a COIN effort probably would still be ongoing. While ISIL is not wholly the product of Sunni Iraqis, it has its roots in OIF. The current war in Iraq is most accurately seen not as a separate conflict but as a transmogrification. ISIL’s leader, Abu Bakr al-Baghdadi, is an Iraqi who spent time in U.S. prisons during OIF. The group is a direct development of al-Qa`ida in Iraq (AQI), which in turn was a leading Sunni insurgent group, battling both the U.S. forces and the Iraqi Shiite government and militias. The Islamic State of Iraq, as ISIL was first known, carried out its first large attacks in Iraq against Shiites shortly after U.S. forces left in 2011. Syria’s civil war provided an opening for ISI to expand into ISIL, but the group’s roots are in Iraq as an anti-government and anti-U.S. insurgent group. ISIL today controls a swath of northern Iraq—a substantial breach of Iraq’s territorial integrity that challenges its sovereignty, let alone the proclaimed success of COIN in 2007-09. As COIN doctrine states, the objective is building lasting civil governance, not short-term military victories. ISIL’s violence narrowly means that the definition of COIN success set out above is not met. More broadly, ISIL’s existence today indicates that COIN failed dramatically in Iraq.

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COIN in Afghanistan has failed because too few troops struggled to quell violence under the auspices of an avaricious and illegitimate government. The insurgent forces—the Afghan Taliban, the Pakistani Taliban, and foreign fighters—were able to use Pakistan as sanctuary and received substantial support from elements of its government.

To an even greater extent than in Iraq, COIN in Afghanistan will be judged a failure by both metrics—quelling violence and maintaining a desired government in power. Violence in Afghanistan is driven today by Taliban returning from Pakistan and emerging from hiding in Afghanistan to openly contest control of terrain with the Afghan National Security Forces (ANSF). With U.S. troop numbers having plummeted since the Afghan surge in 2010, the ANSF’s weakness is apparent. Afghan casualties have increased by 23 percent from 2013 to 2014, as U.S. troops largely departed or withdrew to their large bases as part of the transition to a ‘training’ role.\(^\text{18}\) In absolute terms, Afghan soldiers are dying at a higher rate in over ten years.\(^\text{19}\) Data on civilian death rates are less available, but the casualty rates for the ANSF alone indicate an unequivocal increase in violence, not a decline. The continuing withdrawal of International Security Forces-Afghanistan (ISAF) will exacerbate, not ameliorate, the violence against the government and security forces of Afghanistan. The trend is sufficiently clear to predict that COIN as practiced by the United States over the past 14 years in Afghanistan will fail to quell the violence.

Operation Enduring Freedom (OEF) began and continued as a low-troop density operation. Its conception as an


\(^{19}\) *Ibid.*
unconventional campaign meant that only a handful of American troops were present during 2001-02; those who were present directed airstrikes and pursued al-Qa‘ida in the mountains, rather than dealing directly with civilian security. Troop strength spiked at 150,000 in 2011. Now, only 13,195 ISAF troops remain. Troop levels beyond 2015 are unsettled but are certain not to increase.

The ANSF experienced massive growth but never achieved the competency or the numbers necessary to provide anything close to the 1:20 ratio prescribed by FM 3-24. In late 2014, they numbered 350,000. The surge added 140,679 troops to the Afghan National Army (ANA). This rapid growth poses the same problems as in Iraq—untrained and unvetted troops ill-suited for counterinsurgency, particularly when Tajik troops were sent to the restive Pashtun regions in southern Afghanistan. The ‘green on blue’ attacks, in which Afghan security forces shot U.S. and other ISAF troops, further illustrate the problems with the surge. Even when resolving all ambiguities to the benefit of higher counterinsurgent numbers, the result indicates a total of 500,000 (350,000 ANSF plus 150,000 foreign troops). Under the 1:20 formula, this force would be sufficient to conduct counterinsurgent operations in a nation of no more than 10 million. Afghanistan’s population numbers just under 32 million as of July 2014. FM 3-24 states at p. 1-2 that “successful COIN operations often require a high ratio of security forces to the protected population.” This was

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20 Ibid.
21 NATO HQ. http://www.rs.nato.int/troop-numbers-and-contributions/index.php
23 NATO HQ. http://www.rs.nato.int/article/isaf-releases/isaf-factsheet-on-current-ansf-status.html
not present at any point in Afghanistan, and has contributed substantially to the failure of COIN there.

The inveterate corruption and illegitimacy of Afghanistan’s government lost it the support of the people and helped create conditions that made COIN impossible. According to a World Bank study, the Karzai government benefitted only urban elites, not the rural majority. The election of Ashraf Ghani came at a time when many Afghans had already given up on their new central government, making his election dubious at best. Karzai’s installation by the United States was not improved by his lack of a constituency. A Pashtun, he could never rival the Taliban for claims to be a true Pashtun champion. He also had little traction among the Tajiks who had done the most to oust the Taliban in 2001 and among the minority Hazara. Corruption was endemic at all levels and only increased. Disdain for Karzai’s government coupled with fear of the Afghan National Police to produce a populace for whom the Taliban was relatively attractive, particularly in the south. COIN efforts could combat Taliban propaganda but could not effectively counter the reality that the Afghan government preyed upon its own people. As in Vietnam, a shortsighted choice of partners led to an insurmountable obstacle for the COIN narrative.

Respect for Pakistani sovereignty gave the Taliban a greater safe haven and recruiting ground than even that enjoyed by the Vietcong and NVA in Vietnam. The Taliban’s leadership were and are known as the ‘Quetta Shura,’ a reference to the Pakistani town in which they live and operate with near impunity. Wounded Taliban fighters retreat across the border for care, and Taliban elements stage there in preparation for their annual summer offensives. Intercepted radio chatter indicates

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that by the time of the surge in Afghanistan many, if not most, of the Taliban’s fighters were not Afghan but Pakistani.\textsuperscript{27} A reticence to violate Pakistani sovereignty, save for select special operations, meant that this safe haven was in place for the entirety of the war. Although harder to demonstrate, substantial evidence exists that elements of the Pakistani government—the Inter-Services Intelligence (ISI)—have aided the Taliban either tacitly or directly, further contributing to an unwinnable insurgency across their western border.

Counterinsurgency in Afghanistan would have failed if any of the factors above were present independently. In other words, even if Pakistan had sealed the border and even if the United States and its allies had put 1,600,000 soldiers and police in the field along with the ANSF’s forces—COIN still would have failed because the corrupt government the counterinsurgents were supporting could not get popular support. Similarly, even if Ashraf Ghani or some other leader been elected in 2002 and earned a measure of support among Afghans outside Kabul, the Taliban with their bases in Pakistan would simply have been too strong. Afghanistan was never even close to success; the surge simply delayed the fall of the government in Kabul and temporarily drove the Taliban back across the border to Pakistan. There they have waited, and they are already returning on the heels of the departing ISAF troops. Violence may actually decrease as the ANSF dissolve and the Afghan government exerts authority only in Kabul. But, this will not mark a success for COIN.

\textit{A Footnote: Iran in Iraq}

Iran’s current intervention in Iraq against ISIL provides an interesting future case study. Assuming that Iran’s efforts are a counterinsurgency, one can analyze its likelihood of success

\textsuperscript{27} Based on author’s personal experience in Afghanistan’s Kandahar province, 2011-12.
against the formula above. Iran thus far has not committed many troops, preferring to use Iraqi Shiite proxies. Its time commitment remains to be seen, but it is unlikely that Iran will prematurely withdraw given its proximity and its deep interests in its neighbor. The ISIL insurgents do not have a safe haven or third-party support; Iran will likely not hesitate at pursuing them in Syria, since the Assad regime is also an Iranian ally. Iraq’s government is not legitimate for some of its people, as discussed above; but for Iran, the only demographic that counts are the Shiite. For this reason, the current Iraqi government, dominated by Shiite leaders, is likely seen as legitimate by the Iraqis that Iran seeks to influence.

Therefore, Iran’s current intervention into Iraq probably meets all four COIN preconditions. This does not mean that Iran will successfully crush ISIL, but it does mean that Iran could succeed at using counterinsurgency tactics against the terror group.

**Necessary Conditions: Formula Construction**

The four elements below are identified from the case studies above as independently necessary, but not sufficient, preconditions for counterinsurgency success.

*Counterinsurgent-to-Civilian Ratio*

This criterion is derived not from case studies but from the Army and Marine Corps’ field manual for counterinsurgency: FM 3-24. At p. 1-13 para. 1-67, the manual states that a 1:20 ratio of counterinsurgents to civilians is considered the minimum troop density required for effective COIN operations. Based on the input and writings of counterinsurgency experts

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including David Petraeus, David Galula, David Kilcullen, John Nagl, Kalev Sepp, and others, FM 3-24 was released in 2006 at the height of the insurgency in Iraq and remains (with updates) current U.S. military doctrine. The paper does not argue that FM 3-24 is tactically unsound; indeed, this criterion is lifted straight from the manual’s pages. Rather, the paper argues that this numerical ratio is exactly as important as FM 3-24 makes it out to be—a necessity. Without meeting this necessity, COIN will fail.

The number of counterinsurgents is at least as important as the tactics they employ. A low number cannot be compensated for with better tactics or more money. Doctrinally, COIN demands contact—contact between the civilians that the doctrine aims to protect and the soldiers and police who provide this protection. Advanced systems, like the PGSS blimp surveillance system or the Reaper drone may be able to see and kill an enemy faster than an infantry squad. But, these systems will not make a village feel protected. As FM 3-24 itself argues, the counterinsurgents must make their presence known and felt, day and night, in and among the people. They cannot ‘commute to work,’ as General Petraeus said when leading the transition from large FOBs to Joint Security Stations (JSSs) in Iraq. If the counterinsurgents are to displace the insurgents, there is no replacement for displacement—they must have the numbers.

A low number of troops can have other deleterious effects upon the COIN effort. Another COIN tenet from FM 3-24 is that ‘the best weapons are not weapons.’ In other words, lethal force is often counterproductive. Yet, when there are not enough troops, there is a temptation to use force less sparingly.\(^{29}\) Overwhelmed counterinsurgents cannot afford to be reticent in returning fire, and their fear of being overrun can and

has led them to lash out, causing counterproductive civilian casualties. For COIN tactics to work, the counterinsurgent force must have enough troops to make their own security a given. Temperate use of force is more feasible when the counterinsurgents have enough mass to control the situation and move on to civil engagement. A small force perpetually engaged in firefights outside the wire and tied down with force protection requirements will never have an opportunity to practice COIN as envisaged in FM 3-24.

Time

To make COIN succeed, a would-be implementer must commit for at least 12 years. This time commitment could prove to be a new center of gravity for the United States, as insurgents prove more patient and more committed than the counterinsurgents. Time applies differently to different COIN conflicts, but given the Malayan case study’s success at 12 years this is a fair metric. 14 years is the average duration for the 90 insurgencies studied in a RAND survey in 2008. This time prescription does not represent a guarantee or forecast of success after 12 years. Rather, this is the minimum amount of time to which a nation must commit to a conflict before entering it if it plans to use COIN successfully. Assuming the other preconditions are met, a withdrawal in less than 12 years will probably mean ultimate COIN failure, unless success is already readily apparent. Even in Malaysia, however, the British did not transition the government from colonial control to home rule until 1963—three years after their COIN effort had ended. 12 years is longer than every American war save Afghanistan and arguably Vietnam, and this extreme minimum duration has

serious implications for the efficacy of COIN as a foreign policy and military tool.

*Legitimate Government with at least Plurality Support*

Tactical COIN success will be worthless if used in support of a government without a basis for popular support. This does not mean that the government supported must have won a free and fair election. It means that the government must have some plurality beyond mere cronyism that provides it with a base of support that it can expand upon. Unfortunately, this was not present in either Vietnam or Afghanistan. The United States can and often does choose a local actor to support out of necessity, but no amount of U.S. support can overcome an illegitimate ruler’s inherent weakness against a determined insurgency.

Corruption often warns of such an illegitimate, unsupported government. No government should tolerate corruption, but for one facing an insurgency, corruption is a mortal threat. It provides the insurgents with an easy audience for their ideology, and closes the relative gap for a population forced to choose between two bad options. Local government corruption negates the efforts of a foreign COIN force, whose money and efforts are appreciated but do not buy any loyalty for the government they support. No amount of foreign effort can fix corruption, and can sometimes drive it. This fact makes “a legitimate government with at least plurality support” an independent necessary condition for successful counterinsurgency.

*No Safe Haven or Third-Party Government Supporting the Insurgents*

The presence of a safe haven outside the sovereign nation in which COIN is being conducted or a third-party government providing support to the insurgents will ensure COIN’s failure. Although it is possible for an insurgent group to use a
neighboring nation for safe haven without its government’s consent (or without there being a government in the safe haven at all), it is more common for there to be both physical safe haven and political or material support. The combinations are myriad; in Vietnam, the Vietcong insurgents had safe havens in both the neutral nations to the west and in North Vietnam. They also had support from the USSR. COIN is not a traditional military doctrine in that it focuses more on protecting a population than on destroying an enemy force. However, it is not immune to military necessity and common sense. An insurgent group that is able to retreat across a border and recuperate there with impunity is probably going to be a threat for a long time. More saliently to COIN, a safe haven allows this group to remain a threat in the minds of the protected population. As long as it remains intact across a border, it will continue to play a role in the calculus of those who must choose between throwing in their lot with the COIN-supported government and remaining neutral.

The crucial nature of safe havens and external support is demonstrated by the case studies. In Malaya, insurgents could be isolated, which redounded to the advantage of the British counterinsurgents.\textsuperscript{31} Sanctuaries in Cambodia, Laos, and North Vietnam crippled efforts to eradicate the Vietcong and NVA presence in South Vietnam.\textsuperscript{32} Pakistan’s indirect and occasionally direct support to the Taliban sustained the insurgency.\textsuperscript{33} No successful counterinsurgency effort has yet been mounted against an enemy who has outside help and sanctuary.

\textsuperscript{32} \textit{Ibid.}
Other Criteria Considered and Rejected

Other factors often mentioned in concert with COIN are not necessary conditions for its success. These include terrain, money, generalship, and the competency with which COIN tactics are applied. Terrain is relevant but largely captured by the safe haven variable; counterinsurgency can succeed with great effort against a foe that can use difficult terrain to his advantage. As seen in Malaya, this terrain can be a double-edged sword: it can isolate the insurgent from the civilians he seeks to influence and extract resources from, as well as protecting him from the COIN forces.

Generalship is often cited as a decisive factor in COIN campaigns, but no general can overcome the lack of one of the four preconditions above. Good leadership cannot compensate for structural shortcomings in a COIN campaign. General Petraeus probably came closest in Iraq, but the lull in violence he achieved came at a political cost and was in any case ephemeral. Good leadership is always important in a military effort, but case studies show it does not prove decisive in the way that it has in conventional battles.

Concomitant with the qualitative nature of leadership is implementation of COIN tactics. Like leadership, this element is important but cannot overcome structural defects, principally a flawed host government. COIN is a tactical prescription, and cannot fix strategic political defects.

Criticism Rebuttal

Against this restrictive conditions check, it can be argued that COIN is unavoidable; that it may be difficult but necessary if conditions present no other option. Similarly, COIN may be required as part of a larger war fought in one or more nations across a spectrum from high- to low-intensity conflict. This is true; few wars have been fought over the last 115 years that have not included elements of counterinsurgency. COIN’s
doctrine is sound, and in these cases should be used. The prescriptive formula above is most useful to the policymaker considering wars of choice that foreseeably involve COIN as the applicable military strategy. This includes OEF, OIF, and could include future conflicts like a ground intervention in Syria or against ISIL.

**Application: Policy Implications and Conditions Check Applied to Future Conflicts**

A policymaker offered COIN as a military option by his generals should conduct a conditions check against the formula outlined in this paper. Failure to meet any one of the four preconditions means that COIN is not a viable option. Because COIN is often used to solve inherently political problems, it should not be seen as purely a military tactic. Therefore, it is the civilian policymaker, not the general, who must decide if COIN will accomplish his goals.

The implications for this preconditions-check are clear. COIN is hardly ever a useful or relevant option. This is due not to a defect in its doctrine but due to the inherent demands it places upon exogenous circumstances that rarely exist in concert. In other words, rarely will there be a country small enough to man adequately, whose insurgency has no safe havens or outside support, whose government is legitimate, and where the home political conditions are such that a 12-year commitment is reasonable and likely to last. COIN has been honed into a coherent doctrine, but little has been written about its exogenous demands that make it all but useless to the practical policymaker. Colonel Gian Gentile noted that the policymaker must exercise “…clear-headed thinking about policy and strategy that aligns ways, means, and ends relative to national interests and the potential of our enemies.” Such clear-headed thinking means recognizing that the ‘means’ of COIN must be checked against its requirements.
After graduating from Tufts University in 2009, Clarke Burns received a commission as a second lieutenant in the Army and spent over four years on active duty as an armor officer. He deployed to Kandahar, Afghanistan with the 2nd Battalion 8th Infantry from 2011-12. He is currently an assistant professor of military science through the Reserve with Georgetown’s ROTC program, and graduated from the Security Studies Program in May.
Analyzing U.S. Security Assistance to Kenya

Toby Shepard

The security situation in Kenya has significantly deteriorated in recent years, as the latest attacks by the terrorist group Al-Shabaab demonstrate. Kenya’s responses to these attacks have been marred by corruption, incompetence, crackdowns on civil society, and serious human rights violations. Kenya’s response has not only been ineffective, but counterproductive. The United States has a close partnership with Kenya on security issues and provides significant support to the Kenyan police and military. This paper analyzes U.S. security assistance to Kenya and makes recommendations for changes in the U.S.-Kenya security relationship.

The recent horrific Al-Shabaab attack at Garissa University College illustrates the significant terrorist threat Kenya faces. While the United States and Kenya have a strong partnership on security issues, the Kenyan security forces’ tactics often disregard human rights and thereby marginalize Muslim populations, galvanize support for Al-Shabaab, and fuel terrorist recruitment. This can render Kenya’s counterterrorism efforts ineffective and counterproductive. U.S. assistance is currently supporting those efforts, which is undermining the ultimate goal of reinforcing the country’s security and stability. Additionally, the Kenyan government has used the pretext of counterterrorism to silence dissenting voices in the media and civil society. On his upcoming visit to Kenya in July, President Obama should raise concerns about violations of human rights by Kenyan security forces, crackdowns on civil society
organizations, and the lack of accountability for perpetrators of these abuses. He also should make clear that any security assistance to Kenya is conditional on Kenya’s compliance with international human rights standards.

**Background and legal framework**

In October 2011, Kenya launched a military offensive in southern Somalia with the stated objective to defend Kenya from terrorist threats and incursions from Al-Shabaab. Kenyan forces later joined the African Union Mission in Somalia and expanded their intervention.\(^1\) As a result, attacks by Al-Shabaab in Kenya have increased in frequency and severity. Al-Shabaab claimed responsibility for the deadly siege at Westgate Mall in Nairobi that killed more than 60 people and wounded several hundred in September 2013, citing retaliation for Kenya’s ongoing military role in Somalia as the cause.\(^2\) Since then, Al-Shabaab has carried out several other large-scale attacks, including the attacks in Mpeketoni in June of last year that killed more than 50 people, and the most recent attack at Garissa University in April that killed 148.\(^3\)

Kenya is home to more than half a million Somali refugees, most of whom live in the Dadaab refugee camp near the Kenya-Somalia border.\(^4\) Kenyan authorities often blamed their security problems on Somali communities, claiming that they provide support to Al-Shabaab and are hotbeds for terrorist recruitment. Yet evidence suggests that Dadaab is not a “nursery for terrorism” as some Kenyan officials have described, but rather

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an “engine for moderation.” Most refugees in the camp receive Western-style education about human rights and democratic principles and oppose the actions by Al-Shabaab. The security forces in Dadaab have tried to build relationships with Somali refugees and employ a community policing strategy, which has been largely effective, in stark contrast to the brutal and violent tactics employed by the Kenyan police in Nairobi and Mombasa.

The legal framework in Kenya is generally supportive of human rights protections. Kenyans voted to adopt a new constitution in 2010, and it includes provisions that protect freedom of expression, association, and assembly, in addition to the right of access to information and to religion and culture. Additionally, Article 2(6) of Kenya’s constitution states that “[a]ny treaty or convention ratified by Kenya shall form part of the law of Kenya under this Constitution.” Kenya is a State Party to the African Charter on Human and Peoples Rights (ACHPR), the International Covenant on Civil and Political Rights (ICCPR), the Convention Against Torture and other Cruel, Inhuman, or Degrading Treatment and Punishment, among others. Collectively, these treaties prevent extrajudicial killing, excessive use of force, torture and other forms of ill-treatment, disappearances, and arbitrary detention. International and regional human rights law requires that Kenya implement effective remedies for abuses of these rights, implying the need for accountability and justice mechanisms.

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9 “NGO Law Monitor: Kenya.”
Despite Kenya’s established legal framework, the Kenyan government has made many attempts to undermine human rights protections. President Uhuru Kenyatta’s administration has tried to undermine civil society by putting restrictions on foreign funding and deregistering hundreds of NGOs. Additionally, in December 2014, President Kenyatta signed into law the Security Laws (Amendment) Act, a measure that significantly broadened the powers of security officials. The law allows the National Intelligence Service to “do anything necessary to preserve national security” and to detain people even on suspicion of “engaging in any act or thing or being in possession of anything which poses a threat to national security.”

This language is dangerously broad. The law also allows security and intelligence services to detain terror suspects for up to one year, tap communications without court consent, and require journalists to obtain police permission before investigating or publishing stories on domestic terrorism and security issues. This law undermines previous efforts to increase accountability for security forces, such as the establishment of the Independent Policing Oversight Authority. By granting the security forces wide-ranging authority and undermining human rights protections, the Kenyan government has contributed to a culture of impunity with a widespread sense of injustice which fuels grievances leading to violent extremism and insecurity.

**Kenya’s security response**

The security forces in Kenya are plagued by mismanagement and poor governance. In response to significant security challenges, the Kenyan security forces have demonstrated ineptitude, corruption, and at times even collaboration with

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11 Ibid.
terrorist elements. The lack of professionalism in the Kenyan police and military undermines the rule of law in the country and contributes to ineffective responses to attacks. Additionally, the Kenyan security forces often engage in brutal and repressive tactics that violate human rights. This includes crackdowns on civil society and independent media, arbitrary detentions and arrests, and extrajudicial killings, which antagonize the Muslim community in Kenya and provide fodder for terrorist recruitment. The combination of these problems often exacerbates already difficult security situations and promotes a widespread sense of injustice among Muslim communities.

The Kenyan authorities have demonstrated ineptitude and mismanagement through their unfocused and haphazard response to the threats posed by terrorism. The case of the recent attack at Garissa University provides an example of the failures of the Kenyan government to adequately protect its citizens. Prior to the attack, several embassies had passed on credible intelligence that an attack was coming to the government which, “in almost identical circumstances to the run-up to the Westgate Shopping Mall attack on 21 September 2013, sat on the intelligence.”\(^\text{12}\) There is also evidence that most of the students who were killed may have been saved had the security forces responded faster. The Recce company, the only unit of the Kenyan military or police that has been trained to deal with terrorist attacks flew into Garissa more than seven hours after the attack had begun.\(^\text{13}\) Other members of the unit traveled by road because the only other available police helicopter “had been assigned to take the daughter of a senior Air Force commander and her friends on holiday to Mombasa.”\(^\text{14}\) The Recce company is based in Ruiru, a town only a few kilometers from Nairobi, and are often assigned to

\(^\text{12}\) “Garissa security shambles.” *Africa Confidential* 56, no. 8 (April 17, 2015): 5-6.
\(^\text{13}\) Ibid.
\(^\text{14}\) Ibid.
guard high-level officials or to other tasks not suited for their specialized training.\textsuperscript{15} This means that the Recce company is often not immediately available for emergency situations, such as the attack on Garissa, and that even when it is available the company must travel hundreds of kilometers to the eastern part of the country where most Al-Shabaab attacks occur. When the Recce company finally arrived at Garissa, it took them another three hours before they began their assault. Once the assault began the security forces killed the attackers in a 23-minute blitz.\textsuperscript{16} The fact that the operation was carried out so quickly demonstrates that with better management the security forces may have been able to save some of the lives of the 148 people who were killed.

The botched response in Garissa reflects similar responses to the Westgate and Mpeketoni attacks, which were plagued by a lack of transparency, corruption, and counterproductive politicization. The responses in both of these cases contributed to a culture of impunity where security forces are not held accountable for abuses. The Kenyatta government has refused to conduct a public inquiry into the response to the Westgate attacks, similar to the 9/11 Commission in the U.S., despite claims of “debilitating inter-service rivalries, unheeded intelligence warnings and crass criminality by security officers.”\textsuperscript{17} Similarly, reports of the Kenyan government’s response to the Mpeketoni attacks include allegations of “security services ignoring intelligence warnings, endemic corruption within the police rank-and-file and specialist


\textsuperscript{16} “Garissa security shambles.” \textit{Africa Confidential} 56, no. 8 (April 17, 2015): 5-6.

\textsuperscript{17} “Security changes mark a somber anniversary,” \textit{Africa Confidential} 55 no. 19, (September 26, 2014) 1-2 http://www.africa-confidential.com/article/id/5792/Security_changes_mark_a_sombre_anniversary.
counter-terror units lacking the ability to respond quickly.”¹⁸ There were even accusations of collusion between the intelligence services and Al-Shabaab.¹⁹ The poor conduct of the security forces as a result of mismanagement can breed resentment in communities who feel they were not adequately protected from violence. President Kenyatta exacerbated this resentment when he accused the opposition of organizing the attacks, despite the fact that Al-Shabaab claimed credit for them.²⁰ By politicizing the attacks and trying to manipulate the fallout for his political benefit, Kenyatta perpetuated the lack of confidence in Kenya’s security forces. The mishandled responses to all three attacks and the government’s attempts to deflect blame all point to mismanagement and poor governance of the security sector.

Another element to the Kenyan government’s counterterrorism policy has been to crack down on independent media and civil society organizations. Five days after the Garissa attack, the government announced it was freezing the bank accounts of 86 Somali and Muslim organizations and individuals suspected of financing Al-Shabaab.²¹ Two of those organizations include Muslims for Human Rights (MUHURI) and Haki Africa, which are “moderate, Mombasa-based, Muslim NGOs whose activities are, say human rights sources, above reproach.”²² Less than two weeks later their offices were raided and several important documents and files were taken.²³ These actions follow a systematic pattern of shrinking civic

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¹⁹ Ibid.

²⁰ Ibid.


²² Ibid.

space in Kenya. Crackdowns on independent media and Muslim civil society organizations only further contribute to the disenfranchisement of the Muslim community, pushing them toward radicalization.

Kenya’s police force has also frequently been accused of human rights violations, which alienates the Muslim community and contributes to a sense of injustice that can lead to support for violent extremism. A report by the Open Society Justice Initiative and MUHURI details the human rights abuses committed by the Anti-Terror Police Unit (ATPU). These abuses include “the use of excessive force during house raids; torture and ill-treatment of detainees; arbitrary detentions, including disappearances; and rendering terrorist suspects to countries where they faced a real risk of torture.”

A report by Human Rights Watch also found strong evidence that the ATPU carried out extrajudicial killings and enforced disappearances. Kenyan police forces committed many of these abuses last year during Operation Usalama Watch, in which they rounded up and detained thousands of Somali migrants and Kenyan citizens. Human Rights Watch reported that during the operation government security forces “raided homes, buildings, and shops; looted cell phones, money, and other goods; harassed and extorted residents; and detained thousands – including journalists, Kenyan citizens, and international aid workers – without charge and in appalling conditions.” On top of these violations, there is a culture of impunity, and police rarely are held to account for illegal actions. A report by the Associated Press describes an “atmosphere of intimidation” that reaches “all the way to the highest levels of the Kenyan

government.”

The police are often underpaid and resort to extortion and violence, and evidence suggests that police who commit extrajudicial killings are rarely punished.

Not only are these tactics in blatant violation of Kenya’s obligations under international human rights law, they are also ineffective and even counterproductive at combating terrorism. The MUHURI report notes that “violent extremists can use human rights violations as a recruitment tool and can use them to claim a justification for the violence of terrorism.” Additionally, the report found that “counterterrorism-related abuses erode community trust in government.” Finally, the ATPU’s abuses damage the credibility of the government generally, and make vulnerable populations feel even more marginalized.

When Kenyan security forces perpetrate human rights violations, they provide ammunition for terrorist recruitment and lose the opportunity to build ties with communities that are susceptible to it.

Both the mismanagement of the Kenyan security forces and their employment of brutal, heavy-handed tactics contribute to a sense of resentment and injustice that terrorist groups can use to fuel recruitment. Communities affected by terrorism lose confidence in the Kenyan government’s ability to protect the population from violence when they botch responses to attacks. Additionally, the human rights abuses perpetrated by the security forces primarily against Muslims alienate the community, promote distrust in government, and play into the extremist narrative that Kenya is at war with Islam. By training and funding the Kenyan security forces, the United States

28 Ibid.
29 Jonathan Horowitz, “We’re Tired of Taking You to Court: Human Rights Abuses by Kenya’s Anti-Terrorism Police Unit, 47.
30 Ibid.
31 Ibid, 49.
demonstrates support for these ineffective counterterrorism tactics and contributes to the growing insecurity in the region.

U.S. policy toward Kenya

The United States has a close security partnership with Kenya, though the relationship has not been without its difficulties. President Kenyatta and Vice President William Ruto were both charged before the International Criminal Court with crimes against humanity committed during the 2007 electoral violence. During the run-up to the 2013 elections, Ambassador Johnnie Carson, then the U.S. Assistant Secretary of State for African Affairs, publicly cautioned that Kenya’s choice for president would have consequences. After Kenyatta won the election, President Obama decided not to visit Kenya during his first trip to sub-Saharan Africa, which many Kenyans took as an affront. As a result, Kenyatta announced that his government would turn to China, the country’s second-largest trading partner, if the U.S. and other Western governments were unwilling to work with Kenya. Since then, the charges against Kenyatta at the ICC have been dropped, and Obama recently announced his plans to travel to Kenya in July to participate in the Global Entrepreneurship Summit.

Despite the Kenyan government’s sometimes difficult relationship with its American counterpart, Kenya remains one

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33 Sudarsan Raghavan, “In snub to Washington, Kenyan president visits China, Russia in first official visit outside Africa,”

34 Ibid.

of the top recipients of U.S. foreign assistance.\(^{36}\) In a 2014 press statement, U.S. Ambassador to Kenya Robert Godec described the U.S. as a “committed partner” whose “resolve to work with Kenya in the fight against terrorism is unwavering.”\(^{37}\) According to a 2013 Congressional Research Service report, “U.S. foreign assistance has reached almost $1 billion annually in recent years, and the country routinely ranks among the top ten U.S. aid recipients globally.”\(^{38}\)

In particular, Kenya is one of the largest recipients of security assistance in Africa, with counterterrorism funding totaling more than $10 million in FY 2012.\(^{39}\) The Defense Department had provided almost $80 million in train-and-equip funding under Section 1206 of the National Defense Authorization Act as of 2012.\(^{40}\) Since then, that amount has doubled to nearly $164 million.\(^{41}\) From 2010-2014 the U.S. provided 3.8 billion KSH (about $40 million) in civilian counterterrorism assistance, making Kenya the fourth-largest recipient of such assistance in the world.\(^{42}\) Some of this funding goes toward training and equipment for the ATPU, despite the allegations of human rights abuses.

The United States has legislation – known colloquially as the Leahy Law – that prevents U.S. security assistance from going to foreign security units where there is credible evidence of gross human rights abuses. While units receiving assistance in Kenya are vetted in accordance with the Leahy Law, an OIG report from 2012 noted that the Embassy in Nairobi was only

\(^{36}\) Ploch Blanchard 1.


\(^{39}\) Ibid.

\(^{40}\) Ibid, 16.


\(^{42}\) “Press Statement by US Ambassador to Kenya Robert F. Godec on Security in Kenya,” U.S. Department of State,
checking names against a report from 2008, and that there is no process for collecting and updating information on human rights abuses.\textsuperscript{43} Additionally, there was no mechanism to ensure that the individuals who were vetted were the ones actually receiving the training.\textsuperscript{44} As a result, U.S. assistance may have gone and may continue to go to units that have committed gross human violations.

Some U.S. officials have argued that training foreign security forces can improve their human rights records. One of the stated goals of the International Military Education and Training (IMET) program is to “expose foreign military…to the important roles democratic values and internationally recognized human rights can play in governance and military operations.”\textsuperscript{45} In 2015, the State Department requested $700,000 in IMET funding for Kenya.\textsuperscript{46} Vice Adm. Charles J. Leidig Jr., former deputy to the commander of AFRICOM, has argued that the Leahy Law can actually contribute to further human rights violations because “the nations whose militaries have had human rights violations perhaps are the ones that need U.S. engagement the most.”\textsuperscript{47} However, the continued abuses by the Kenyan police demonstrate that U.S. assistance may not result in improved human rights practices within the Kenyan security forces.


\textsuperscript{44} Ibid, 9.


The United States engages Kenya in a close partnership in addition to providing training, funding, and equipment to Kenya’s security forces. For example, the U.S. encouraged Kenya to pass the Prevention of Terrorism Act in 2012, which criminalized terrorist activities and allowed the government to sanction individuals and groups it labeled terrorist entities. However, the legislation also “contained overly vague definitions of terrorism, created terrorist blacklists with inadequate due process guarantees, and expanded police powers, all of which can be used both against terrorist suspects and as a tool against political opponents.” By supporting the Kenyan government in its attempts to crack down on the Muslim community, the United States unwittingly contributes to more instability and implicates itself in the abuses perpetrated by Kenya’s security forces. Additionally, the FBI worked closely with Kenyan authorities in the aftermath of the Westgate Mall attack, and they continue to have a close relationship. But the bungled response to subsequent attacks indicates that U.S. training has not been effective at professionalizing Kenyan security forces.

Recommendations

When President Obama visits Kenya in July, he will have an extraordinary opportunity to demonstrate the United States’ commitment to upholding human rights. The Obama administration’s security assistance policy identifies “promot[ing] universal values, such as good governance, transparent and accountable oversight of security forces, rule of law, transparency, accountability, delivery of fair and effective justice, and respect for human rights” as one of its principal

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48 Jonathan Horowitz. “We’re Tired of Taking You to Court: Human Rights Abuses by Kenya’s Anti-Terrorism Police Unit 61.
goals. This policy reflects recognition that without good governance, accountability, and justice, there can be no lasting peace. In a speech at West Point in 2014, Obama declared that “America’s support for democracy and human rights goes beyond idealism – it is a matter of national security…Respect for human rights is an antidote to instability and the grievances that fuel violence and terror.” We will see on this visit whether Obama is willing to support his words with action.

Obama must stress the importance of human rights and accountability in combating insecurity when meeting with Kenyan officials. He should urge Kenya to uphold its constitution and its obligations under international law. Additionally, a public statement that human rights abuses will not be tolerated, and that U.S. security assistance is conditional on compliance with international human rights standards would send the message that his administration is serious about its commitment to its professed values. Leahy vetting practices must be strengthened in accordance with the OIG report recommendations to ensure that assistance does not go to violators of human rights. Obama should emphasize the need for effective oversight and accountability mechanisms to ensure that perpetrators of human rights violations are brought to justice and that victims receive compensation. He also should urge the Kenyan government to follow through on the comprehensive security sector reform agenda it had promised.

Moreover, Obama must demonstrate solidarity with civil society, which he called “the conscience of our countries,” by meeting with civil society representatives, including Muslim

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human rights groups like MUHURI and Haki Africa. These groups often are working on the ground with affected communities, documenting abuses, calling for justice, and seeking to counter violent extremism by addressing its root causes. Any successful counterterrorism strategy must include supporting local civil society organizations in their efforts to build community ties and hold government officials accountable. Obama should stress to the government that any attempts to restrict political space would undermine a comprehensive counterterrorism strategy and damage Kenya’s security.

The United States must take a less militarized approach to security assistance, and embrace a strategy that focuses on addressing the root causes of extremism by using foreign assistance to build strong democratic institutions, improve governance and service-delivery, and promote justice and accountability. Obama announced that Kenya would be one of the partner countries for the White House’s new Security Governance Initiative in Africa, which aims to improve security sector governance and capacity to address threats. While the goals of the program are ambitious, the requested budget of $65 million is inadequate to overcome the systemic governance challenges that plague the six target countries. In order to demonstrate true commitment to the stated shift in priorities when it comes to security, the United States must make the necessary investments in governance and democratic institutions. Without significant improvements in rule of law and human rights protections, the security situation in Kenya will only deteriorate further.


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Behind the Façade: Explaining U.S. Elite Opinions on Cyber Security

Max Smeets

U.S. policymakers hold widely varying views on how the country should protect against cyber threats. This ongoing policy disagreement has paralyzed the U.S. government in its effective implementation of cyber policies. This article addresses what drives these various competing paradigms on cyber security. Several propositions are tested employing a new data set encompassing the views, as well as social and professional backgrounds, of more than 450 U.S. cyber security elites. Contrary to the general consensus in the literature, the results indicate that policy makers’ views on cyber security is mostly influenced by their educational background, rather than their organizational position or other factors.

Since the late 1990s, cyber security has received significant attention from the U.S. government.¹ The Oklahoma City bombing of 1995, a non-cyber event, set a process in motion of increasing government attention to cyber security. The key report on this event became a starting point of discussion on the way U.S. infrastructure should be secured against cyber-attacks. The report, however, also marked an effective end point. Little has been agreed upon in the following years with few bills on

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¹ Kello’s definition of cyber security is adopted in this article. The scholar defines cyber security as “the absence of unauthorized intrusion into computer systems and their proper functioning.” He continues to add that “the concept encompasses the safety and survivability of functions operating beyond cyberspace [ie. all existing computer systems and networks] but still reliant on a computer host, to which they are linked at the logical or information layer.” Lucas Kello, "The Meaning of the Cyber Revolution: Perils to Theory and Statecraft," International Security, 38, 2 (2013): 7-40, p. 16
cyber security being passed. The most important policies on which there is major disagreement include: technology enhancement, market incentives, regulation, and restructuring government and law enforcement.

The purpose of this article is not to try to resolve the conundrums on cyber security policy, but rather to explore the underlying causes of them. In other words, this study aims to address the question of what drives the competing positions on cyber security by the U.S. policy elite?²

The first section provides a brief historical overview on the emergence of the cyber threat and of the different policy positions which have been put forward. Section two lays out two competing analytical frameworks that potentially explain where these differences in policy positions originate. Section three offers a methodology as to how we can test these frameworks using a large N analysis. Section four offers the results of this study. The final section concludes.

Background: The Rise of the Cyber Threat and the U.S. Policy Response

Early Awareness

The United States was attentive to cyber perils relatively early. In 1967 the Department of Defense established a special task force to study computer vulnerabilities — a year before the world’s first recorded ‘cyber event’ occurred when an East-German spy in IBM’s subsidiary was caught by the West.

² The most basic way to think about policy positions is to conceive of them as an individual’s declaration of their viewpoint towards a certain issue. One should separate policy positions from preferences. Preferences describe how much a person values or desires a certain action over the possible consequences of alternative actions. Most of the time positions reflect preferences but they might also take into account strategic considerations and concessions to other views contingent on the environment. For more detailed discussion on this see: Jeffery A. Frieden, “Actors and preferences in International Relations,” in Strategic Choice and International Relations, eds. David A Lake & Robert Powell, (Princeton University Press, 1999)
German police. In 1983 the first Congressional hearing on cyber security was held when Congressman Dan Glickman examined computer hackers after seven teenagers known collectively as the 414 Gang broke into government computers. The Computer Security Act of 1987 – which aimed to improve the information security of federal computer systems – was passed in U.S. Congress four years later. In 1990, the National Security Directive 42 was authorized, establishing the National Security Telecommunications and Information Systems Security Committee.

However, a more formal response, going beyond scattered initiatives, only began to be formulated in the mid-1990s. It was the Oklahoma City bombing that propelled U.S. government attention to the cyber threat. On April 19, 1995, a terrorist attack took place at the Alfred P. Murrah Federal Building in downtown Oklahoma City, killing 168 people and

injuring many others.\textsuperscript{6} In response to the tragedy, the President's Commission on Critical Infrastructure Protection (PCCIP) was formed by the Clinton administration. \textsuperscript{7} It included representatives from the defense, intelligence, law enforcement and other national security communities. The commission released its report to President Clinton in October 1997, examining both the physical and cyber threats to the nation.\textsuperscript{8} Although the commission did not “discover[..] an immediate threat sufficient to warrant a fear of imminent national crisis,” it did find reasons to implement new measures, especially in the area of cyber security. \textsuperscript{9}

The rapid growth of a computer-literate population, the easy access to hacking tools, and the inherent vulnerabilities of computer networks, signaled to the commission that the cyber threat was “growing at an alarming rate.”\textsuperscript{10} The commission indicated that in the cyber dimension, there is a shared responsibility between the government and private sector with a key role for the private owners and operators of the critical infrastructures. More specifically, “infrastructure owners and operators—most of whom are in the private sector—must focus on protecting themselves against the tools of disruption, while the government helps by collecting and disseminating the latest information.”\textsuperscript{11} The commission recommended several measures to deal with the growing threat. Infrastructure protection “must be ingrained in our culture,” “the legal

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\textsuperscript{7} Bendrath, “The Cyberwar Debate”
\textsuperscript{9} Ibid, p.x
\textsuperscript{10} Ibid, p.i
\textsuperscript{11} Ibid, p.x
structures that have not kept pace with technology” should be streamlined, technologies should be further developed, and a new “federal framework needs to be created.” Changes to “government oversight and regulation,” however, should be “minimized.” As a product of the commission’s report, President Clinton released Presidential Decision Directive 63 (PDD-63) in May 1998. PDD-63 called for a range of actions intended to improve the nation’s ability to protect “critical infrastructure” from physical and cyber-attacks.

**An Era of Policy Stagnation**

Three other key documents followed the PCCIP report: the 2003 National Strategy to Secure Cyberspace (NSSC), the 2008 Comprehensive National Cybersecurity Initiative (CNCSI), and the 2011 Cyberspace Policy Review (CPR). The documents “outline[...] an initial framework for both organizing and prioritizing efforts.” They provide “direction to the federal government departments and agencies that have roles in cyberspace security.” Table 1 offers an overview of the main initiatives in each report, elucidating which areas of cybersecurity monopolized the attention of the different administrations. Unfortunately, the content of the 2008 CNCSI

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12 Ibid, p.xi, p. 22, p. 84, p. 23, p.50
13 Ibid, p.23
16 The National Strategy to Secure Cyberspace, p. viii
remains largely classified – only a short declassified version has been made available in 2010 by the White House – which makes a thorough comparison more difficult. Nevertheless, striking similarities can be found between administrations in terms of measures proposed to enhance cyber security. As one senior policymaker observed: “there has been a great continuity between the administrations when it comes to dealing with cyber security – although the budget had gone up.” All four reports claim that cyber security is inherently a ‘shared responsibility’ between the government and private sector. The reports also stress that better cyber defense systems have to be developed to keep up with the rapid computer technology changes. The three reports on which more information is available also emphasize the importance of stimulating information sharing between the government and private sector and the need to re-adjust government institutions. In addition, great faith is expressed in the private sector in the sense that in all reports it is stated that “federal regulation will not become a primary means of securing cyberspace.” In fact, the CRS report states explicitly that the stimulation of market incentives is the only sustainable way forward. In the two earliest documents, the need to enhance law enforcement capabilities for preventing and prosecuting in cyberspace also received attention.

The results presented in Table 1 are in line with Morrow’s observation that “the means propose[d] …[in the PCCIP report] to achieve [cyber vulnerability] reductions are essentially the same as those of the last Administrations.” However, the repeated discussion of certain cyber initiatives signifies stagnation rather than progress. The discussion on cyber security has hardly moved forward. The same obstacles faced in 1998 still exist today. As one commentator put it “in 1998, Presidential Decision Directive 63 ordered agencies to begin to

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17 Interview Senior Policy maker, Washington DC, 12 August 2013
cooperate to protect critical infrastructure. PDD 63 still shapes policy, but government and commercial networks are no more secure than they were a decade ago.”¹⁹ Not much has been implemented to improve cyber security for more than a decade.

Table 1: Measures discussed in key cyber security documents²⁰

<table>
<thead>
<tr>
<th></th>
<th>Clinton (2nd)</th>
<th>Bush (1st)</th>
<th>Bush (2nd)</th>
<th>Obama (1st)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Shared responsibility</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>Technology enhancement</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>Law enforcement</td>
<td>X</td>
<td>X</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Regulation</td>
<td>X</td>
<td>X</td>
<td>-</td>
<td>X</td>
</tr>
<tr>
<td>Market incentives</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>X</td>
</tr>
<tr>
<td>Restructure Government</td>
<td>X</td>
<td>X</td>
<td>-</td>
<td>X</td>
</tr>
<tr>
<td>Information sharing</td>
<td>X</td>
<td>X</td>
<td>-</td>
<td>X</td>
</tr>
<tr>
<td>International cooperation</td>
<td>-</td>
<td>X</td>
<td>-</td>
<td>X</td>
</tr>
<tr>
<td>Coordination</td>
<td>X</td>
<td>X</td>
<td>-</td>
<td>X</td>
</tr>
<tr>
<td>Raising awareness</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
</tr>
</tbody>
</table>

Sources: PCCP report, NSSC report, CNCSI White House release, CPR report.
*This only concerns the White House release made available

This cyber policy stagnation becomes especially apparent considering the bills introduced on cyber security in Congress

¹⁹ James Lewis, “Cybersecurity: Next steps to protect our Critical Infrastructure,” hearing on Committee on Commerce, 23 February 2010
²⁰ Note: Only initiatives mentioned as ‘priority’ or ‘key initiative’ are included.
since 1998. The expectation was that the broad initiatives set out in the reports commissioned by the Presidents would become more explicit through legislation introduced in Congress. Over the years, 44 bills have been introduced on cyber security. Table 2 offers an overview of the main topics each bill aims to address. Unsurprisingly, it shows that the same measures – although more detailed – have been put forward compared to those in the Presidents’ reports. However, none of the introduced bills were passed as legislation over the last decade, except for the Homeland Security Act of 2002. This forces us to ask ‘how can it be that over a fifteen year period, in which the cyber threat has so evidently developed, that so little major legislation has been initiated to deal with it?’

Table 2: Introduced bills in Congress with one of the measures proposed

<table>
<thead>
<tr>
<th>Measure</th>
<th>Clinton (2nd)</th>
<th>Bush (1st)</th>
<th>Bush (2nd)</th>
<th>Obama (1st)</th>
<th>Total</th>
</tr>
</thead>
<tbody>
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<td>1</td>
<td>2</td>
<td>2</td>
<td>4</td>
<td>9</td>
</tr>
<tr>
<td>Technology enhancement</td>
<td>1</td>
<td>3</td>
<td>2</td>
<td>2</td>
<td>7</td>
</tr>
<tr>
<td>Law enforcement</td>
<td>1</td>
<td>3</td>
<td>-</td>
<td>3</td>
<td>7</td>
</tr>
<tr>
<td>Regulation</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>7</td>
<td>7</td>
</tr>
<tr>
<td>Market incentives</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>2</td>
<td>2</td>
</tr>
<tr>
<td>Restructure Government</td>
<td>-</td>
<td>4</td>
<td>5</td>
<td>10</td>
<td>19</td>
</tr>
<tr>
<td>Information sharing</td>
<td>1</td>
<td>2</td>
<td>1</td>
<td>2</td>
<td>6</td>
</tr>
<tr>
<td>International cooperation</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>3</td>
<td>3</td>
</tr>
<tr>
<td>Coordination</td>
<td>-</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>3</td>
</tr>
<tr>
<td>Raising awareness</td>
<td>-</td>
<td>-</td>
<td>3</td>
<td>6</td>
<td>9</td>
</tr>
<tr>
<td>Total number of bills</td>
<td>2</td>
<td>13</td>
<td>10</td>
<td>29</td>
<td>44</td>
</tr>
</tbody>
</table>

Source: GovTrack.com using ‘cybersecurity’ as search term.
Note: Appropriation bills are excluded from the analysis.
Entrenched Disagreement Among the Policy Elites

The failure to enact legislation reveals the entrenched disagreements between policy makers on cyber security. The discord on cyber policies has especially come to the surface during the congressional hearings where numerous influential cyber security figures have ventilated their opinions. Table 3 indicates how often specific cyber security measures have been recommended by witnesses during the Congressional hearings. From the measures listed in the table, the focus here is on only the most important measures. These include the need to: i) improve technological capabilities, ii) stimulate market incentives iii) implement regulation, iv) restructure government institutions and v) strengthen law enforcement capacities. These five issues are discussed in more detail below.

First, since the issue of cyber security came about as a result of technological change, about 37% of the elites recommend that the solutions should also be sought among computer experts (see table 3). The notion is that only if (and as long as) the cyber technologies stay abreast of the cyber vulnerabilities security can be assured.

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21 To allow for better comparative analysis I used percentages instead of actual count since the number of individuals which have testified in front of US congress differs significantly for each administration.

22 The other measures - promoting information sharing, enhancing international cooperation, improving coordination, and the need to raise awareness – are hardly ever considered by the witnesses as comprehensive measures and there is less disagreement about them.

23 This notion is discussed in more detail in: Lior Tabansky, “Critical Infrastructure Protection against cyber threats,” Military and Strategic Affairs, 3,2(2011)
Second, others argue that the technologies to adequately secure cyber systems already exist, but there is no incentive to implement them due to the cost. Hence, about 16% of the elites argue that “[t]he best mechanism to effectively establish a sustainable defense system is to inject market incentives to
motivate the adaptation of best practices.”\textsuperscript{24} The federal government can provide these incentives in a variety of ways to encourage action by the private sector. Some have argued for grants or tax reductions, while others believe it should use its ‘purchasing power’ to encourage the private sector to offer better software.\textsuperscript{25}

Third, in contrast, throughout the four administrations, an average of 18\% of the elites propose that cyber security is a public good, where market forces prove inadequate.\textsuperscript{26} Furthermore, a reliance on marketplace forces to develop is impossible since the traditional incentives structures – like liability for poor quality and penalty for using faulty products – are not present. This means that the only way the United States can secure itself is when the government adopts a regulatory model with mandatory standards.

Fourth, the other main critique is that existing governance structure is inadequate to deal with the cyber threat. For example, a 2010 GAO report stated there was no government structure in place to effectively resolve the increasing prominence of cyber security problems – meaning that either a major re-adjustment of the organizational structure or the formation of a new network of institutions should take place.\textsuperscript{27}

Finally, a smaller, but still significant group of elites has instead recommended the need to strengthen law enforcement capabilities. The notion is that if law enforcement does more to enforce, investigate and prosecute cyber attackers there would be a greater deterrent.


\textsuperscript{25} Clinton, “Cybersecurity”


\textsuperscript{27} Government Accountability Office, ”United States Faces Challenges in Addressing Global Cybersecurity and Governance,” 2 August 2010
be a strong deterrent effect against malicious behavior. Although most focus on domestic law enforcement, some have also stressed the importance of improving international law enforcement efforts.

Two Frameworks to Explain the Policy Disagreement

In attempting to explain the difference in policy positions of the elite on cyber security, I evaluate two analytical frameworks. Whereas the first framework is widely used, the second framework is more novel.

Organizational Position

The first analytical framework revolves around the organizational bias which, according to numerous scholars, plays a central role in the formulation of a policy maker’s position. The framework is encapsulated in Miles’ law which states that ‘where you stand depends on where you sit’. Miles’ Law implies that “when a [policy maker] changes position organizationally, he or she changes both perspective and responsibility and for both reasons changes his or her position on issues.”28 Policy makers are therefore unable to entirely rise above their institutional perspectives and focus on the public good.29

Graham Allison, in *The Essence of Decision Making*, has been a primary advocate of the view that organizational position influences a makers’ behavior.30 He tested the explanatory power of the approach by applying it to the October 1962 confrontation between the United States and the Soviet Union. In Allison’s Bureaucratic Politics Model,

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29 Ibid.
government is recognized as congruencies of organizations with their own routines, which affect policy implementation. Decisions are not taken entirely on the merits of the case but result from the conflicting views of different government organizations.

Allison’s model is restricted as well as extended to serve the analytical ambitions of this study. It is restricted in the sense that this research aims to explain policy positions, which is only a part of Allison’s equation on explaining policy outcomes. Therefore, in his study the organization’s missions and objectives are considered to be more important than aspects such as the “standard operating procedures” and “programs and repertoires.” Allison’s model is extended in the sense that actors outside of government, having an effect on American security policy, are explicitly acknowledged. Whereas Allison’s bureaucratic politics model only focuses on the effect of organizational positions within the government, the framework in this study is extended to also include the effect of organizational positions between government and other organizational entities.

In sum, from the perspective of the first analytical framework, policy positions taken by individuals are outputs of organizational processes and viewpoints. An essential feature of organizational policy position is its programmed character: the extent to which the policy position taken by an individual in any particular case is an enactment of pre-established routines. The dominant inference pattern is that the individual’s position is in line with the organization’s mission and pre-established mode of thinking. The general principle of the framework which follows from this is intuitive. There is an increased possibility that the policy positions chosen by the leadership of the organization reflect the organization’s missions (rather than

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31 Ibid, p.143-185
the goals of the nation as a whole). The following hypothesis can therefore be formulated:

\[ H_1: \text{A policy elite’s organizational position influences his/her position on how to deal with the cyber threat} \]

**Educational Background**

The second analytical framework takes as a starting principle that “the propensities [stemming from organizational positions] are filtered through the baggage that players bring to positions.”\(^{32}\) Cognitive research indicates that a factor which stands out in this regard is the intellectual propensities stemming from someone’s educational background. As Alexander Pope concludes in his work almost three centuries ago, education has a long-term influence on the mind of mature persons.\(^{33}\) Hence, this analytical framework might be read as; ‘where you stand depends on what you have studied.’

Since the late interwar years, a variety of studies have been conducted to determine the long-term impact of higher education on individuals in the United States.\(^{34}\) The most comprehensive review on the topic is found in Pascarella and Terenzini’s study.\(^{35}\) The researchers indicate that college “typically provides an overall environment where the potential for intellectual growth is maximized.”\(^{36}\) Key long-term effects

\(^{32}\) Ibid

\(^{33}\) Alexander Pope, *An Essay on Man*, (John Wright:1734); see in particular the first verse paragraph of the second part. Also see: Deil S. Wright and Jae-Won Yoo, “Public Administration Education and Formal Administrative Position: Do They Make a Difference?” *Public Administration Review*, 54,4(1994)


\(^{36}\) Ibid, p. 156
are that it changes the identity of a person, and improves and enhances students’ cognitive skills as well as subject-matter competence.\textsuperscript{37}

Anecdotal evidence supports the notion that an individual’s educational background significantly affects the way he or she conducts political affairs – in particular the type of educational degree. For example, as Kissinger states, “[t]he legal background of our policymakers produces a bias in favour of constitutional solutions.”\textsuperscript{38} As Koskenniemi indicates in his study on the history of international law, as soon as lawyers entered the political arena, international society became more legalised.\textsuperscript{39} In addition, various accounts have been written on how RAND Corporation – with some of the ablest minds of engineers and scientists – has aimed to permeate the political with science and has brought new views to U.S. nuclear strategic planning (generally known as defence rationalists).\textsuperscript{40}

In the second analytical framework educational propensities is the key variable explaining the policy position of a policy maker. The following hypothesis can therefore be formulated:

\[ H_{II}: \text{A policy elite’s educational background influences his/her position on how to deal with the cyber threat}. \]\textsuperscript{41}

\textsuperscript{37} Ibid, p. 202-207.
\textsuperscript{38} Henry. A. Kissinger, \textit{American Foreign Policy}, (Norton & Company:1974), p. 34
\textsuperscript{41} More specifically, it is to be expected that elites with a science degree are more disposed towards technological solutions; a person with a legal degree is more inclined to zero in on law enforcement; a person with a business degree is more likely to have faith in relying on market forces; and an elite with political background is more prone to concentrate on the re-adjustment and establishment of political institutions.
Methodology

At the heart of this article’s empirical study is a large N analysis. Logistic regressions are used to predict elites' positions on which policy should be employed, since for each proposed cyber policy the number of available categories is two: either a policy is proposed or not. The models can be specified as follows:

\[
\text{Proposed Cyber Security Policy} = \alpha + \beta_1 \text{Organizational Position} + \beta_2 \text{Educational background} + X' + \xi
\]

Where \( \beta \) describes the coefficient for the independent variables, \( \text{Proposed Cyber Security Policy} \) concerns one of the five binary dependent variables, \( X \) is the vector of the control variables, and \( \xi \) is the error.

A new dataset was compiled to conduct the analysis. To collect the data, the words spoken by the witnesses during the U.S. Congressional hearings on cyber security and the remarks revised and extended for the Congressional Record were manually coded. The reason the Congressional hearings were placed at the center of this study is because the information provided during these hearings is clearly structured, detailed, and one of the few public sources available on cyber security. The Congressional hearings are the principal formal method by which committees collect and analyze information in the early stages of legislative policymaking. Furthermore, the individuals called upon to testify in U.S. Congressional hearings can be considered the most representative and precise depiction of U.S. policy elites. The witnesses at these hearings are all high ranked professionals, whether they are in the government, the private sector, academia or other organizations.
The database of the U.S. Government Printing Office (GPO) was used to search for the relevant Congressional hearings. The following three key terms were used: "cybersecurity", "cyber-security", and “cyber security.” A total of 984 Congressional hearings including these words over the period of 1997 to 2010 were obtained. All hearings that were not about national cyber security or discussed the topic indirectly were excluded, leaving 190 Congressional hearings in the dataset. As there are generally multiple witnesses called upon per hearing, in total 467 witnesses were selected for analysis.\textsuperscript{42}

Using this source, all the necessary information for the dependent variable (cyber security policy positions) and the independent variables related to the first framework (organizational position) was gathered. For the variables related to the second framework (educational background) additional information was obtained from various internet sources, such as: company websites, conference speaker biographies, LinkedIn profiles, and online newspaper articles.

A complete list of variables used in the regression analysis, and the way they are coded can be found in table 4.

\textsuperscript{42} All the 984 Congressional Hearing statements were read in order to assess their relevance.
<table>
<thead>
<tr>
<th>Type of variable</th>
<th>Variable name</th>
<th>Type of variable</th>
<th>Type of variable</th>
</tr>
</thead>
<tbody>
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<td>Cyber Security policy</td>
<td>Technology</td>
<td>Binary (0-1)</td>
<td>“1” if policy is recommended</td>
</tr>
<tr>
<td></td>
<td>Law enforcement</td>
<td>Binary (0-1)</td>
<td>“1” if policy is recommended</td>
</tr>
<tr>
<td></td>
<td>Market incentives</td>
<td>Binary (0-1)</td>
<td>“1” if policy is recommended</td>
</tr>
<tr>
<td></td>
<td>Non voluntary measures</td>
<td>Binary (0-1)</td>
<td>“1” if policy is recommended</td>
</tr>
<tr>
<td></td>
<td>Restructure government</td>
<td>Binary (0-1)</td>
<td>“1” if policy is recommended</td>
</tr>
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<td></td>
</tr>
<tr>
<td></td>
<td>2: CIA/NSA/FBI</td>
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<td>3: Department of Commerce</td>
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<tr>
<td></td>
<td>5: Other government official</td>
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<td></td>
<td>6: Private sector official</td>
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<td></td>
</tr>
<tr>
<td></td>
<td>7: University</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>8: Think tank</td>
<td></td>
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</tr>
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<td></td>
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<td>Law degree</td>
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<td></td>
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<td>Time</td>
<td>Time</td>
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<td></td>
<td>0: Clinton Administration (2nd)</td>
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<tr>
<td></td>
<td>1: Bush Jr. Administration (1st)</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>2: Bush Jr. Administration (2nd)</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>3: Obama Administration (1st)</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Results

Organizational Position

The regression analyses suggest that elites’ organizational position is not a good predictor of elites’ cyber policy positions (table 5). Model A shows there is no association between elites’ organizational position and their inclination to propose technology enhancement as a means of promoting cyber security. Model B finds that a person from CIA/NSA/FBI is more likely to propose a strengthening of law enforcement measures compared to officials from DHS to deal with the cyber threat, yet this relationship is only significant at the 10% level. Model C indicates that GAO officials are more inclined to concentrate on regulatory measures relative to officials from the DHS department, although this result is only significant at a level of 10%. Model D offers a number of significant relationships. There is a positive and significant result at the 10% level found with regards to private sector officials and the promotion market incentives. It is also found that university professors and think tank experts are significantly more likely to promote market incentives as a key aspect to enhance cyber security. A reason might be that most professors included in the dataset are from private universities (66%) and think tanks generally receive more income from businesses rather than government (funding). The results of Model E suggest that there is no relationship between elites’ organizational position and their inclination to propose a significant restructuring of government institutions to deal with the cyber threat. Finally, it is important to notice that in some cases a number of categories are left out of the regression since it ‘predicts failure perfectly’. This means that from the individuals included in

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43 Although this is difficult to exactly capture since think tanks often do not disclose their source of funding.

44 The number of cases left out of the regression also explains the difference in observations between the models
the dataset, no one from the Department of Defense, for example, argues in favor of promoting the strengthening of law enforcement, regulation, or market incentives as effective means to augment cyber security. Also no person from CIA/NSA/FBI included in the dataset argues in favor of market incentives. On the whole, the regression results support the null hypothesis that the organizational position of elites has no influence on the policies proposed to enhance cyber security.

**Educational Background**

The results with respect to elites’ educational background are promising. As predicted, Model A indicates that elites with a science degree are significantly more likely to propose technological improvements to enhance cyber security than elites without, at a significance level below 1%. For a person with a science degree, the odds of favoring technological enhancement are more than 3 times larger than for a person without a science degree. Model B indicates that elites with a law degree are much more likely to propose law enforcement measures to promote cyber security, with the result being significant at a level of 5%. More specifically, the odds of proposing law enforcement are 3.8 times larger for a person with a law degree than for a person without a law degree. Model C indicates that there is a highly significant, positive relationship between elites having a science degree and their inclination to promote mandatory standard setting as a necessary aspect to strengthen cyber security. For a person with a science degree, the odds of favoring regulation enhancement are 4.2 times larger than for a person without a science degree. In turn, Model D indicates that elites with a science background

45 Although there is a possibility to ‘force’ the categories to be left into the regression analysis, I decided not to do this given that it might greatly distort the other coefficient results. Furthermore, the actual fact that ‘failure is predicted perfectly’ is (most likely) in itself a substantive rather than a random result.
are significantly less likely to promote market incentives as an effective cyber defense policy. In contrast, a significant positive relationship is found between elites having a political science degree and their tendency to propose market incentives. Finally, it is found in model E that a person with a business background is significantly more likely to propose a re-adjustment of government institutions to effectively deal with the cyber threat.

**Conclusion and Discussion**

Against the backdrop of the ongoing disagreement within the U.S. government, this study set out to explain the differences in elites’ policy positions on how the United States should protect the nation against cyber threats. Two analytical frameworks were contrasted, which both purport to predict policy maker’s positions on cyber security. The first analytical framework argued that persons’ organizational positions predict where they stand on cyber defense. It argued ‘where you stand depends on where you sit’. The second analytical framework projected that individuals’ educational propensities define their views on cyber security policy. It was summarized as ‘where you stand depends on what you have studied.’

The findings of this study indicate that organizational position can explain much less than has generally been accepted in the literature. The results suggest that the bureaucratic politics literature suffers from omitted variable bias: it fixates on the most obvious variable, yet not necessarily the most important variable. Instead, differences in educational backgrounds are the major cause of U.S. cyber security elites’ divergent views.
Table 5: Models A-E Maximum likelihood estimates for logistic regression on ‘security by what means’

<table>
<thead>
<tr>
<th>Variables</th>
<th>Model A Technology enhancement</th>
<th>Model B Law enforcement</th>
<th>Model C Regulation</th>
<th>Model D Market incentives</th>
<th>Model E Restructure government</th>
</tr>
</thead>
<tbody>
<tr>
<td>1: GAO</td>
<td>0.033</td>
<td>-0.630</td>
<td>2.166*</td>
<td>0.806</td>
<td>-0.138</td>
</tr>
<tr>
<td></td>
<td>(0.711)</td>
<td>(1.608)</td>
<td>(1.268)</td>
<td>(1.176)</td>
<td>(1.070)</td>
</tr>
<tr>
<td>2: CIA/NSA/FBI</td>
<td>-0.994</td>
<td>2.798*</td>
<td>1.722</td>
<td>-0.340</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(1.013)</td>
<td>(1.445)</td>
<td>(1.416)</td>
<td>(1.237)</td>
<td></td>
</tr>
<tr>
<td>3: Department of Commerce</td>
<td>-0.204</td>
<td>0.544</td>
<td>2.334</td>
<td>1.559</td>
<td>0.878</td>
</tr>
<tr>
<td></td>
<td>(1.005)</td>
<td>(1.592)</td>
<td>(1.447)</td>
<td>(1.182)</td>
<td>(1.151)</td>
</tr>
<tr>
<td>4: Department of Defence</td>
<td>0.486</td>
<td></td>
<td></td>
<td></td>
<td>0.314</td>
</tr>
<tr>
<td></td>
<td>(0.981)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5: Other government</td>
<td>0.110</td>
<td>0.852</td>
<td>1.068</td>
<td>-0.101</td>
<td>-0.392</td>
</tr>
<tr>
<td></td>
<td>(0.669)</td>
<td>(1.346)</td>
<td>(1.270)</td>
<td>(1.157)</td>
<td>(0.954)</td>
</tr>
<tr>
<td>6: Private sector official</td>
<td>-0.031</td>
<td>1.186</td>
<td>1.427</td>
<td>1.687*</td>
<td>-0.701</td>
</tr>
<tr>
<td></td>
<td>(0.549)</td>
<td>(1.241)</td>
<td>(1.168)</td>
<td>(0.880)</td>
<td>(0.805)</td>
</tr>
<tr>
<td>7: University</td>
<td>0.650</td>
<td>1.208</td>
<td>0.901</td>
<td>2.590**</td>
<td>-1.320</td>
</tr>
<tr>
<td></td>
<td>(0.839)</td>
<td>(1.539)</td>
<td>(1.423)</td>
<td>(1.208)</td>
<td>(1.391)</td>
</tr>
<tr>
<td>8: Think tank</td>
<td>0.194</td>
<td>1.940</td>
<td>4.083***</td>
<td>0.023</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(0.817)</td>
<td>(1.295)</td>
<td>(1.257)</td>
<td>(1.321)</td>
<td></td>
</tr>
<tr>
<td>9: None of the above</td>
<td>0.631</td>
<td>-1.060</td>
<td>1.088</td>
<td>2.186*</td>
<td>-0.225</td>
</tr>
<tr>
<td></td>
<td>(1.024)</td>
<td>(1.819)</td>
<td>(1.645)</td>
<td>(1.257)</td>
<td>(1.321)</td>
</tr>
<tr>
<td>Science degree</td>
<td>1.198***</td>
<td>-0.917</td>
<td>1.438***</td>
<td>-1.046**</td>
<td>-0.550</td>
</tr>
<tr>
<td></td>
<td>(0.359)</td>
<td>(0.585)</td>
<td>(0.517)</td>
<td>(0.501)</td>
<td>(0.554)</td>
</tr>
<tr>
<td>Political Science Degree</td>
<td>-0.840</td>
<td>-0.775</td>
<td>-0.335</td>
<td>1.254**</td>
<td>0.012</td>
</tr>
<tr>
<td></td>
<td>(0.511)</td>
<td>(0.688)</td>
<td>(0.754)</td>
<td>(0.546)</td>
<td>(0.600)</td>
</tr>
<tr>
<td>MBA/Business degree</td>
<td>0.531</td>
<td>0.572</td>
<td>-0.275</td>
<td>0.422</td>
<td>-2.247**</td>
</tr>
<tr>
<td></td>
<td>(0.440)</td>
<td>(0.633)</td>
<td>(0.618)</td>
<td>(0.621)</td>
<td>(1.096)</td>
</tr>
<tr>
<td>Law Degree</td>
<td>-0.117</td>
<td>1.347**</td>
<td>0.578</td>
<td>-0.311</td>
<td>-0.017</td>
</tr>
<tr>
<td></td>
<td>(0.430)</td>
<td>(0.543)</td>
<td>(0.591)</td>
<td>(0.565)</td>
<td>(0.567)</td>
</tr>
<tr>
<td>Constant</td>
<td>-0.050</td>
<td>1.317</td>
<td>-4.922**</td>
<td>-4.365*</td>
<td>2.236</td>
</tr>
<tr>
<td></td>
<td>(1.332)</td>
<td>(2.016)</td>
<td>(2.007)</td>
<td>(2.239)</td>
<td>(1.644)</td>
</tr>
<tr>
<td>Observations</td>
<td>235</td>
<td>217</td>
<td>227</td>
<td>216</td>
<td>235</td>
</tr>
<tr>
<td>Model chi-square</td>
<td>45.79</td>
<td>62.01</td>
<td>30.53</td>
<td>41.48</td>
<td>39.05</td>
</tr>
<tr>
<td>Pseudo R2</td>
<td>0.149</td>
<td>0.308</td>
<td>0.154</td>
<td>0.203</td>
<td>0.205</td>
</tr>
</tbody>
</table>

Note: Control variables not shown but included. Standard errors are reported in parentheses. *** p<0.01, ** p<0.05, * p<0.1. All estimates in Stata version 12.1
The important role of educational background is notable since few scholars have systematically analyzed and acknowledged the impact of this variable. Although numerous studies have been conducted linking the sociology of education to security governance, studies which link the psychology of education to security governance have been (almost) non-existent. In a time when the “professional boundaries, tasks and limits of action […] [are] progressively eroding”, and “expert knowledge” has become “one of the major trends”, we must shift our analytical focus from bureaucratic politics tendencies to educational backgrounds.  

Numerous cyber security scholars – including Joseph Nye and Lucas Kello – have argued that there is a ‘great divide’ between the computer science and political science academia on cyber security, since both groups focus on different aspects of the same problem. In a similar manner, educational background seems to create divides in policy making. At a minimum, the results of this study demand a two-step approach. First, policy makers should look into a figurative mirror, reflecting on their own cyber policy making bias caused by their educational background. Second, policy makers should look out of a figurative window, seeing the diverse nature of the cyber issue. Cyber policy making requires a constant effort to understand the various dimensions of the cyber issue. Social science policy makers will have to familiarize themselves with the intricacies of computer science, just as scientists will have to increase their legal and political awareness.

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