



**NAVAL
POSTGRADUATE
SCHOOL**

MONTEREY, CALIFORNIA

THESIS

**RETHINKING MILITIAS:
RECOGNIZING THE POTENTIAL ROLE OF MILITIA
GROUPS IN NATION-BUILDING**

by

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June 2007

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REPORT DOCUMENTATION PAGE			<i>Form Approved OMB No. 0704-0188</i>
Public reporting burden for this collection of information is estimated to average 1 hour per response, including the time for reviewing instruction, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to Washington headquarters Services, Directorate for Information Operations and Reports, 1215 Jefferson Davis Highway, Suite 1204, Arlington, VA 22202-4302, and to the Office of Management and Budget, Paperwork Reduction Project (0704-0188) Washington DC 20503.			
1. AGENCY USE ONLY (Leave blank)	2. REPORT DATE June 2007	3. REPORT TYPE AND DATES COVERED Master's Thesis	
4. TITLE AND SUBTITLE Rethinking Militias: Recognizing the Potential Role of Militia Groups in Nation-building		5. FUNDING NUMBERS	
6. AUTHOR(S) Terry L. Hodgson, Glenn R. Thomas		8. PERFORMING ORGANIZATION REPORT NUMBER	
7. PERFORMING ORGANIZATION NAME(S) AND ADDRESS(ES) Naval Postgraduate School Monterey, CA 93943-5000		10. SPONSORING/MONITORING AGENCY REPORT NUMBER	
9. SPONSORING /MONITORING AGENCY NAME(S) AND ADDRESS(ES) N/A		11. SUPPLEMENTARY NOTES The views expressed in this thesis are those of the author and do not reflect the official policy or position of the Department of Defense or the U.S. Government.	
12a. DISTRIBUTION / AVAILABILITY STATEMENT Approved for public release; distribution unlimited		12b. DISTRIBUTION CODE	
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14. SUBJECT TERMS political, military, militias, militia groups, government, stability, security, transition, reconstruction, SSTR, control, irregular forces, weak and failing states, strategy options, host nation government, nation-building		15. NUMBER OF PAGES 77	
		16. PRICE CODE	
17. SECURITY CLASSIFICATION OF REPORT Unclassified	18. SECURITY CLASSIFICATION OF THIS PAGE Unclassified	19. SECURITY CLASSIFICATION OF ABSTRACT Unclassified	20. LIMITATION OF ABSTRACT UL

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MASTER OF SCIENCE IN DEFENSE ANALYSIS

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ABSTRACT

Recent media, political, and military consideration regarding the use of militias has been almost totally negative. This conceptual bias against militias is somewhat misguided, and can lead to disastrously counterproductive situations. Conceivably, militias can play a role in building a functioning state, and can support immediate and long-term U.S. and host nation government efforts in these situations. Stability, Security, Transition, and Reconstruction (SSTR) has become a mainstay of current U.S. strategy, but little effort is dedicated to developing options that deal specifically with the inclusion of irregular forces outside the control of a central government. This thesis seeks to counter the conceptual bias against militia groups, and provides a framework for analyzing militias' potential to assist with the establishment of governance in weak and failing states. Second, it analyzes a series of examples and arrays them along a spectrum that can be used to better define militias' characteristics and intents. The third aim of this thesis is to offer a set of strategy options the U.S. might apply in its efforts to deal with militias in its nation-building efforts.

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ACKNOWLEDGMENTS

First we would like to thank our wives for their exceptional support and encouragement in our efforts. We are indebted to our thesis advisor, Dr. Anna Simons, for her creativity, insight, and guidance. Dr. Simons proved instrumental in keeping us on track and steered us to seek the right questions before attempting to find the answers. Colonel (USAF) Brian Greenshields, and Lieutenant Colonel (USA) Jonathon Burns, also deserve mention for their invaluable input and assistance.

We would also like to thank our peers, staff, and faculty of the Department of Defense Analysis at the Naval Postgraduate School for providing an environment that challenged us to learn. Finally, our sincerest gratitude goes out to the men of Special Forces...past, present and future.

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I. INTRODUCTION

Struggling states can provide breeding grounds for terrorism, crime, trafficking, and humanitarian catastrophes, and can destabilize an entire region. Experience shows that managing conflict, particularly internal conflict, is not a passing phenomenon. It has become a mainstream part of our foreign policy.¹

-Department of State (S/CRS)

A. PURPOSE

The United States finds itself increasingly involved in the establishment of governance in weak and/or failed states. The recent adoption by the Department of Defense (DOD) of the concept of Stability Security Transition and Reconstruction (SSTR) implies that the U.S. government has accepted a future role in rebuilding failed/failing states.² Future conflicts will almost certainly involve U.S. forces engaging various non-state or sub-national actors such as militias. In terms of conventional military power, the U.S. is unchallenged on the battlefield. Consequently, the nation's enemies employ asymmetric means to defeat or bypass our conventional superiority. To deal with this, the U.S. must adopt new measures for securing the battlespace occupied by these new combatants. This calls for new ways to view and engage militias as actors on the battlefield.

Recent media, political, and military attitudes toward the use of militias has been almost totally negative. For instance, nightly news broadcasts portray the Mahdi Army as a direct challenge to the fledgling Iraqi government and as a threat to U.S. forces and

¹ On its Website, the Department of State Office of the Coordinator for Reconstruction and Stabilization (S/CRS) describes the negative attributes of weak and failing states. <http://www.state.gov/s/crs/c12936.htm>, (accessed 09 February 2007).

² *Department of Defense Directive Number 3000.05* (dated 28 November 2005), states in paragraph 4.2: "Stability operations are conducted to help establish order that advances U.S. interests and values. The immediate goal is to provide the local populace with security, restore essential services, and meet humanitarian needs. The long-term goal is to help develop indigenous capacity for securing essential services, a viable market economy, and rule of law, democratic institutions, and a robust civil society."

have created the universal impression that militias are counterproductive to good order and stability. This perception exists in spite of the spectacular successes of militias from the Northern Alliance during the early stages of Operation Enduring Freedom (OEF) in 2001-02. This conceptual bias against militias is somewhat misguided, and can lead to disastrously counterproductive situations.

There is no reason why some militias cannot play a productive role in building a functioning state, and thereby support U.S. and host nation government (HNG) efforts in these situations. With the U.S. military so heavily engaged in Iraq and Afghanistan, few forces are left available to conduct large scale reconstruction efforts elsewhere. With an All Volunteer Force, the U.S. will never be able to muster the troop numbers required to achieve an overwhelming balance in counter-insurgency operations worldwide. Therefore, host nation elements must augment the effort. Militias can and have filled this role in the past and, even with international pressures to do the contrary, Afghanistan's President Karzai has looked into the pragmatic use of local militias to provide security in regions outside his government's influence.³ Additionally, working with indigenous militia forces provides greatly enhanced cultural and geographic knowledge which is vital to defeating insurgents, and establishing authority over ungoverned territory. However, at the moment, political and military considerations often stigmatize their use.

This project seeks to counter this conceptual bias, and provides a framework for analyzing militias to determine their potential in assisting weak states to establish order. First, this thesis will argue for a new definition of militias that takes into account the roles they fill for the segments of the population they represent. It is critical to clarify what the term "militia" refers to in order to distinguish militias from other armed groups that the U.S. could never conceivably be allied with, such as international criminal organizations or terrorist organizations. Furthermore, the term militia, as currently perceived by Americans, has the negative connotation of an armed group that seeks to challenge or remove centralized governance; therefore, to consider use of militias in stability efforts

³ Ron Synovitch, "Afghanistan: Plan to Recruit Militia as Polices Sparks Concern," *Radio Free Europe Radio Liberty* 15 June 2006; <http://www.rferl.org/featuresarticle/2006/06/5100e619-193f-44c8-b35f-4e35ef1d228a.html>, (accessed 02 March 2007).

requires de-stigmatizing or neutralizing the term. Additionally, refining and better defining who “militia” should refer to will better focus analysis, and allow for a clearer assessment of policy options.

Second, this thesis provides a framework for analyzing militias that incorporates an assessment of their characteristics, and reasons for existence. Rather than a generic, broadly focused approach to militias, this framework treats individual groups as distinct and unique organizations. Through a thorough understanding of the environment in which a militia operates, political and military leaders can better judge the compatibility of the group with U.S. goals, and its ability to support or challenge those goals. This framework assesses the position of a given militia along a spectrum designed to capture the militia's perceptions of legitimacy as this relates to its ability to influence the population. The spectrum ranges from clan based militias to internationally supported movements that directly compete with the state for authority and recognition.

The third intent of this thesis is to provide strategy options the U.S. might apply alongside HNG vis a vis militias. To determine the potential uses to which a militia can be put requires a more nuanced approach, to include developing information about its organization, leadership, the social roles it fills and, perhaps most importantly, its motivations in relation to those of the central government. Militias existed prior to governments in many regions of the world and recent history has shown that they can sometimes develop in the absence of government. History indicates that even groups with opposed ideological beliefs can pragmatically align themselves to protect their interests from outside interference. Cooperation is often expedient and groups may well fall back into fighting each other upon the removal of the external threat, but the potential for their use in supporting U.S. and HNG efforts should not be discounted. In addition to direct confrontation with militia groups, the U.S. should address other options and this thesis provides a starting point for the development of future long-term strategies.

B. METHODOLOGY

The first chapter of this thesis is dedicated to clarifying what we mean by “militia. Through our research and experience, it became clear that no good definition for the term

exists, and that the lack of clarity on the issue leads to hasty policies that fail to account for the capabilities of local militias. Thus, we propose our own definition. Chapter II presents our framework for analyzing militias. The framework assigns militias to a geographic category based on their influence among the population and the extent of the territory they control. The intent of this categorization is to describe the capabilities of a given militia in order to determine whether or how to engage it. Chapter III discusses the notion that militias are a fact of life in many parts of the world and must be treated as players on the battlefield. It addresses the potential advantages and disadvantages of engaging militias. The final chapter provides some recommendations which revolve around four broad options for how the U.S. and HNG should deal with militias.

The militias described in this thesis represent a range of ideologies, capabilities, and interests. We analyzed well over a dozen militias to determine their reasons for existence, organization, motivations, and territorial influence. Many of the ideas and observations presented in this thesis are drawn from our personal experiences working with and against militias during Operations Enduring Freedom and Iraqi Freedom. Finally, many of the concepts addressed here were strengthened through discussions at the U.S. Joint Forces Command Winter Joint Operational Environment Conference, held in Portsmouth, Virginia in early 2007. Additionally, valuable input was received from personnel at the U.S. Army's John F. Kennedy Special Warfare Center and School's Directorate of Training and Doctrine.

After reviewing the available literature on militias, and recent criticisms of U.S. operations in the War on Terror, it has become clear to us that lack of understanding about militias has hindered progress (especially in Afghanistan and Iraq) and will continue to do so. A better understanding of militias, and how to deal with them, may limit the costs of war and may also pay huge dividends. It is for these reasons that the U.S. must rethink how it might use militia groups, which first necessitates a review of terminology.

II. ALL MILITIAS ARE ARMED GROUPS, BUT NOT ALL ARMED GROUPS ARE MILITIAS

First, while militia wars and insurgencies can both be categorized as civil wars, they are not exactly the same. In a militia war, the government risks being perceived as just another militia, with no greater legitimacy than the other combatants.⁴

-Andrew Exum, "Iraq as a Militia War"

Current descriptions of modern and future conflicts involving the U.S. tend to mention asymmetry. The U.S. is viewed as the powerful, but less adept side faced by a clever, nimble, and unrestrained enemy. An unspoken truth in most such analyses is the tendency to measure capabilities using Western constructs of warfare.⁵ Unfortunately, current events have demonstrated that our likeliest opponents are to be found among non-western, non-state actors and "nontraditional" military organizations that do not conform to western ideals or practices, to include militia groups.⁶ Solely by virtue of their lack of direct attachment to a recognized nation-state, many armed groups might be labeled "non-state actors." Authors Richard Schultz, Douglas Farah, and Itamara V. Lochard further categorize non-state actors into insurgents, terrorists, militias, and organized crime groups.⁷ Just on their own, however, labels like these and the connotations they have can prevent policymakers and military leaders from selecting specific courses of action. In theory, it is possible for the U.S. to openly work with organizations publicly

⁴ Andrew Exum, "Iraq as a Militia War," *Policy Watch/Peace Watch*, 12 January 2007. <http://www.washingtoninstitute.org/templateC05.php?CID=2551>, (accessed 13 March 2007).

⁵ See Anna Simons, "Seeing the Enemy (or Not)," *Rethinking the Principle of War*, Anthony D. McIvor (Annapolis, Maryland: Naval Institute Press, 2005), 322-344.

⁶ Andrea Dew and Richard Schultz in their book, *Insurgents, Terrorists, and Militias: The Warriors of Contemporary Combat*, (New York: Columbia University Press, 2006), 36. The authors provide a useful definition for non-state actors: "Groups that challenge the authority of states, challenge the rule of law, use violence in unconventional, asymmetrical, and indiscriminate operations to achieve their aims, operate within and across state boundaries, use covert intelligence and counterintelligence capabilities, and have factional schisms that affect their ability to operate effectively."

⁷ Richard Schultz, Douglas Farah and Itamara V. Lochard, *Armed Groups: A Tier-One Security Priority*, INSS Occasional Paper 57, (USAF Academy, Colorado: USAF Institute for National Security Studies, 2004).

labeled “terrorist” or “criminal” but, realistically, the negative connotations are too great to make this likely. Our premise is that by applying a means of identifying and differentiating among armed groups, decision makers can better develop specific policies by which to deal with them. The labels applied to armed groups are but a starting point and require additional analysis that could lead to policies that are not automatically exclusionary.

Following U.S. and UN actions in the 1990s right up until the present, the use of the term “militia” has become commonplace. Television news reports typically use the term “militia” to describe any irregular element not directly attached to a central government and apply it indiscriminately to any group in Iraq. The term “militia” is also used interchangeably with other labels for armed groups: insurgents, terrorists, extremists, and paramilitaries. Yet, such a broad definition is hardly helpful when dealing with people motivated by local grievances—issues which militias may address. Such broad use of the term associates militias with people who oppose the U.S. and vilifies portions of the populace whose actions are not at all criminally intended. Not all militias seek to challenge the authority of even their own government. Often they instead serve to deliver local security. In many regions of the world, these local militias existed prior to the establishment of the central government and often have equal or greater value and legitimacy in locals’ eyes.

Because definitions often drive perceptions they can affect and influence policy choices. DOD does not have a standardized definition for a militia. Militias--like insurgents, gangs, paramilitary, terrorist, criminal, and guerrilla groups--fall under the broad, umbrella definition of “irregular forces.”⁸ Thus it is possible for an armed group to straddle a number of DOD categories; a paramilitary group might just as easily be labeled

⁸ *Department of Defense Dictionary of Military and Associated Terms, Joint Pub 1-02*, (Washington D.C.: U.S. Government Printing Office, 2001; amended through January 2007), 276.

a terrorist or guerrilla group.⁹ This might not seem to pose a problem, but this is a predicament for the DOD. Military commanders seeking to work with a local security force will not do so if the group can also be labeled a “terrorist group” or “insurgent group,” regardless of the organizations true affiliation towards the HNG. Also worth noting is that the labels typically assigned are done so from the perspective of outsiders. The local populace is not always likely to agree with the labels the U.S. uses and instead applies its own standards.

This is why defining militias, though difficult, is crucial for the development of strategies to deal with militias. Authors Shultz, Farah, and Lochard identify the difficulties inherent in defining armed groups and present a starting point for the study of militias by defining them according to a set of descriptive characteristics:

A militia in today’s context is a recognizable irregular armed force operating within the territory of a weak and/or failing state. The members of militias often come from the under classes and tend to be composed of young males who are drawn into this milieu because it gives them access to money, resources, power, and security. Not infrequently they are forced to join; in other instances it is seen as an opportunity or a duty. Militias can represent specific ethnic, religious, tribal, clan, or other communal groups. They may operate under the auspices of a factional leader, clan, or ethnic group, or on their own after the break-up of the states’ forces. They may also be in the service of the state, either directly or indirectly. Generally, members of militias receive no formal military training. Nevertheless, in some cases they are skilled unconventional fighters. In other instances they are nothing more than a gang of extremely violent thugs that prey on the civilian population.¹⁰

Based on the characteristics presented above, it is possible for an armed group to fit multiple categories and be labeled a number of different ways. A street gang might be viewed as both a criminal organization and legitimate protector of the populace, depending on both who is granting the recognition and the context in which the group

⁹ *Joint Pub 1-02*, 400, 538. The Joint Publication for military terms defines paramilitary forces and terrorist groups as follows: “Paramilitary forces — Forces or groups distinct from the regular armed forces of any country, but resembling them in organization, equipment, training, or mission. Terrorist group — Any number of terrorists who assemble together, have a unifying relationship, or are organized for the purpose of committing an act or acts of violence or threatens violence in pursuit of their political, religious, or ideological objectives.”

¹⁰ Schultz, et al., 23.

exists. For instance, a gang might be viewed negatively by a particular neighborhood, but this perspective might change in the event a greater threat intrudes from outside the neighborhood which the gang helps to defend. In some cases, the external threat might actually be the U.S. or HNG forces.

For the U.S. to address the option of using militias as a means to assist in security and stability efforts, it is first necessary to understand that how a group is classified is not static, since a group's roles are dynamic in nature. Instead, policy options should balance our desires with local capabilities and should be realistic enough to properly prioritize and categorize potential threats. A group's intent to complement or compete with a central government's influence in its territory does not mean it seeks to overthrow or remove the government.

Shultz, Farah, and Lochard's definition of militias provides a baseline to which we can add points as we attempt to differentiate militias from other armed groups. The nature of the term militia will always leave room for interpretation, which makes it difficult to create an all-encompassing definition, but certain minimal characteristics should be present to warrant the use of the label. In order for the U.S. to de-stigmatize and neutralize the term, it is necessary to focus on characteristics that could positively or negatively affect policymakers' perceptions. With that in mind, we believe the following characteristics apply:

- 1) A militia is capable of using violence as a means of influence and, at its core, serves to fill a void in governance not filled by a central authority. Unlike an insurgent group, the "militia" is not driven to remove the host nation government as much as it seeks to protect and secure its own interests or autonomy.

- 2) Though a street gang might possess some temporary legitimacy, its support base is generally small and usually exclusive to those directly considered "members" of the gang. Unlike a gang, a militia possesses a greater degree of legitimacy in the territory in which it operates, and it is not primarily a predator or parasite on the state. Instead, a militia is viewed as a competing, legitimate representative of a segment of the populace based on religious, tribal, ethnic, ideological, and/or territorial grounds.

3) Unlike a surrogate military force, a militia is an irregular force that exists outside the direct control of the host nation's central government or that of another competing state. The militia is not already beholden to the HNG and is not a directly controlled proxy force for use by a competing government.

4) A militia might be permanent or ad hoc in nature, but maintains a sense of legitimacy over time in the eyes of its members and those it represents.

5) Unlike a criminal organization, a militia may participate in criminal activities but does not exist for the sake of conducting criminal acts; sometimes these may be necessary to procure the means (weapons, cash) to a more collective end (local security).

The standard manner in which armed groups are categorized is to classify them according to their organizational structure and capabilities compared to those of a professional military. We submit that militias may be better judged according to the purposes they serve. First and foremost, a group may be considered a militia if it protects its constituents from outside threats. An armed group that serves as a societal defense mechanism is likely to be granted legitimacy by those it protects. It is true that this legitimacy might only be temporary, but if it is based on a positive contribution and/or the militia achieves the population's goals this is surely worth noting. As a central authority builds its capacity at the local level and earns credibility, it is possible for it to mitigate or undercut the militia's basis of legitimacy, but to do so may also cost the government the public's support, especially if the population views the militia as "its" militia.

Even by adding characteristics to the list created by Shultz, Farah, and Lochard, it is obvious that a standard definition for militias will always leave room for potential objections. This is one reason decision makers should tailor their views to the particular group in question whenever possible. But also, as a leading participant in operations that may have to deal with local militias, the U.S. should recognize that some of its biases may stem from its own history.

A. AMERICA'S SCHIZOPHRENIC PERSPECTIVE ON MILITIAS

In current U.S. society, the term militia conjures mixed emotions which indirectly influence policy decisions. On one hand, Americans romantically conjure up images of the “minutemen” from our own Revolutionary War. On the other, we condemn the factionalized infighting attributed to militias in many less developed regions. The tendency of the U.S. to view all militia groups that are not under the control of the central government as a threat ignores the dividends that might be gained by integrating specific militia groups into processes aimed at the long-term strengthening of a central authority. Unfortunately, the reluctance to recognize private militias is likely engrained in the American psyche and is a byproduct of domestic legal interpretations of what constitutes a militia.

Arguments persist in U.S. law regarding what comprises a militia and what constitutes its role in modern society. The term “militia” in the U.S. often evokes images of the National Guard, but it legally extends to private organizations that have the right to arm themselves as a means of providing protection from perceived threats, both external and domestic. Most Americans are comfortable with the idea of a standing militia that falls directly under the control of the central government, but view private militias negatively. Private militias suggest images of extremism and anti-establishment ideals, but in actuality, they are protected within the confines of U.S. law.¹¹ While arguments persist as to whether the Constitution’s Article 1, Section 8 endorses private militias, the U.S. Department of Justice (DOJ) takes a less judgmental view based on historical context.¹² The DOJ considers militias to be more than state-established and controlled

¹¹ On its Web site, <http://www.usdoj.gov/olc/secondamendment2.htm#2c>, the *Department of Justice* presents a *Memorandum of Opinion for the Attorney General* entitled “Whether the Second Amendment Secures an Individual Right,” dated 24 August 2004. The memorandum establishes precedence for the interpretation of the U.S. Constitution’s definition of what constitutes a “militia.” The memorandum views private militia groups as a legal addition to state-sanctioned national guard organizations (accessed 09 January 2007).

¹² The U.S. Constitution Online, http://www.usconstitution.net/xconst_A1Sec8.html, provides the U.S. Constitution in its entirety. Article 1, Section 8 of the Constitution of the United States of America describes the Powers of Congress to include, "To provide for calling forth the Militia to execute the Laws of the Union, suppress Insurrections and repel Invasions;" (accessed 11 March 2007).

National Guards and, by invoking the Constitution's Second Amendment, views them as a societal protective mechanism and not solely as an arm of the government,

The "Militia" as understood at the Founding was not a select group such as the National Guard of today. It consisted of all able-bodied male citizens. The Second Amendment's preface identifies as a justification for the individual right that a necessary condition for an effective citizen militias and for the "free State" that it helps to secure, is a citizenry that is privately armed and able to use its private arms.¹³

In other words, the federal definition of militia supports citizens' right to establish private organizations to augment state-sponsored security apparatuses (e.g., the military, National Guard).

The U.S. legal definition allows citizens to share in the responsibility of security with the state and, in some cases, to protect themselves against the state. However, it also has to be recognized that this definition is ethnocentrically shaped by specific historical events (e.g. the Revolutionary War). The U.S. legal recognition of militias may be based on U.S. Constitutional "rights," but that does not mean the U.S. government extends this recognition to militias in other regions of the world. Ironically, when it comes to militias in other parts of the world, many policymakers ignore local realities which may not be too different from our own in 1776. Elsewhere, as was the case here, the existence of militias may be less a government-granted "right" than a fact born of necessity.

Though debates continue, the U.S. government recognizes the right of individuals to organize private militias, as well as their right to conduct operations within applicable state and federal laws. In many cases, private militia groups in the U.S. view themselves as protectors of the laws and label themselves as "constitutional militia."¹⁴ The U.S. government grants legal recognition to private militia groups from a position of

¹³ *Department of Justice presents a Memorandum of Opinion for the Attorney General.*

¹⁴ On its Web site, (http://www.constitution.org/mil/mil_us.htm), the "U.S. National Militia Directory" provides a state by state list of "constitutional militia" defined as, "...those dedicated to the preservation, protection, and defense of the Constitutions for the United States and of their state, open to all citizens so dedicated, regardless of race, color, gender, or views on nonconstitutional issues." When reviewing websites of local and state constitutional militias, it is evident that members view their organizations as existing to protect the US Constitution in addition to protecting the rights of citizens against government abuse (accessed 11 January 2007).

monopolized power. Many other governments do not have the capacity to oversee or control the establishment and recognition of militia forces. In many regions, centralized authority is non-existent or so weak as to offer no governance to citizens. Also, just because the monopolization of power is not centrally located, does not mean it might not be found at local levels. In weak or failed state environments it is militia forces that often provide the only means of local security, and their legitimacy is less a function of assignment by a centralized authority than a pragmatic, grassroots solution to a void government cannot fill. In other words, often external threats motivate the establishment or maintenance of local militias and impel people to arm themselves and to engage in collective self defense. Ironically, just by virtue of stepping in, never mind applying paternalistic measures to disarm and disband local militias, the U.S. inadvertently then validates militias' existence.

Certainly, in order for the U.S. to work with indigenous groups existing outside the direct control of the HNG, it must rethink how it views these groups. Policymakers should at least apply a framework similar to the DOJ's interpretation of the U.S. Constitution's Second Amendment and see if it fits the local situation. Regardless of whether one supports an individual's right to bear arms, policymakers must be careful not to apply a stricter standard for disarmament than that found in the U.S., a country with a fraction of the collective security problems found in failing states. Policymakers must consider the realities of the situation, accept that armed groups (militias) exist, and not rule out their use in assisting stability efforts just on principle.

Militias are generally viewed as legitimate in the eyes of their members and often provide simple measures of governance that a central authority is not capable of providing. Even ad hoc armed groups, consisting of locals rallying to defend pasture lands from raiders, serve a purpose similar to border security forces in more developed nations. Though untrained and organized dramatically differently than a professional military, militias can respond to a threat and are often able to put aside differences for a collective purpose: usually protection. Consequently, what we propose is defining "militia" in terms of the security they provide. For purposes of this thesis, we offer the following definition:

Militia: recognizable armed groups possessing some level of regional legitimacy granted by a segment of the population. Militias might be permanent or ad hoc in nature and maintain their legitimacy through the ability to offer security and/or social services to members (based on ethnic, tribal, geographic, ideological affiliation).

Central to the DOD definition of irregular forces is a comparison to professionally-organized military forces; what makes forces irregular is their organization and training. However, other factors can be as important, yet are not taken into account. This we believe is a mistake. Why militias exist from the local point of view-why locals support them-has to be taken into account.

B. BASIS FOR LEGITIMACY: MILITIAS AND GOVERNANCE

The reestablishment of order and promotion of democratic governance are important targets for U.S. counter-terrorism strategies. A multitude of academic think tanks and government departments have dedicated countless hours to formulating plans and strategies that rely on stabilization implemented through the establishment of legitimate governance. The intent is to lessen dangers posed by weak and failing states. The absence of some form of authority creates an environment of lawlessness that often generates exponentially greater challenges to the U.S. and HNG than is found in areas secured by militias. One way to gauge the purpose militias serve in locals' eyes is to consider legitimacy... using simple governance as a starting point.

Applying a framework that takes governance into account would enable the U.S. to take a more pragmatic look at how a particular militia might assist U.S. efforts in strengthening a HNG. A key theme for the definition of militias used in this thesis is that we have to consider legitimacy from locals' perspective. In order for the U.S. to address which regional militias it might work with, and why, it is first necessary to determine whether the militia itself is supported by the local population. If portions of the populace popularly support a militia as a matter of choice and not through coercion, that signals they consider the militia a legitimate actor in regional affairs, and we should weigh relations with that militia accordingly. In many cases, the militia possesses greater legitimacy in the eyes of the population than the HNG does. In some circumstances, like

Afghanistan and Iraq, the U.S. might have taken a direct role in the removal of a pre-existing government, only further exacerbating resentment. For purposes of identifying and developing options, it is necessary for the U.S. and HNG to gauge local legitimacy. A militia group might serve functions corollary to those of the HNG, but this alone should not be sufficient to view it as directly challenging central authority.

At the same time, should the U.S. or HNG conduct actions to remove or marginalize a militia considered legitimate by a constituency, it is important that this only be done when the government itself is capable of readily filling voids previously filled by the militia. Care should be taken to identify what roles are served by the militia and to what extent the government is able to fill them. Removal of local militias may well introduce instability and should only be done when the HNG possesses both the capacity and strength to inherit long-term responsibility for effective local governance.

In a *Foreign Affairs* article aimed at encouraging policymakers to support the aggressive rebuilding of weak states, Stuart Eizenstat, John Porter, and Jeremy Weinstein argue that the U.S. has to be more proactive in implementing measures to strengthen governance found in “weak,” “failing,” and “failed” states. The authors use three basic tasks to measure a state’s capacity to provide governance. The first and most basic task is for provision of security through monopolizing the use of force to protect the populace from both internal and external threats. The second is to provide basic services for the betterment of society, and education and healthcare are presented as examples. Lastly, legitimacy demands the protection of basic rights and freedoms through the enforcement of the rule of law and broad-based participation in the political processes of the state.¹⁵

Based on the three tasks listed above, it is paramount that U.S. planners recognize that any shortcomings on the part of a weak government will more than likely need to be offset by U.S. assets, a dangerous formula whereby HNGs all too easily develop an over-reliance on U.S. support.

¹⁵ Stuart E. Eizenstat, John E. Porter, Jereme M. Weinstein, *Foreign Affairs*, “Rebuilding Weak States,” January/February 2005, Volume 84, Number 1, 134-146.

An inability or unwillingness of a HNG to fulfill roles formerly provided by a militia could create greater long-term issues than if the militia is left in place until a later, more suitable date. Whether we approve or not, the reality is that militias serve government-like functions in the absence of a central authority and the U.S. typically relies on the establishment of a central government as a measure of success. Although the U.S. has embraced the idea of nation building, history has shown this to be a daunting and often unsuccessful task. A policy of stabilizing and exporting governance based on western-style democracy is admirable, but creates some unique challenges that should temper policymakers' eagerness. In an article written for the Stanley Foundation, a foundation that focuses on the study of peace and security issues, Anatol Lieven, like Eizenstat, Porter, and Weinstein, recommends providing preventative assistance to weak and failing states, but caveats that "Direct U.S. military interventions in failing states should be extremely rare."¹⁶ Lieven cautions that U.S. military intervention should only occur when national interests are threatened by a weak state's use as a sanctuary for attack or "where a genuine case of genocide is occurring."¹⁷ Lieven advises that some hard decisions should be made prior to involvement; the most important being the understanding and acceptance that a less strict standard of governance should be expected in failing states requiring international intervention. Additionally, once the decision is made to participate in improving governance, the international community and the U.S. in particular, should understand that it "[Washington] may therefore have no choice, but to support local proxies, even when—as was also the case with the anti-Taliban warlords in Afghanistan—these are in many ways extremely repulsive."¹⁸

Though the use of proxy forces is often less than preferred, to ignore their potential is a greater folly. Numerous indigenous groups exist prior to or as a result of U.S. or HNG actions and deserve analysis for their potential to aid in long-term strategies. Post-conflict operations in both Iraq and Afghanistan have forced

¹⁶ Anatol Lieven. "Failing States and US Strategy." *The Stanley Foundation Policy Analysis Brief*, September 2006. <http://www.stanleyfoundation.org/resources.cfm?id=55>, 1, (accessed 22 January 2007).

¹⁷ *Ibid.*, 1.

¹⁸ Lieven, 9.

policymakers to accept a role in nation-building. Ongoing military operations following the attacks of September 11 offer a glimpse into the likely requirement for the U.S. military to be as capable in SSTR efforts as combat. Military destruction of enemy forces will often take a secondary role to reconstruction operations in weak and failing states, environments where indigenous groups serve “government-like” roles. The fundamental role of a government, as described earlier, is centered on the foundation of security that then supports the addition of services and the rule of law. In environments where governance is weak, security is often a responsibility most efficiently maintained at local levels by armed groups, referred to in this thesis as militias.

If one accepts the concept that militias exist and serve government-like roles in the absence of a central government, it is easy to then recognize their importance. Local militias will no doubt offer challenges to stability efforts, but may also assist both U.S. and HNG efforts to establish levels of security required to facilitate the introduction of decent governance. Even in environments that appear hopelessly chaotic and unstructured, beneath the surface lie microcosms of structure and order. Similar to individuals dealing with personal challenges, societies possess coping mechanisms that facilitate the establishment of stability and security.

Again, too, in many societies militias pre-date the establishment of a government. Councils of elders, respected warriors, tribal or factional leaders often represent forms of governance that do not resemble the governments of modern nation-states, but nonetheless provide both protection, and services to those whom they consider members. In a manner reminiscent of lawyers and arbitrators, many societies rely on councils of tribal leaders or sheikhs to oversee disputes between members, and their decisions equate to the “rule of law” recognized by modern nations. It is often these same local leaders who mobilize the populace through influence or coercion to engage in self-defense.

The legitimacy of militias might be questioned when viewed from the outside, but it is the local population's perspective that is actually most important. Pragmatism requires that the U.S. accept that militias not only exist, but serve roles that bind them to the populace. The idea of militias and legitimacy may be difficult for many to accept, but

the populations that the U.S. and HNG most hope to influence are the very ones that directly or indirectly facilitate the maintenance and/or creation of militias. Thus, we seem to have little to gain by continuing to view them as a hindrance.

C. DIFFERENTIATING AMONG MILITIAS

Current UN-led efforts in Afghanistan highlight the difficulty in dealing with militias when they are simplistically labeled legal or illegal, and the overall policy only deals in binary either/or's. Currently, the idea of incorporating militias into regional security plans is almost immediately attacked as "providing a disincentive to [disarmament and reintegration]."¹⁹ Even with the integration of oversight by HNG and/or U.S. forces, any actions that support integration of militias as an alternative to disarmament is considered suspect by human rights groups, NGOs and other supporters of UN-sponsored DDR. Yet, we often need the specific capabilities only a local militia possesses, especially in cases where the militia is considered more legitimate than the HNG. One reason that militias are viewed in such a simplistic manner stems from the tendency of organizations to confuse control with influence... a simple error that has major consequences.

Automatically categorizing armed groups in relation to how much they do or do not support the HNG ignores the fact that a militia may pose less of a threat to the government than other organizations do (i.e. insurgent cells, criminal organizations). Again, militias may be providing the only form of security in the region, and efforts to control them might actually serve as a catalyst for rebellion. The default for most HNG and external forces is to seek control over groups that may appear to compete with the government. Yet, control is generally based on the ability of a stronger entity to command a weaker entity-something the HNG can't do or there wouldn't be a militia in the first place. Influence is a more fluid process of shaping behaviors or actions to those that are desired. It is *influence* the HNG and U.S. should be seeking.

¹⁹ International Crisis Group (ICG), "Elections and Security in Afghanistan," *Asia Briefing*, 30 March 2004, 2. For purposes of simplicity, ICG uses the term DR in place of the more common DDR as an abbreviation for the concepts of disarmament, demobilization, repatriation, resettlement, reintegration.

Focusing on control at the expense of the ability to influence perpetuates a cycle of conflict. Control over militia forces is always preferable, but requires the ability to quell resistance and compel concurrence, a capacity that most fledgling governments lack. To balance the desire to control with the ability to influence, it is necessary to first accept the existence of militias and to then consider whether and how the militia in question might actually facilitate the establishment of governance. Given that HNGs often lack resources and the ability to control militias, it seems prudent to address this issue more pragmatically than is the practice now.

Also, it is easy to label indigenous populations as either pro or anti-government, but to do so does not take into consideration societal idiosyncrasies. Societies are pluralistic in nature and incorporate divisions based on family, tribes, ethnicities, and so on. Like individuals, militias are often peculiar organizations whose motivations often differ as much as their membership. In many regions of the world, militias, which by definition are outside the direct control of a HNG, might represent the only stabilizing force available no matter how irregular they seem. The U.S. and/or HNG's policy, based on accomplishing certain goals, can only achieve them by balancing desires with actual capabilities. Balancing ideals and expectations with actual abilities allows policymakers to identify what options they realistically have. Currently policymakers must frequently base their decisions on uninformed analyses which do not account for the unique characteristics possessed by different militias. Unfortunately this leads to the tendency to treat militias with too broad a brush and without understanding that no two militias are the same. Therefore, the options they present and the opportunities for dealing with them will likewise differ and should be analyzed accordingly—all of which demands a new framework for analysis.

III. SPECTRUM OF INFLUENCE AND OPTIONS AVAILABLE

As the HN government weakens and violence increases, people look for ways to protect themselves. If the government cannot provide protection, people may organize into armed militias to provide that essential service.²⁰

-FM 3-24, Counterinsurgency

A. SPECTRUM OF INFLUENCE

In this chapter we offer a means by which to categorize militias based on their geographic reach and influence. Determining their level of influence is accomplished through subjective analysis of their objectives or interests, the roles they perform, and the size of the geographic area in which they have legitimacy.

Militias require a territorial base, and for this reason, the spectrum we present is based on geographical measures. Militias exist to support or protect the interests of certain groups of people; the members of the group (and thus of the militia) share common beliefs and cultural ties or backgrounds. Those beliefs or ideals represent facets of culture that are unique to the group and essentially tie its members together. Typically, people live where they can make a living, where they will be accepted, and where they have a support network. Generally, these areas are their homelands, but the geography itself does not impose limits on the group. The limits are instead a function of the ties among group members.

Further, since militias have geographic limits, it follows that they do not have power everywhere. A militia cannot protect a group that is so scattered that it can't be distinguished from the rest of the population. Where a militia has no coercive capability, it cannot count on influencing people. Where a militia is not seen as representative of the

²⁰ *Department of the Army, FM 3-24, Counterinsurgency*, Washington, DC: U.S. Government Printing Office, 2006, 1-9.

population, it is illegitimate. For instance, a Shia militia in Iran has limited influence over Shia Muslims in Afghanistan. The militia may claim to represent their interests, but can do nothing to impact their lives.

The spectrum categorizes militias according to their scope of influence. We recognize five levels of influence: community, local, regional, national and international. A militia's position along the spectrum need not be static. A militia can change positions on the spectrum based on its ability to influence segments of the population. Some factors affecting its breadth may have to do with cultural affinities, ethnic, religious or economic differences, organizational type, leadership, and the nature of the threat against which the militia mobilizes. Also, a militia's influence may be diminished or enhanced based on HNG policies that affect the population from which the militia draws support.

Another consideration is that as a militia expands, its membership becomes more diverse, incorporating people who may not share the same beliefs. This has the effect of diluting the core beliefs that initially characterized the militia and gave it its legitimacy. This can lead to fracturing of the militia and the formation of splinter groups. Small factions of the militia may commit acts in the name of the militia as a whole that actually run counter to the original cultural beliefs that led to the formation of the militia in the first place. This is an important consideration when deciding whether a militia's interests can be aligned with HNG interests.

1. Community Based Militias

A community based militia is one which has influence only over a very limited area, such as a village, or a neighborhood within a larger community. The militia is seen as a legitimate protective entity only by that community, and generally does not seek objectives beyond that community. The community possesses some unique set of values that it fears are at risk and so forms a militia for protection. The militia performs its designated role within that community in place of an equivalent HNG service. Either the community trusts the militia to provide protection more effectively than the HNG, or the HNG may be altogether absent. In fact, the community may view the HNG itself as the

threat. The existence of a community militia does not imply that the HNG is weak or ineffective. It simply means that the community relies more on its own members for protection than it does on the HNG.

The community militia has limited influence outside of the community because it has a narrowly based purpose from which it derives its legitimacy. The purpose-or the militia's "cause"-is linked to the protection of a specific set of values that do not have widespread appeal. If the values were widespread, and the perceived threat was widespread, then the militia would have wider influence and would therefore belong elsewhere on the spectrum.

EXAMPLE: Gangs

Kurt Shaw, in his article "Legitimacy in Colombian Shantytowns," describes gangs as "larger organized armed groups who are hegemonic in the neighborhoods" and who enjoy local legitimacy on four grounds: security, economy, social services and values.²¹ Gangs, according to this description, fit our definition of militia. It is when gangs become strictly motivated by criminal interests, or exist solely to perpetuate their own survival at the expense of their constituents that they fall outside the definition proposed here. As this example suggests, it is necessary to analyze a gang's actions and not just its ideology or propaganda, since it will always claim to protect the interests of the people.

Gangs can establish their legitimacy by defeating corrupt or otherwise illegitimate elements and establishing order. When a gang imposes order it will be seen to be protecting its constituents, and therefore their values. As the gang grows its capacity, it may well provide social services. Shaw points out that many gangs in Colombia "offer social services to the community in the form of sports groups, women's and youth associations, and bodies that promise to uphold security in the neighborhoods."²² The

²¹ Kurt Shaw, Director of the non-governmental organization *Shine A Light*, presented an essay entitled, "Legitimacy in Colombian Shantytowns," translated by Louise Marsh. The essay was prepared for the International Seminar on urban conflict and possibilities for transformation, Medellin' 5-7 September 2004. In his work, Shaw describes how street gangs were becoming legitimized in areas of Latin America. The essay can be found at: <http://shinealight.org/legitimacy.pdf> (accessed 26 March 2007).

²² Shaw, 7.

services provided by the gang are repaid by loyalty from the constituents--so much so that gangs in Colombia often enjoy greater legitimacy than the state itself.

Shaw also indicates that the Colombian Government sometimes sees fit to work with gangs. In Altos de Cazuca, according to Shaw, it is not uncommon for police organizations to “provide the gang with intelligence and suggest whom they might kill.”²³

Perhaps most importantly, the gangs described by Shaw solidify their legitimacy by either taking advantage of, or by creating the perception of, an outside threat or enemy.²⁴ Frequently, that enemy is the state. The state is portrayed as corrupt and oppressive. Politicians are portrayed as thieves who come to villages only to “tell lies and search for votes.”²⁵

The Colombian Government deals with armed groups in a variety of ways. When addressing neighborhood or community gangs, it appears that the government is unable to supplant the gangs’ legitimacy. The Colombian Government, until recently, has not had the power or influence to assert itself in any permanent fashion outside the large cities. Most of its political influence in rural areas is through local leaders who are essentially autonomous. With no assets or services to offer the local population, the government is easily de-legitimized by local gangs that are better able to mobilize assets and establish a patronage system, thereby winning the loyalty of locals away from the state or from other gangs.

The significance of community militias lies in their immunity from the state. In the case of Colombia, and probably most developing countries, they are physically far removed from the state, and therefore attract less attention. Because state reach is so limited, community militias have to be self-reliant and their ideology tends to be self-reinforcing in order to highlight the protective functions they perform. In order to displace the influence of community militias, the state must not only overcome the

²³ Shaw, 5.

²⁴ Ibid., 14.

²⁵ Ibid., 15.

perception that it (the state) poses a threat, but it must instill in people a high level of trust, which can only come with long periods of sustained effective governance.

2. Local Militias

A militia that is local in nature is characterized by having influence over one or perhaps a few small villages or towns and surrounding areas, and the majority of the people who inhabit those towns. It serves to protect those people and their property. A local militia serves as a deterrent to neighboring or outside elements that may seek to gain influence within the controlled area. The members of the militia are citizens of that particular locality. Because their interests are strictly local, the roles they serve will be local in nature. The roles probably will not include much in terms of governance. The militia controls a limited area with limited population, limited resources, and limited interests. The local militia is distinguished from the community-based militia given the former's broader appeal over a larger area.

EXAMPLE: Kikuyu Home Guards and Kamajors

Both the Kikuyu Home Guards of the Mau Mau Revolt and the Kamajors of the Sierra Leonean Civil War are good examples of local militias. They also represent good examples of cooperative efforts between government forces and militias. In both cases, the militia was formed to protect local communities from revolutionary guerrillas. Also, in both cases the militia played a major part in ultimately defeating the threat towards the HNG.

The Kikuyu Home Guards were initially formed by the Catholic missions in Kikuyuland as a protective measure against the Mau Mau.²⁶ In 1953, the Home Guards were co-opted by the British Government in Kenya to be part of the security forces. Initially, the Home Guards served mostly in defensive roles in villages, and provided intelligence to the Kenyan security forces. Later, after being absorbed by the government, the Home Guards performed more advanced roles by attacking and cutting off the

²⁶ Wunyabari O. Maloba, *Mau Mau and Kenya: An Analysis of a Peasant Revolt*, (Bloomington: Indiana University Press, 1993), 89.

guerillas from supportive elements of the population. Initially numbering approximately 5,000 men, they were armed with only their primitive “bows and arrows, spears, clubs, and knives.”²⁷

When still a Catholic-run militia, the Home Guards worked closely with the African Tribal Police, but once the Home Guards were co-opted by the government they became a surrogate force. At this point, their numbers swelled, and they received better equipment. Unfortunately, the members of the Kikuyu Guard, as it came to be called, developed a reputation for committing the same sort of atrocities as their Mau Mau enemies. Nevertheless, in absorbing the Home Guards, the government was essentially acknowledging that the insurgency could most effectively be defeated through the people. While the government committed eleven infantry battalions, the Kikuyu Guards eventually numbered 25,000 men, and were responsible for 42% of the Mau Mau casualties in the conflict.²⁸

The Kikuyu Home Guards never progressed to the point where they provided any measurable service other than security in their areas. This is probably due to two reasons. First, there weren't very many of them initially. Second, after being co-opted, they were employed in small elements dispersed over a large area. Employed this way, they could prevent the influx of Mau Mau into local villages to some degree, but could do little else.

Before the Kikuyu Guards were co-opted by the government, they could only be considered a local militia. They were intended for local protection, and were never capable of coordinated efforts over a large area. They could not be considered a regional militia in this analysis. They did, however, provide an obstacle to the continued growth of Mau Mau influence at the local level, and provided a high level of access and influence for the government throughout most of Kikuyuland.

The genesis of the Kamajors in Sierra Leone was somewhat different from the Catholic recruitment of the Kikuyu Home Guards. The Kamajors are mystic, traditional

²⁷ Fred Majdalany, *State of Emergency: The Full Story of the Mau Mau*, (Boston: Houghton Mifflin, 1963), 121.

²⁸ *Ibid.*, 221.

hunters or woodsmen in Mende culture. They were a somewhat obscure element of the Mende tribe until they arose to defend their villages against the Revolutionary United Front (RUF) during the Sierra Leonean Civil War (1991-2002). The Kamajors were the largest and best organized faction of the Civil Defense Forces which were closely aligned with the Sierra Leone Peoples' Party (SLPP). They initially emerged around the towns of Bo and Kenema in the southern and eastern sections of the country.²⁹

The Kamajors succeeded in protecting the local population (initially in the south and later across most of the rest of the country as well) from the RUF and its atrocities. Armed with primitive weapons and shotguns, their intimate knowledge of the terrain and intense local support enabled them to engage small RUF patrols with great success. Eventually, the Kamajors were co-opted by the government, allied with the private security firm Executive Outcomes, and unleashed with amazing effectiveness on the RUF, almost pushing the RUF out of the country. Elements of the Kamajor militia were used to secure voting sites for the national elections in 1996.³⁰ Today, the Kamajors still exist in a much diminished form, and though their existence was always considered unconstitutional in Sierra Leone, they served a noble purpose during the civil war.

The Kamajors began their service in the civil war as a strictly local defensive element. They were loyal to tribal and village chiefs, as well as to their Kamajor chain of command. Protection, defeat of the RUF, and return of the displaced to their homes were the major reasons for the existence of the Kamajors. Initially, their operations against the RUF produced mixed results, but after being co-opted by the government, and teaming up with EO, the Kamajors were wildly successful in fighting the RUF.

3. Regional Militias

If a militia can exert influence over a recognized region (a geographic area with widely known or understood boundaries, characterized by some unique set of features-geological, ethnic, political, etc), or has aspirations and capacity to govern or control a

²⁹ Patrick Muana, "The Kamajoi Militia: Civil War, Internal Displacement, and the Politics of Counterinsurgency," *Africa Development XXII, nos 3 & 4*, 1997, 83.

³⁰ *Ibid.*, 97.

region, then it should be considered regional. It may, for instance, seek regional autonomy. It may well be more capable than the government at providing some non-security related service in its area. Once a militia can influence an area that is traditionally referred to or accepted as a region by its citizens then it ceases to be local, and should be considered regional.

EXAMPLE: Amal

Amal is the military arm of the Movement of the Dispossessed (Harakat al Mahrumin), founded in 1974 to protect the Shia (mostly Palestinian) population of southern Lebanon.³¹ During the 1980s, Amal gained tremendous influence within Lebanon, becoming the major Shia interest group in the country. In the wake of two Israeli invasions, Amal provided services for the Shia population that flooded into the suburbs of Beirut and southern Lebanon. It became very closely linked to the Council of the South, an actual government agency responsible for development in southern Lebanon. The head of the Council of the South was initially Dr. Hussayn Kana'an, a member of Amal. Kana'an used the council to rebuild schools and hospitals, replace teachers, repair roads, and provide assistance for needy families.³² Amal also elected its own parliamentary representatives from the south.

While Amal became a very popular and strong militia, its influence has faded in relation to that of Hizballah. According to Judith Harik, Amal did not possess the administrative capacity to provide services in Southern Beirut, where nearly half a million Shia came to live. Unfortunately, because the Lebanese government was slow to institute reconstruction in that area, Amal could not divert government services to its constituents. After a series of clashes with Hizballah, Amal was eventually pushed out of southern Beirut. Consequently, its influence was relegated to southern Lebanon.

³¹ Judith Harik, "The Public and Social Services of the Lebanese Militias," *Center for Lebanese Studies*, Oxford: Papers on Lebanon, 1994, 12.

³² *Ibid.*, 20.

Today, Amal still exists, although in a much diminished form from its peak strength in the mid-80s. Even so, an Amal fighter was among the first to die fighting Israeli forces during Israel's brief occupation of southern Lebanon in the summer of 2006.³³

4. National Militias

A national militia is one that has influence over such a broad segment of the population and controls such great territory that it can influence social and political affairs at the national level. It can compete with the HNG on roughly equal footing for influence over the population. The militia's constituent group considers itself representative of the nation. It may well control factions within the HNG, may seek autonomy for its people, and/or may elicit support from outside the country. In other words, the group no longer seeks protection or defense only for itself. It now seeks to influence the affairs of the state. At this point, the militia can no longer be ignored by the HNG. Some measures must be taken to engage the militia in order for the HNG to sustain its legitimacy and influence and minimize that of the militia.

EXAMPLE: Junbesh-i-Milli and Abdul Rashid Dostum

Junbesh-i-Milli (National Islamic Movement) is the political party of Abdul Rashid Dostum, the Uzbek Northern Alliance warlord who until recently was dominant in the northern region of Afghanistan.³⁴ Junbesh is a political party whose public goals are to protect minorities and establish a federalist government in Afghanistan.³⁵ It is more

³³ This point was introduced by Andrew Exum, a featured speaker at a conference on militias hosted by the U.S. Joint Forces Command, Portsmouth, Virginia, 29 January-02 February 2007. For additional information regarding the Israel-Hizballah battles waged in southern Lebanon during the summer of 2006, see Exum's work: *Hizballah at War: A Military Assessment*, Washington DC, Washington Institute for Near East Peace, 2006.

³⁴ Dostum's influence has waned since the establishment of the Afghan government, and the promotion of Atta Mohammad, Dostum's primary rival for influence in the north, as a full General in the Afghan National Army.

³⁵ On its Web page, "Insurgency and Terrorism," <http://www8.janes.com/search/documentview.do?docId=/content1/janesdata/binder/jwit>, *Jane's Online* provides an overview of numerous organizations labeled as an insurgent or terrorist group (accessed 02 May 2007).

likely, however, that the party exists to support Dostum's aims for increased autonomy for northern Afghanistan, and thus greater power over resources for the Uzbek population in that region.

Junbesh also has its own powerful, well equipped and experienced militia which played a major role in the Northern Alliance's efforts to resist the Taliban until 1997 and, in conjunction with U.S. Special Forces, ousted the Taliban from northern Afghanistan in 2001. The militia has historically received financial and material support from Uzbekistan and Russia, presumably as a hedge against Taliban encroachment on its borders.³⁶ Despite Dostum's appointment to various positions within the government, and the party's support for the government, the militia retains its arms and competes with the government, and with Jamiat-i-Islami, for influence in the north.

Dostum's participation in the government is aimed at gaining greater autonomy for himself and his forces within the five or six provinces where he has influence.³⁷ For Dostum, a stronger central government means less influence, power, and wealth for himself and his followers. Junbesh controls much of the commerce that flows through Afghanistan, including the lucrative opium trade, and collects taxes on all of the goods coming into the country from Afghanistan's northern neighbors. This is very profitable for Junbesh and naturally it wants to maintain its control over this commerce. Junbesh's militia now is less concerned with self-protection (which was its primary concern during the reign of the Taliban) than with sustaining regional power and influence for which it has to fight on the national political stage.

Currently, it makes little sense for the Afghan government to pursue Junbesh's disarmament too hastily. Dostum's nominal loyalty to Hamid Karzai assures some measure of control in the north, and amounts to one less enemy Karzai has to deal with.

³⁶ On its Web page, "Insurgency and Terrorism," <http://www8.janes.com/search/documentview.do?docId=/content1/janesdata/binder/jwit>, *Jane's Online* provides an overview of numerous organizations labeled as an insurgent or terrorist group (accessed 02 May 2007).

³⁷ For more information on warlords, Giustozzi, Antonio. "The Debate of Warlordism: The Importance of Military Legitimacy." *Crisis States Discussion Papers*. London: Crisis States Programme, 2005, provides an exceptional analysis of warlords, to include, typology and roles they play. Additional information on Abdul Rashid Dostum can be found in Ben Hwang's master's thesis, "Understanding Warlordism," (MS thesis, Naval Postgraduate School, 2007).

5. International Militias

A militia is international if its interests and influence span international borders. An international militia has its main constituency located in its territorial homeland, but it also conducts operations in other countries on behalf of perceived constituents there. It can provide and administer services to its people on a level equal to that of a state. It may even be considered a state as it seeks recognition from the international community.

EXAMPLE: Hizballah

Hizballah is probably the most widely known militia group. In fact, its status as a militia is debatable because of its sophistication and broad influence. It represents the farthest extreme along the spectrum and, with its effective organization, sophisticated methods, international influence, and lofty ambitions is a virtual state within a state. Some people call it a terrorist group; some refer to it as a political party with a military wing. Many Lebanese look to Hizballah as the de facto government.

Hizballah was formed in the early 1980s in response to Israel's invasion of Lebanon in 1982. It then consisted exclusively of Shia Muslims who were dedicated to fighting Israel and liberating Jerusalem. As the organization grew, it became deeply involved in Lebanese politics, and formed its own political wing. Today, the organization is so powerful and influential that almost no political decision is made in Lebanon without some influence from Hizballah.

Hizballah's main goal is to fight and destroy Israel.³⁸ Its interests are no longer strictly defense of a homeland. Its interests now involve the destruction of another country--Israel, and justify this as a defensive act. It also seeks the liberation of territory outside of its normal homeland. Further, Hizballah serves as an agent of the Iranian theocracy. It receives money, equipment, and arguably some training from the Iranian government, and presumably then carries out some operations in return. Hizballah has also executed numerous operations against countries other than Lebanon or Israel.

³⁸ Hizballah initially pursued the establishment of an Islamic state in Lebanon similar to that of Iran. Hizballah withdrew from that position after the Taif Accords in order to maintain its authority to attack Israel.

Hizballah agents bombed the Jewish Center in Buenos Aires in 1994 and truck-bombed the U.S. Marine Corps barracks in Beirut in 1983 and the US Embassy the following year.

Hizballah enjoys a romantic image at least among the Shia population in Lebanon. It is treated as a defense mechanism against Israeli aggression. It is also perceived, at least by the Shia population, as more legitimate than the Lebanese government. Hizballah excels at providing services to the population. It is this capacity to provide services that allowed it to usurp Amal's dominance in the Dahiya.³⁹ "Backed by millions of Iranian financial and material assistance, Hezbollah embarked on the construction of schools, hospitals, and charitable relief centers."⁴⁰ Its ability to do this in place of the Lebanese government contributes to the legitimacy of the organization, and discredits the Lebanese government.

Hizballah is organized into political and military wings. Its military wing is well known to the West, and has become an effective force in fighting guerrilla style campaigns. Its mitigated success in the summer 2006 war with Israel increased its credibility immensely. The political wing, however, also grants Hizballah legitimacy within the government and among disinterested parties within the population. Political participation is evidence that Hizballah recognizes what it must do to ensure the protection of its interests and goals. Merely continuing its resistance to Israel will not guarantee the attainment of its goals. When Hizballah was guaranteed its autonomy after the Taif Accord, it became a player on equal terms with the Lebanese government. While it had to sacrifice or postpone one of its founding pillars (that of establishing an Islamic state in Lebanon), it guaranteed its continued existence on the world stage. Through continued backing from Iran and Syria, and through continued political participation, Hizballah may eventually even achieve its goal of establishing an Islamic state through legitimate means.

³⁹ Harik, 22.

⁴⁰ Bryan R. Early, "Larger than a Party, Yet Smaller than a State: Locating Hezbollah's Place within Lebanon's State and Society," *World Affairs*, Winter 2006; 168; 3, 120.

Without question, Hizballah is an international actor. It has international backing, international goals, and has executed operations in foreign countries. It provides services roughly equivalent to those of the Lebanese government, and enjoys greater legitimacy among the Shia population than the government. Therefore, it must not be dealt with as if it is *merely* a terrorist group. The Lebanese government lacks the capacity to confront Hizballah militarily. It must engage Hizballah in some other fashion to erode its legitimacy, and bolster its own instead.

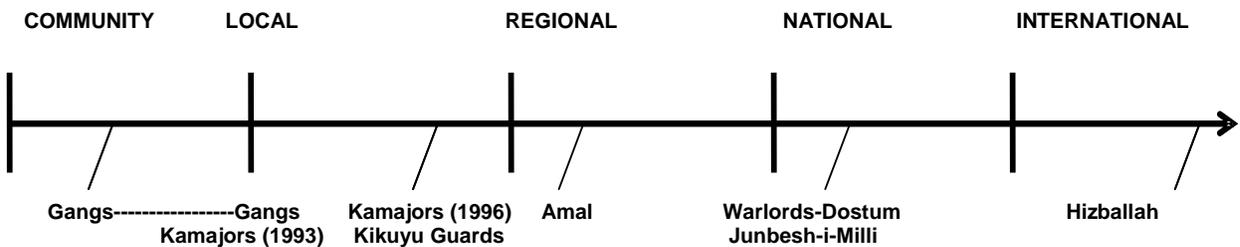
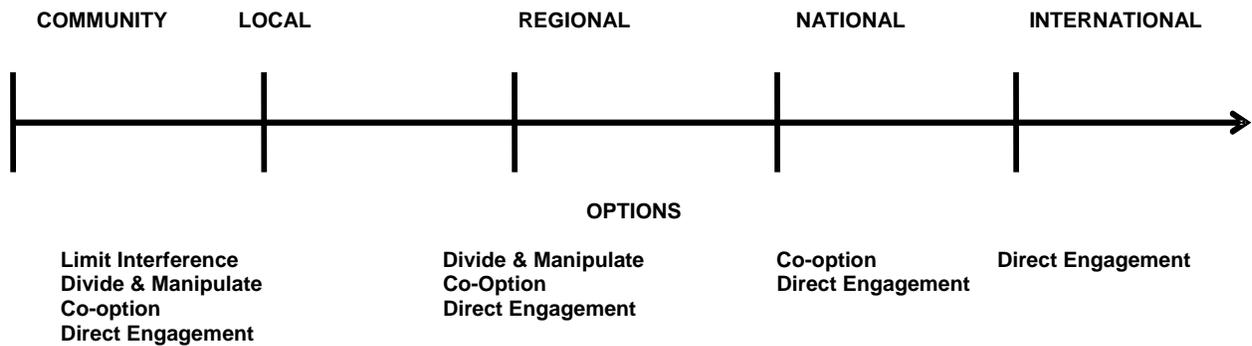


Figure 1 Spectrum of Influence.

B. OPTIONS AVAILABLE

Prior to developing courses of action to deal with militias, the U.S. should consider its long-term goals as well as constraints and limitations. The capacity of the HN will ultimately decide the feasibility of one option over another. The options presented below are in no way all-inclusive and can be integrated in combination with one another. Our premise is that U.S. policymakers need a method by which to decide whether to work with or against a specific group. Being able to fit militias along the “spectrum of influence,” should help determine this, along with taking into account other particularities, to include the militia group’s human rights record, involvement in criminal activities, etc.



*As a militia gains influence, its capacity to challenge the HNG also increases. The ability of a militia to challenge the HNG generally limits the options available to the HNG. Additionally, the HNG must consider its own capabilities to support the selection of a particular option. By default, the U.S. assumes responsibility for shortcomings possessed by the HNG.

Figure 2 Spectrum of Influence and Options Available to the HNG

1. Option One-Limit Interference

The first option is to limit interference with militia groups. This option is suitable for situations where the U.S.’s immediate interests are low, the HNG has limited capacity to exert coercive authority, and local militias demonstrate that they are capable of governing their own people in an acceptable manner. This particular option might be especially preferable when militia groups are incapable of projecting violence and are more interested in immediate protection of their population and resources. By limiting interference and using positive incentives to encourage responsible internal security, the U.S./HNG can use the militia as a stop-gap prior to the phased introduction of HN governance.

Initial U.S.-led efforts in Operation Restore Hope (09 December 1992- 04 May 1993) sought to end a Somali famine resulting from factional fighting. The U.S. recognized the lack of a Somali government and prioritized its efforts to accomplish immediate goals. The U.S. focused on providing humanitarian assistance and not “taking sides among the several Somali factions and on avoiding confrontation and long-term animosity, which would have interfered with the achievement of their goals [famine

relief] and increased the possibility of casualties.’⁴¹ The U.S. understood the need to work with warlords and to include them in any long-term efforts to promote governance. Upon taking the lead from the U.S., the UN strove for a more conformational approach. The UN placed greater emphasis on disarmament at the expense of stability, imposed its views of governance on the Somali people, and marginalized many of the warlords. Many marginalized warlords, to include the infamous Farah Aideed, then took offense at the new strategies enacted by the UN and responded with violence.

Ultimately, the UN’s efforts to disarm the Somali factions were initiated prematurely, without appreciation of secondary effects. The pragmatic approach taken by the U.S., led by Ambassador Robert Oakley, seemed to offer a better alternative than forced confrontation. Nation-building requires patience and the option of limited interference provides this.

2. Option Two-Divide and Manipulate

The second option is for the U.S./HNG to pursue a strategy of promoting divisions within the militia groups. A weak HNG, assisted by the U.S., might utilize this option as a means to buy time to strengthen a fledgling government. This option involves exploiting fissures between factions as a means to weaken the power of the group as a whole and lessen its potential to threaten the HNG. Militias are often composed of different groups that are not always permanently aligned. Rivalries are often temporarily overlooked in order to deal with immediate external threats and when the cohesion-building external pressures are removed, the differences re-surface. When possible, the U.S./HNG might overtly or covertly exploit frictions present within a group as a means to

⁴¹ John L. Hirsch and Robert B. Oakley, *Somalia and Operation Restore Hope: Reflections on Peacemaking and Peacekeeping*. (Washington D.C.: United State Institute of Peace Press, 1995), 51. This book provides a detailed account of US efforts in Somalia and how many US planners, to include Robert Oakley, President Bush’s special envoy, recognized the importance of obtaining local support for government-building efforts. Though well-intentioned, any efforts to impose governance should only be attempted with the understanding that the locals possess the ability to disagree, often through the use of violence.

prevent a combined, synergistic relationship from forming.⁴² This option, combined with co-option, can be an effective method by which to force groups to enter into relations with the HNG and to counter the potential of their rivals to do the same.

The British policy of “divide and rule” used in India, as well as Central Asia, proved especially efficient in preventing unification among different groups, thereby lessening the risk they posed to British rule. Through the use of “divide and rule,” the British were able to take advantage of frictions that existed between different religious and ethnic groups. Though often viewed negatively, British efforts did prove especially effective as a means to prevent India from revolting and it is argued that the British did not create, but only “made use of dissension that already existed.”⁴³

3. Option Three-Co-option

The third option entails the co-option of militia groups into the activities of the legitimately recognized government. This option assumes the HNG possesses sufficient influence and the capacity to enlist a militia on its side. This option seeks to incorporate militias as stakeholders in the affairs and the ultimate success of the HNG, but it also creates the potential for serious political repercussions if the militia pursues selfish aims or assumes greater influence than the state. Co-option cannot be used if the U.S./HNG lacks the capability to punish or coerce. The intent is to absorb militias into the HNG as a means of transferring members’ loyalty to the HNG and not the other way around. It is important to recognize that co-option does not automatically require absorbing militias into the HNG, but ties long-term dividends to their working *with* and not *against* the HNG.

An example of the simple use of co-option would be as follows: a HNG presents a militia leader with humanitarian assistance material to distribute in his region. The HNG officially allows the militia to oversee distribution, therefore granting greater legitimacy

⁴² For more on this topic, Joseph S. Peterson’s thesis, “Exploiting Tribal Networks through Conflict” (MS thesis, Naval Postgraduate School, 2006), presents the need for U.S. leadership to develop and implement strategies that include “manipulating tribal fractures and rivalries” in ungoverned regions.

⁴³ Robert Aura Smith, *Divided India*, (New York: Whittlesey House, 1947), 381, <http://www.questia.com/PM.qst?a=o&d=3843062> (accessed 26 April 2007).

to the militia. However, the HNG actions do not come without strings attached. The HNG requires the militia group to allow U.S./HNG observers to monitor distribution and, through the use of information operations, disseminates to the populace the ultimate source of the assistance. Conceivably, armaments might also be given the militia. Security assistance, coupled with humanitarian aid, might prove just the right combination of incentives to gain loyalty and trust for the HNG. The goal is long-term dilution of loyalties to the militia by slowly redirecting people's reliance from the militia group to the HNG. Unfortunately, this option of supplying arms and legitimacy is often used prematurely by governments without giving thought to negative secondary effects. If done haphazardly, it is quite possible for a HNG to actually increase the threat posed by some militia groups.

British counterinsurgent efforts in Oman during the early 1970s demonstrate how loyalty towards a HNG requires the investment of time and resources. British forces battling Marxist rebels in remote regions of southern Yemen co-opted local tribesmen into supporting the HNG. Local *firqats* (forces), organized on a tribal basis, were granted responsibility for the security of assigned areas. Though the *firqats* were considered difficult to work with and not always loyal to the HNG, "they became an effective territorial home guard, driving a wedge between insurgents and [the] people."⁴⁴ Prior to their use by British and Omani forces, the *firqats* were required to pledge loyalty to the HNG. Through the use of *firqats* working in conjunction with their British advisors, counterinsurgent operations were extremely effective; however, the loyalty of the *firqats* was earned by making them stakeholders in their own region's future.

Through the implementation of civic action and, especially with the construction of water wells, the British-led efforts got many rebels to defect and join the *firqats* and the HNG. When one rebel was asked why he switched loyalties and joined a government-sponsored *firqat*, he pointed to demonstrated investments by the HNG as a

⁴⁴ Ian F. W. Beckett, *Modern Insurgencies and Counter-Insurgencies: Guerrillas and Their Opponents since 1750*, (New York: Routledge, 2001), 228, <http://www.questia.com/PM.qst?a=o&d=107424586> (accessed 24 April 2007).

rationale for support, “You would not have any *firqats* unless the people supported them and you would only have that support if the rumors of progress and development I have heard are true.”⁴⁵

4. Option Four-Direct Engagement

The fourth option is for the U.S./HNG to directly confront and/or engage the militia group in order to establish power over it. This option is suitable for dealing with militias that can provide services comparable to or greater than those of the central government, and that directly challenge the central government for influence over the population. In a fashion similar to co-option, direct engagement might include political inclusion, but can also involve direct military confrontation when warranted. Applying this option assumes the HNG has the influence, political will, and coercive means to either compete with the militia militarily, or can endure the inevitable compromise that comes with its inclusion in the political process. If inclusion involves compromise to a degree that is unacceptable to the HNG or its support base, then coercive measures may be appropriate. The dangers in integrating factional leaders into the government before the HNG is capable of ensuring compliance can lead to long-term struggles. We see this in the current Iraqi government’s struggles with political groups that have their own militias, and in the direct engagements between coalition forces with militias loyal to Moqtada al-Sadr. Fortunately, HNG efforts to absorb militia leaders have been slightly more effective in Afghanistan.

Afghan President Hamid Karzai is in the unenviable position of having to live by the Sun-tzu adage, “keep your friends close, and your enemies closer.” Through appointing many militia leaders to the central government, President Karzai creates stakeholders in the future of his government. Militia leaders, such as Ismail Kahn, Abdul Rashid Dostam, Atta Mohammad, and others, have been assigned roles in President Karzai's administration in order to marginalize their power. Though self-interest no doubt remains a motivator for their joining the central government, President Karzai's

⁴⁵ J. Paul De B. Taillon, *The Evolution of Special Forces in Counter-Terrorism: The British and American Experiences*, (Westport, CT: Praeger, 2001), 34, <http://www.questia.com/PM.qst?a=o&d=107161673> (accessed 02 May 2007).

efforts allow key militia leaders to be moved away from their regional power bases. Smaller militias remain throughout Afghanistan, but the ability of the largest regional leaders to muster unified support in their areas of influence has been somewhat diluted. Problems and threats to the Afghan government created by the inclusion of warlord-politicians persist, but Karzai's strategy appears to be successful in buying time for his administration by reducing the potential of some warlords to agitate regional revolt.⁴⁶

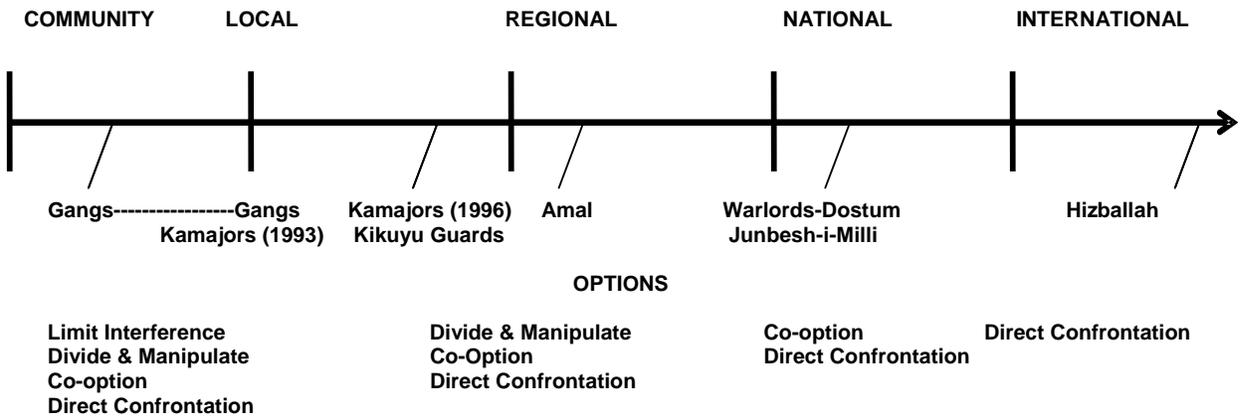


Figure 3 Spectrum of Influence and Options, with Examples

⁴⁶ Kenneth Katzman, "Afghanistan: Post-War Governance, Security, and U.S. Policy," *Congressional Research Service Report for Congress*, 26 April 2007, 11.

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IV. A ROLE FOR MILITIAS IN U.S. NATION-BUILDING EFFORTS???

The army is still weak and the police are worse. Until the government can provide security, no one will feel secure enough to turn over their weapons. It's very frustrating.⁴⁷

- Shuhei Ogawa (Japan's UN-Afghan DDR liaison)

A. CHALLENGES TO NATION-BUILDING

Nation-building, formerly a mission avoided by the military, is now a central facet of U.S. policy. The Department of Defense emphasizes the establishment of governance through its Stability, Security, Transition, and Reconstruction (SSTR) strategy. DOD Directive 3000.05 promotes the concept of SSTR and tempers the U.S. military's focus on the destruction of enemy forces with the more difficult task of "winning the peace." Stability operations are conducted to help establish order that advances U.S. interests and values. The immediate goal often is to provide the local populace with security, restore essential services, and meet humanitarian needs. The long-term goal is to help develop indigenous capacity for securing essential services, a viable market economy, rule of law, democratic institutions, and a robust civil society.⁴⁸

The UN is the organization with the greatest experience in nation-building, measured both in successes and failures. The UN has identified three "security gaps" that hinder its efforts to nation-build. These include an inability to deploy adequate forces for immediate security, incapacity to enforce security for the long-term, and an inability to adequately establish indigenous governmental capacities to assume responsibilities of

⁴⁷ David Zucchino. "Democracy in the Balance," *The Los Angeles Times*, 18 November 2006. <http://www.latimes.com/news/nationworld/world/la-fg-ministers18nov18,0,2181551,full.story> (accessed 12 April 2007).

⁴⁸ *Department of Defense Directive 3000.05*, 28 November 2005, paragraph 4.2.

security.⁴⁹ The gaps identified by the UN are by no means isolated to multinational efforts, but affect U.S. operations in both Afghanistan and Iraq and will likely remain challenges to any future nation-building endeavors. In addition to experiencing challenges posed by these security gaps, the U.S. shares an additional challenge with the UN: how to control local armed groups.

Differentiating among militia groups by recognizing the local roles they serve in relation to the challenges they pose to a developing HNG could go a long way to helping calculate how to redress security gaps. It is easy to label indigenous populations either pro or anti-government, but to do so glosses over and ignores potential splits within communities. It could be that families, tribes, or ethnicities only come together in the face of an external threat, but otherwise these groups would not remain either unified or necessarily permanently pro or anti-government. When confronted by a threat, most militia groups will seek relations with or against the HNG based on what is in their best interests. In dealing with militia groups, both the U.S. and HNG should assume allegiances are based on self-serving motivations. When working with militia groups, it is always important to remember that even within these groups, loyalties are often temporary and require steady reinforcement, both positive and negative.

Before considering the use of militias to facilitate U.S. nation-building efforts, it is necessary to appreciate two major challenges that affect U.S. operations. One, a domestically-driven constraint, is the difficulty faced by the U.S. in conducting operations of long duration. The second, driven by indigenous factors, is the side effects created by the introduction of U.S. forces into environments that require nation-building.

B. NATION-BUILDING REQUIRES LONG-TERM INVESTMENTS

All three “gaps” identified by the UN appear to plague U.S. efforts in both Iraq (OIF) and Afghanistan (OEF). Accusations persist that the U.S. did not provide forces adequate to prevent lawlessness and violence. Additional accusations target the lack of foresight in predicting and resourcing the efforts for long term success. The initial

⁴⁹ Nina M. Serafino, “Policing in Peacekeeping and Related Stability Operations: Problems and Proposed Solutions.” *Congressional Research Service Report for Congress*, 30 March 2004, 8-9.

combat victories of OEF and OIF led many to believe that large numbers of forces were no longer needed and effective use of technology could be a viable substitute. Initially lauded as an incredible success, “The Rumsfeld doctrine emphasizing high technology, special operations units, and sheer brainpower to defeat future foes” presented critical weaknesses for operations of lengthy duration.⁵⁰ It turns out that what is really needed is the quick establishment of security if there is to be a transition to long-term stability efforts, and this in turn requires a large investment of resources, both in personnel and material.

C. DOMESTIC PRESSURES AFFECT NATION-BUILDING EFFORTS

Recent experiences in Iraq have demonstrated that efforts to conserve initial resources led to the need for even greater investments over time. With worsening conditions, the tendency is to then keep increasing the number of personnel to reestablish levels of security previously lost, as can be seen in the recent “surge” in U.S. forces sent to reestablish previous levels of security in and around Baghdad. The increase in U.S. forces sent to Iraq has been accompanied by requests for additional forces to deal with a resurgent Taliban in Afghanistan.⁵¹ In both countries, greater troop numbers are being sought to improve the security situation. Unfortunately, this is posing a major strain on the U.S. military. Andrew Krepinevich concluded in a 2006 study “that the Army cannot sustain the pace of troop deployments to Iraq long enough to break the back of the insurgency.”⁵² A year after Krepinevich's report, there has been no respite for the military and forces in both theaters are not only growing in numbers, but are facing extended tours of duty.⁵³

⁵⁰ Michael E. O'Hanlon, "Operation Iraqi Freedom and the Future of the US Military (Iraq Memo #17)." *Brookings Institute*, 19 June 2003. www.brookings.edu/views/op-ed/ohanlon/20030619.htm (accessed 16 February 2007).

⁵¹ Peter Baker, "Additional Troop Increase Approved." *Washington Post*, 11 March 2007. <http://www.washingtonpost.com/wp-dyn/content/article/2007/03/10/AR2007031001397.html> (accessed 11 April 2007).

⁵² Cucullu, Gordon, "The Iraq Surge: Why It's Working..." *New York Post*, 20 March 2007. http://www.nypost.com/seven/03202007/postopinion/opedcolumnists/why_its_working____opedcolumnist_s_gordon_cucullu.htm?page=0 (accessed 11 April 2007).

⁵³ Baker.

As politicians debate the effectiveness of surging more forces into both theaters, some signs of optimism are cautiously offered. While walking down the streets of Ar Ramadi, a notorious hotbed of insurgent activities, the commander of U.S. efforts in Iraq, General David Petraeus, recently pointed out that greater force numbers and tactics are working, “Once the people know we are going to be around, then all kinds of things start to happen.”⁵⁴ It is yet to be seen whether U.S. strategies in Iraq and Afghanistan will succeed, but General Petraeus' strategy, like the security gaps identified by the UN, requires a long-term investment, one the U.S. public appears to be losing interest in supporting. A recent USA Today/Gallup poll conducted in March 23-25, 2007 reported that nearly 60% of those questioned believed a timetable should be set to remove most U.S. troops from Iraq by September 2008.⁵⁵ It is fair to believe that war strategies should not be based upon polling data. However, reality demonstrates the difficulties faced by politicians and military leaders in maintaining public support of long-term operations that use large numbers of forces, both of which are required for successful nation-building.

Nation-building not only entails an initial heavy investment of resources and troops to stabilize and secure an environment, but it takes time to rebuild and consolidate HNG capacities. The task of building a HNG capable of assuming the burdens of governance in a timeframe that does not see the erosion of public support is daunting. Current and future U.S. nation-building efforts will more than likely remain centered on developing western-style governments, an almost overwhelming task, especially considering how few historical successes there have been. Though nation-building does not always require fighting against an insurgency, efforts to establish governance in environments with insurgent threats offers us a way to gauge likely security requirements.

RAND mathematician James T. Quinlivan has studied British counter-insurgent efforts in both Northern Ireland and Malaya, as well as international stability operations

⁵⁴ Cucullu.

⁵⁵ On the Web site, <http://www.pollingreport.com/iraq.htm>, *PollingReport.com* lists numerous polls updated weekly. The USA Today/Gallup Poll cited in this thesis was conducted 23-25 March 2007. The poll questioned 1,007 adults polled nationwide with a margin of error reported at +/- 3% (accessed 11 April 2007).

in Kosovo. Quinlivan calculates that it takes from one to four security personnel (military and/or police) per every thousand inhabitants in peaceful environments, to as many as twenty per thousand in more troubled regions. Additionally, Quinlivan further explains that successful stability efforts are long-term in nature and require the rotation of security forces at an optimal ratio of five personnel at the ready (not deployed) for every one member serving in a security role (deployed). Based on his calculations, Quinlivan describes how Iraq alone would require 500,000 service members and a standing force of roughly 2.5 million; the numbers for Afghanistan are even more staggering when its much larger population is taken into consideration.⁵⁶

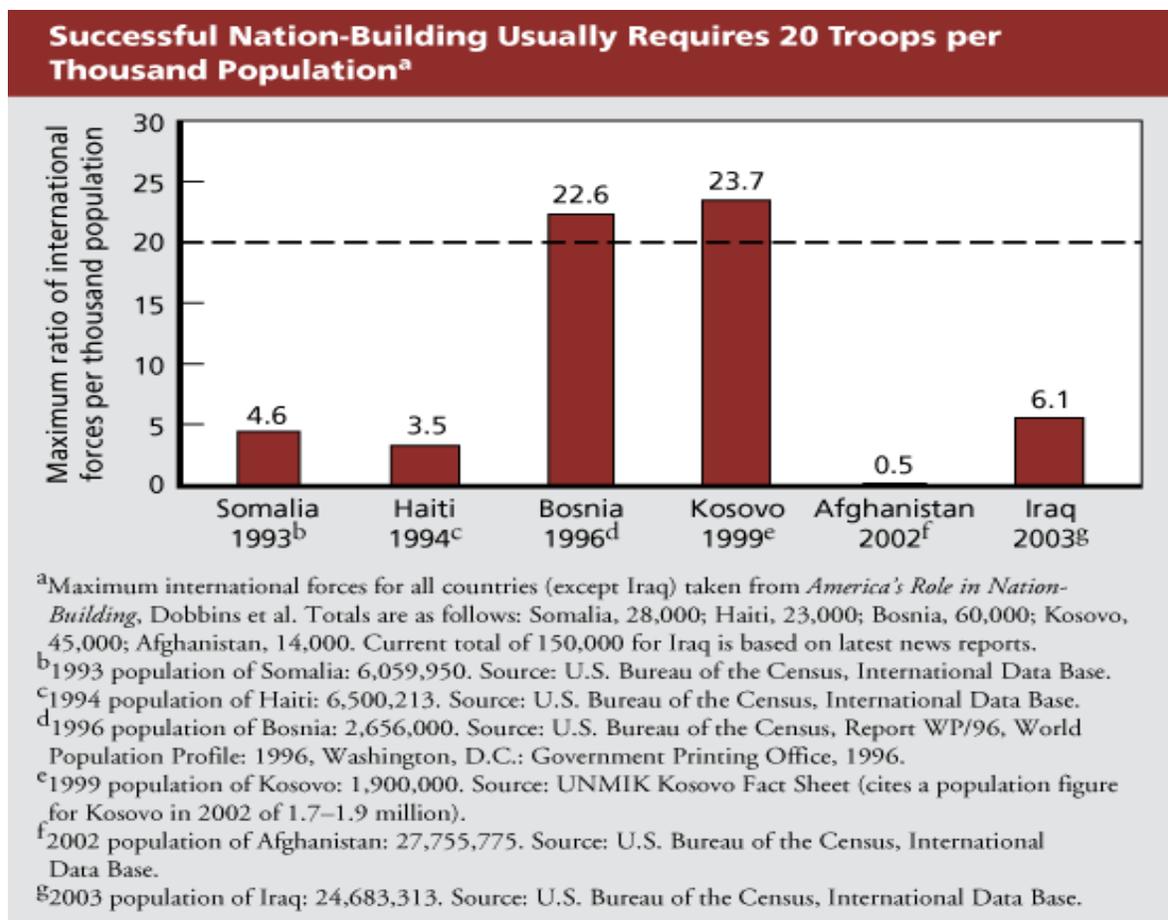


Figure 4 Quinlivan's depiction of force ratios required for nation-building.⁵⁷

⁵⁶ James T. Quinlivan, *Burden of Victory: The Painful Arithmetic of Stability Operations*, (Santa Monica: RAND, 2003). <http://www.rand.org/publications/randreview/issues/summer2003/burden.html> (accessed 02 December 2006).

⁵⁷ Ibid.

Mathematical calculations by themselves are not an adequate predictor of the success or failure of strategies, but they do serve as indicators of constraints that must be considered by policy-makers prior to initiating stability and security operations. Political and military leaders face a paradox that challenges them to weigh the chances of success against the need to pace their efforts. Larger numbers of forces might increase the likelihood of success, but the greater investment in financial, military and even political capital tends to shorten the length of time allocated for success. As evident in both current and past military endeavors, domestic support tends to diminish the longer violence ensues. With greater losses in both manpower and finances, populations tend to grow restless and question the merit of deploying forces to deal with issues outside their homeland. On the other hand, deploying too small a force might delay or even lessen the chance of victory, but could provide policy-makers a greater period of time in which to implement long-term strategies. Regardless of the strategy chosen, policymakers and military leaders are put in the unenviable position of demonstrating and measuring success against the resources invested--time and manpower.

D. THE UNINTENDED CONSEQUENCES OF U.S. INVOLVEMENT

Accepting the premise that nation-building requires adequate forces to guarantee security, it is also critical that policymakers realize that shortcomings in a HNG's capacity to fulfill government responsibilities will be inherited by the U.S. An unfortunate side effect often created by increased U.S. involvement is the development of an over-reliance on U.S. forces and resources by a HNG. A major consequence of U.S.-led efforts in nation-building is the tendency for the efforts to become more American and less host nation. With a greater U.S. presence, there begins to be an appearance of occupation and this leads the local populace to question the nature and legitimacy of the HNG. Different local groups, with local influence and power at stake, can mobilize their population against U.S. efforts and those of the HNG. In an effort to quell resistance or challenges, additional forces are then introduced and the population is further alienated. As we can see in case after case, external forces, however well-intentioned, become a catalyst for armed resistance against what is deemed to be an external threat. Increases in

violence lead to greater force requirements, leading to greater resistance... a vicious and unfortunate cycle that often plagues nation-building and one with which the U.S. has become familiar.

The U.S., like the UN, has accepted the premise that the best means of nation-building is to remove the capacity of groups that threaten or might threaten the HNG. However, in doing so, an external actor is often challenging the local authorities best able to maintain a baseline of security in the absence of a HNG presence. Though often necessary, the removal of armed groups should *not* be a default strategy. Actions against armed groups should be based on their actual challenges to governance, and not just their potential to do so. The desire for action by the U.S. and HNG should likewise be balanced against their own actual capacity to maintain their efforts over the long-term and to follow through. Also, when U.S. and HNG efforts include policies that threaten the very identity of some local groups this can actually produce greater resistance. As mentioned earlier, external threats are often the greatest catalyst for unifying groups that feel they must protect their way of life.

The strategy of disarmament, demobilization, and reintegration (DDR) is one example of how external actors can both pose such a threat and oversimplify a complex issue. The U.S. and UN both view DDR as an immediate means to bolster legitimacy for a HNG, but often do so at the expense of alienating local groups.

E. GOOD INTENTIONS GONE WRONG

1. DDR and DIAG

A major drawback of U.S. and UN nation-building efforts is to immediately apply DDR as a default methodology for achieving stability. Instead of implementing a more modest “oil spot strategy,” which could introduce DDR to areas where the HNG is most capable of maintaining long-term security responsibilities, the actions are often projected

to areas where the potential dangers are greatest and HNG capabilities are least robust.⁵⁸ The haphazard effort to project DDR too soon creates environments where the introduction of anything externally generated, especially in the form of disarmament efforts themselves, fuels resentment and violence against the government. Additionally, DDR without a strong HNG creates openings for even greater challenges to the HNG when more developed and cohesive militias respond to greater government involvement in their regions. In these cases, security gaps will be filled by insurgent groups that exist as a direct reflection of government incapacity.

The basis of DDR is sound. The HNG, supported by external aid, removes excess weaponry, dismantles illegal armed groups, and then offers alternative means of livelihood. In order for the aims of DDR to be met, however, the HNG must possess the means to enforce DDR initiatives, both positively and negatively. The HNG must possess the capacity to compel adherence to disarmament, and demobilization efforts and the prospects of alternative employment must be maintained for the duration required to change the micro-economies that exist in weak and failing states. Adding to the difficulties of DDR is the requirement that the HNG take over security that the disbanded armed groups provided. Often using a combination of coercion and benevolence, local militias provide protection and dispute-settlement capabilities beyond the reach of the HNG. Significantly, it is in the regions outside actual government influence where DDR is promoted and it is in those same remote regions where the HNG faces the greatest difficulties in establishing legitimacy.

The success of DDR in areas beyond the reach of the HNG depends on the willingness of the population to share or divert its loyalties to an external entity, one that offers them few benefits. Again, the concept of DDR is well intentioned, but assumes that the local population is willing or capable of granting legitimacy to a HNG at the expense of its own safety. For instance, DDR efforts in Afghanistan implemented under the UN's Afghanistan's New Beginnings Program (ANBP):

⁵⁸ Andrew F. Krepinevich, "How to Win in Iraq," *Foreign Affairs*, September/October 2005, <http://foreignaffairs.org/20050901faessay84508/andrew-f-krepinevich-jr/how-to-win> (accessed 13 April 2007).

... had two main goals: to break the historic patriarchal chain of command existing between the former commanders and their men and to provide the demobilized personnel with the ability to become economically independent - the ultimate objective being to reinforce the authority of the government. However, DDR was never mandated to disarm the population per se or provide direct employment but to assist AMF military personnel to transition from military into civilian occupations.⁵⁹

From ANBP's start in April 2003 through its reported successful completion in June 2006, "DDR supported the disarmament of 63,380 former officers and soldiers of the Afghan Military Forces (AMF) as well as the decommissioning of 259 AMF units."⁶⁰ In addition to its demobilization and disarmament efforts, ANBP also claims to have reintegrated 53,415 former AMF members, to include hundreds of local commanders and even Ministry of Defense Generals.⁶¹

With DDR completed, the ANBP transitioned its efforts to supporting the Disbandment of Illegal Armed Groups (DIAG), a danger the Afghan government identified as an immediate threat to its ability to govern:

The disarmament and demobilization element of the DDR process is now complete and we must tackle the disbandment of non-statutory and illegal armed groups. These illegal armed groups, and there are far too many, pose a threat to good governance generally, and more specifically to the extension of the rule of law and the writ of the central government into the provinces.⁶²

Though DDR was officially concluded by the ANBP in 2006, "remnants of the AMF as well as groups which had never joined the AMF were declared illegal" (Afghan

⁵⁹ On its Web site, <http://www.undpanbp.org/Overview/factsheet.htm>, the UNDP presents its accomplishments associated with the Afghanistan's New Beginning Programme (ANBP), (accessed 14 January 2007).

⁶⁰ Ibid.

⁶¹ UNDP, <http://www.undpanbp.org/Overview/factsheet.htm> (accessed 11 April 2007).

⁶² Disarmament of Illegal Armed Groups (DIAG), on its Web site, <http://www.diag.gov.af/history.htm>, presents Dr. Zalmay Rassoul's (National Security Advisor of the Islamic Republic) address to the ISAF PRT commanders at a conference on 6 November 2005. Quoted from, United Nation's "Disarmament of Illegal Armed Groups (DIAG) Final Strategy," dated January 26, 2006 (accessed 13 April 2007).

Presidential decree 50, July 24, 2004).⁶³ The ANBP's transition from DDR to DIAG in an effort to quell violence actually fed, and continues, a cycle of violence since the concept of a centralized government runs counter to with the societal norms of many localized communities, and this is most evident in the efforts to disarm. The Afghan law on Fire Weapons, Ammunitions and Explosive Materials (FWAEM) states, "The government has sovereignty over those fire weapons, ammunitions and explosive material which are existing [sic] in this country. Other persons and authorities without legal permission have no right to produce, import, export, gain, use and keep them."⁶⁴

In the effort to promote stability, the Afghan government's attempt to register and confiscate weapons will likely backfire. In many remote regions of the country, armed groups existed before the central government's establishment and individuals view weapons ownership as a personal right. Implementation of both DDR and DIAG, though well-intentioned, has focused governmental efforts toward eradicating possible threats before developing a capacity to fill whatever positive roles the armed groups might have played in protecting locals from brigands, crime, and any other threats to their security. By starting with the disarmament of former military members of the Afghan Military Forces (AMF), who were not integrated into the newly formed national army, the government created a security gap that it could not fill; furthermore, in doing so, it short-circuited its ability to influence the actions of those it had demobilized. Upon implementation of the DIAG program, the HNG vilified members of many of the very same AMF groups that had lent it important support previously. In a short period of time, many localized militias throughout Afghanistan went from being government-sanctioned military forces to outlaws, a policy shift that continues to haunt efforts to legitimize government across the country. In fact, many of these local groups now view the Afghan central government as worse than just an impotent organization; they consider it a direct threat to their very existence.

The UN and Afghan government have ostracized the local populace by designating all armed groups outside HNG control to be illegal. According to the Afghan

⁶³ DIAG.

⁶⁴ Ibid.

government, “An illegal armed group is understood to be a group of five or more armed individuals operating outside the law, drawing its cohesion from (a) loyalty to the commander, (b) receipt of material benefits, (c) impunity enjoyed by members, (d) shared ethnic or social background.”⁶⁵ Once so many armed groups in Afghanistan have been stigmatized as illegal, the ability to develop any positive influence by the U.S. and Afghan government is lost. The very populations the government seeks assistance from in its efforts to eradicate insurgent threats now view the government in a less than favorable manner. Though many positive contributions have been made by DDR efforts, they are truly far from “successful.” The reality on the ground paints a different picture, with many areas of the country drifting back to being controlled by insurgent forces. The Afghan Independent Human Rights Commission claimed in August 2006 that the Taliban insurgency has “psychological and de facto military control of nearly half of Afghanistan.”⁶⁶

The deteriorated security situation in Afghanistan should not be blamed solely on DDR efforts, but some blame is warranted. Successful nation-building requires the population to identify with the HNG and believe that it is capable of fulfilling the tasks of basic governance. Legitimacy of a government is not given, but is earned through demonstrated performance of actions that the population believes enhances or protects its well-being. Even strong, functioning governments find it necessary to maintain the loyalty of their populations in this way or they risk having to rely on coercion. Like the governments they sometimes challenge, leaders of militias are required to deliver benefits to their constituents as well, and cannot rely on coercion alone to maintain loyalty; furthermore, to do so jeopardizes their legitimacy and makes them susceptible to

⁶⁵ DIAG. According to the United Nation’s “Disarmament of Illegal Armed Groups (DIAG) Final Strategy,” <http://www.diag.gov.af/history.htm>, dated January 26, 2006. “An illegal armed group is understood to be a group of five or more armed individuals operating outside the law, drawing its cohesion from (a) loyalty to the commander, (b) receipt of material benefits, (c) impunity enjoyed by members, (d) shared ethnic or social background.

⁶⁶ Kamran Bokhari, “Taliban Psyops: Taking the Fight Abroad,” *STRATFOR*, 01 November 2006. http://www.stratfor.com/products/premium/read_article.php?id=279640, (accessed 13 April 2007).

removal. The promotion of DDR in regions where the HNG is incapable of improving security and economic opportunities invites exploitation by militias that can, and often do, fill the security gaps thereby created.

An obvious, but unfortunate side-effect of well-intentioned DDR efforts has been to replace some semblance of security with none. At the time of ANBP's DDR program, the Afghan government lacked the coercive capacity to monopolize the use of violence and often relied on AMF/militia groups to fill this role. Though not always effective to the degree desired, AMF organizations (often with U.S. assistance) did grant the central government some space to influence and control actions in many regions beyond its immediate reach.

2. Either Friend or Foe: Security and Stability Does Not Mean COIN

When viewed through the lens of COIN (counterinsurgency), all players are potential insurgents. Following the violent actions of 9/11, the U.S. GWOT strategy has been aggressive toward both terrorist organizations and the sanctuaries that provide them support. Ongoing efforts in both Afghanistan and Iraq have demonstrated the military's exceptional prowess at rooting out and destroying threats, but we've also come to better appreciate the difficult nature of security operations and how unintentional consequences might derail strategy. In both countries, the U.S. military finds itself involved in complicated struggles with insurgent forces that use violence with the intent to destabilize and ultimately overthrow the U.S.-supported HNG. The high levels of attention paid to the military's combat actions in Iraq and Afghanistan have led to the unintended consequence that most planners now view stability operations as synonymous with COIN.

Based on the need to identify threats to the U.S. and HNG, military efforts generally categorize the populace according to the insurgent threat they pose. Insurgents seek to remove the government; those who are pro-government seek to protect it; and those outside of these two categories make up the group the other two seek to influence. But again, reality paints a much more complicated picture. Generally, the government and its survival or removal is a far more remote concern for the local populace than

protecting their way of life. Viewing the populace in a simplified manner may assist COIN policies, but does little to address underlying issues oriented towards immediate local defense and security.

In COIN operations, the government is dedicated toward establishing its legitimacy in the eyes of the populace; this requires a stable and secure environment. The new COIN manual, FM 3-24 (December 2006), defines militias as “extragovernmental arbiters of the populace’s physical security” and categorizes them as threats to host nation governments.⁶⁷ While recognizing the role militias play in providing security, the US military describes this role in a manner that makes them appear to be diametrically opposed to the goals of the HNG. Based on DOD’s purely negative categorization of militias, a prescription for removal is then given:

Militias sometimes use the promise of security, or the threat to remove it, to maintain control of cities and towns. Such militias may be sectarian or based on political parties. The HNG government must recognize and remove the threat to sovereignty and legitimacy posed by extragovernmental organizations of this type.⁶⁸

U.S. COIN efforts focus on the removal of the threat posed by armed groups that offer potential challenges to the HNG. But again, as with the UN, U.S. efforts to disarm create gaps in security that the HNG is incapable of filling. This ultimately leads to lawlessness and its accompanying violence. In these tumultuous environments, U.S. forces take over stability and security with unfortunate side effects. The HNG often willingly grants the U.S. the lead on its own COIN efforts, which further diminishes the HNG’s legitimacy in the eyes of the populace. The population either becomes increasingly dependent on U.S. or outside aid rather than the services of the HNG, or worse, the perception of the U.S. as an occupying force serves to motivate dissension against the HNG.

While the actions of local irregular forces (militia groups) and the HNG do invariably affect each other, they should not be viewed as zero sum. Activities that

⁶⁷ *Department of the Army, FM 3-24, Counterinsurgency*, (Washington, DC: U.S. Government Printing Office, 2006), 1-9.

⁶⁸ *Ibid.*, 1-9.

benefit one side do not always come at the expense of the other. In a COIN environment, a secure population might in fact hinder insurgent activities and this would serve as a force multiplying factor for both the U.S. and HNG. Also, though local militia groups might not support the HNG, their neutrality might be preferable to hostility and, in the long-term, stability might provide a more conducive environment for the introduction of improved governance. Indeed, it might not only be possible but prudent to incorporate some militias as a prophylaxis against actual insurgent forces. Sometimes the best strategy for countering insurgents is to lessen the HNG's need for external forces and to rely more on local, non-governmental security mechanisms--a strategy that might be gaining acceptance in Iraq.

In a March 2006 *Washington Post* article, John Ward Anderson describes how tribal leaders in the restive region of Anbar province formed militias as a means to combat insurgents. One tribal sheikh is quoted as saying that U.S. military officers helped militias "with all kinds of financial support." A U.S. military spokesman in Baghdad, Lt. Col. Barry Johnson, denied that American forces were funding the militias and exclaimed, "All military activity is conducted through the legitimate structures of Iraqi government and security forces. We [U.S.] are working hard to ensure these structures function properly, and funding a program such as this would only undermine that process."⁶⁹ Though the U.S. denies aiding the establishment of militias, perhaps the U.S. and HNG would be better off by being more receptive to working *with* militias or, at a minimum, not turning them into enemies.

F. CAN MILITIAS PLAY A POSITIVE ROLE IN US NATION-BUILDING EFFORTS?

Within regions of weak and failed states, even the most chaotic and violent ones, there exist small pockets of stability. Where a central government is incapable or unwilling to provide security and social services, other regulating mechanisms will fill the void. The dangers posed by militia forces are real, but the dangers in removing them

⁶⁹ John Ward Anderson, "Iraqi Tribes Strike Back at Insurgents," *Washington Post*, 07 March 2006. http://www.washingtonpost.com/wp-dyn/content/article/2006/03/06/AR2006030601596_pf.html (accessed 13 April 2007).

might create even greater difficulties for the U.S. and a HNG. The bottom line is militias exist because a void, real or perceived, exists in the capacity of the government to protect local populations. Any desires to remove militias should be tempered with a close look at the government-like roles they play and whether the HNG has the capacity to assume those duties. Many experts believe that it is unconscionable to even consider using militias in nation-building efforts. Many believe any options that include using militia forces do so in direct contradiction of DDR efforts and will ultimately lead to armed groups outside the control of the HNG being granted too much power.⁷⁰

There are many considerations when it comes to condoning the establishment and maintenance of armed groups outside the control of the HNG. A government that has to rely on militias advertises its own military weakness and causes citizens to question its legitimacy. Also, how does it then prevent the proliferation of militias, each vying for power or control over its specific region or population? Ultimately, the establishment of governance takes time and the lack of security dramatically shortens the timeframe a government has in which to earn legitimacy. But, to view militias in a monolithic and purely negative manner does not allow planners to realize that militias, like individuals, vary dramatically. Some militias do engage in activities that should preclude the U.S. or HNG from ever viewing them as anything but a threat. However, it is just as reasonable to recognize that some militias offer useful capabilities that can facilitate long-term nation-building efforts. The U.S. and HNG should not expect to work with all militia groups, anymore than they should choose to fight against all militias.

⁷⁰ ICG, 2. The ICG explains that US-led militia units labeled as Afghan Guard Forces (AGF) provides a disincentive for disarmament and presents potential “command and control problems” for the Afghan government.

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V. CONCLUSION

Imposing U.S. models on indigenous security forces rarely succeeds. We must find ways to do things the local way.⁷¹

-USMC Countering Irregular Threats

The increased U.S. emphasis on SSTR operations demonstrates policymakers' recognition of the current and future dangers presented by lawless and ungoverned regions. The absence or incapacity of a government to provide stability and security to its populace invites unwanted competition from groups that seek to fill gaps in local security. Armed groups existing outside of the recognized political process often fill the roles normally played by a government and in doing so, gain legitimacy from segments of the population. These locally legitimized armed groups may not be recognized by the U.S. or HNG, but these "militias" *are* accepted as representatives of the populace they directly or indirectly serve.

The complex nature of operations in environments containing militias, coupled with the long-duration required for nation-building, require compromises from all parties. For instance, the militias, like their HNG competition, are forced to balance motivations with capabilities. Militias often find it necessary to curtail their challenges to the HNG in order to prevent overwhelming responses that will ultimately lead to their demise. Additionally, militias are beholden to fulfill the functions they have assumed in the place of a central government. Legitimacy requires responsibility. Coercion alone will not ensure support by the local populace. Meanwhile, militias, like individuals, are often idiosyncratic, with motivations as varied as the individuals they represent. This is the reason all militias should not be treated the same. Rather, each should be viewed in relation to its environment and the population it serves.

⁷¹ Steven Hardest and Lt Col Lance McDaniel, *Countering Irregular Threats: A Comprehensive Approach*, Marine Warfighting Laboratory: United States Marine Corps (USMC), electronically published pamphlet (2006), http://www.mcwl.usmc.mil/concepts/ServiceConcepts/Comprehensive%20Approach%20Pamphlet_v_Final_14%20June%20as%202%20up%20w%20cover.pdf (accessed 24 April 2007).

The relationship between militias and governments is a complicated one and defies singular solutions. Whatever option the U.S. or HNG selects should be tied to long-term goals, while implementation of any policy should only be made after careful consideration of points introduced in this thesis.

- Militia groups differ from one another. Strategies should include efforts to differentiate among armed groups and to develop specific actions for each.
- The issue of who grants legitimacy should be addressed. Local militia groups are often viewed legitimately by a segment of the population even if not by the U.S. and HNG.
- Militia groups are granted legitimacy by local populations because they serve roles the HNG is incapable of. Before implementing any efforts to remove a militia group, the U.S. and HNG should possess the ability to fill the roles previously held by the militia groups. This is especially important in matters concerning security and social programs.
- Any shortcomings by the HNG in its capacity to deal with militia groups will inevitably fall to the U.S. The greater the responsibilities the U.S. assumes, the greater the likelihood of the appearance of occupation and threat.
- When the U.S. and HNG are considered an external threat, the likelier this is to fuel a cycle of violence. As one side increases its efforts, the other side will respond accordingly.
- The desire to dismantle militia groups should not override the need for a degree of stability in order to effectively (re)introduce governance. Overemphasis on immediate control of militia groups should not override the long-term need to maintain influence with the population.

In many regions of the world, militias beyond the direct control of a HNG might represent the only stabilizing force available and could help cement better future relations between the government and segments of the population. It is impossible to imagine the U.S. condoning favorable relations with certain armed groups, like Al Qaeda (AQ), but then, AQ and many others armed groups do not meet the criteria we use to define a militia group. At the same time, it is equally difficult to imagine why a weak HNG bolstered by U.S. assistance would want to confront *all* groups without considering its own capacities. The U.S. and HNG policy for dealing with militias should be based on

accomplishing predetermined goals balanced against capabilities. Some connectivity to militia groups as a means of maintaining influence should be fostered or, at the very least, given careful consideration.

In sum, ongoing efforts in Afghanistan and Iraq demonstrate the need for the U.S. to carefully examine all available options for facilitating long-term nation-building. The establishment of governance requires large investments of resources and time, both of which the American public has hesitated to support indefinitely. With increases in domestic and international pressure, the U.S. and the governments of Afghanistan and Iraq have been forced to rethink how they view militias. Government officials publicly condemn militia groups while pragmatically or hypocritically accepting their existence. Strategies to deal with militia groups should not be reactionary, but should be made prior to the deployment of troops or resources. Instead of developing strategies to work with militia groups only after exhausting all efforts to quell them, the U.S. should develop premeditated strategies that seek to decrease frictions between weak HNGs and militia groups.

Though no magic solution has been found for dealing with the issue of militias in nation-building, a valuable lesson might be drawn from recent U.S. endeavors in both Afghanistan and Iraq. The U.S. can no longer rely on strategies that treat local militias as antagonists. Militia groups should be analyzed individually and their legitimacy in the eyes of the locals should not be discounted simply because the DOD has traditionally defined militias as threats. The use of some militia groups, to include co-opting them, as a short-term means toward a long-term end could prove invaluable in facilitating the establishment of governance, and is a topic that warrants consideration and further study.

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