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To cite this article: Lisa Karlborg (2015) The Ambiguous Host-Citizen Contract: An Evolving Notion of Duty in the U.S. Military Quest for Local Legitimacy, Studies in Conflict & Terrorism, 38:10, 864-884, DOI: [10.1080/1057610X.2015.1049855](https://doi.org/10.1080/1057610X.2015.1049855)

To link to this article: <http://dx.doi.org/10.1080/1057610X.2015.1049855>



Published online: 14 Jun 2015.



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The Ambiguous Host-Citizen Contract: An Evolving Notion of Duty in the U.S. Military Quest for Local Legitimacy

LISA KARLBORG

Department of Peace and Conflict Research
Uppsala University
Uppsala, Sweden

Department of Politics
New York University
New York, NY, USA

The article explores how the recent quest for local legitimacy in Iraq and Afghanistan has shaped the U.S. military notion of duty toward host citizens. It argues that military duty is conceptualized as a “host-citizen contract.” Based on a qualitative comparison of the 2006 and 2014 versions of FM3-24, the U.S. counterinsurgency field manual, it finds that U.S. forces are obligated to suppress insurgents, build host-nation agency, and protect the host population in exchange for legitimacy. The article’s main finding is that the notion of legitimacy has changed in ways that fundamentally limit the scope of duty and justify a breach of contract should the host nation fail to comply.

For the past decade, Western nations have been preoccupied with what can broadly be defined as “population-centric” military engagements in Iraq and Afghanistan or, more specifically, military interventions for the purpose of bolstering local perceptions of legitimate host-nation authority and mission objectives.¹ Relatedly, new norms have emerged in international policymaking, which not only call on intervening troops to defeat enemy forces, but also to protect civilian populations at risk and empower host citizens as agents for societal and political change.² Thus, in the context of recent international interventions, host citizens are no longer confined to play the part of passive bystanders, or unfortunate, but inevitable casualties of war. Instead, they are widely recognized as key stakeholders whose active participation and influence are crucial to mission success.³

There is now a rich and growing interdisciplinary literature on the effectiveness of international interventions as a means of civilian protection and conflict management.⁴ However, there are few studies that explore the impact of these “population-centric” interventions on the sense of duty held by Western armed forces toward host citizens.⁵ This is surprising, given the recent broad support for, and participation in, the International Security Assistance Force (ISAF) in Afghanistan, wherein over fifty countries have

Received 21 January 2015; accepted 3 May 2015.

Address correspondence to Lisa Karlborg, Department of Peace and Conflict Research, Uppsala University, Box 514, SE 751 20, Uppsala, Sweden. E-mail: lisa.karlborg@pcr.uu.se

contributed troops and resources. Among these countries, the United States stands out as a particularly important case to study.

In the past decade, U.S. armed forces have been heavily engaged in leading and implementing large-scale “population-centric” counterinsurgency (COIN) campaigns in both Afghanistan and Iraq. The introduction of a counterinsurgency approach represents a fundamental shift in the strategic thinking of the world’s leading military power. It is a change that has also significantly influenced and reshaped the “doctrines, planning and task portfolio of the Western forces,” especially for American, British, and Danish troops.⁶ Viewed in its historical context, this shift has called on the U.S. military to adopt and implement principles of unconventional war, which had been actively avoided ever since its military defeat in Vietnam.⁷

However, the emergence of the counterinsurgency agenda has not been unproblematic. Within the U.S. military it is viewed as controversial, and its effectiveness remains widely debated among scholars, policymakers, and other Western armed forces. The recent collapse of security forces in Iraq and continuing conflict in Afghanistan highlight the purported pitfalls of the counterinsurgency agenda, according to those critical of this shift in Western military interventions. Some problematize the underlying assumption of counterinsurgency, namely that intervening forces can effectively influence, manipulate, and even control the host population. Relatedly, others argue that U.S. troops and international forces that engaged in relationship-building were exposed to unnecessary risks in exchange for limited, if any, sustainable strategic gains. Nevertheless, there are those who maintain that building a local rapport with the host population is necessary to bolster perceptions of legitimacy and improve the safety of both host citizens and mission personnel.⁸

The article contributes to this debate by exploring the ways in which the U.S. military’s notion of duty toward host citizens has evolved in the context of recent “population-centric” interventions and the military quest for local legitimacy. To this end, this article conducts a qualitative analysis of the 2006 and 2014 versions of the U.S. Army and Marine Corps counterinsurgency field manual (FM3-24/MCWP 3-33.5, hereon after FM3-24).⁹ For the purpose of this study, FM3-24 provides important insights. Field manuals, and military doctrine in general, are essentially conceptual frameworks that stipulate how armed forces will, and should, win the nation’s wars. As such, they constitute key components of an official notion of military duty, which should be institutionalized within the broader military organization.¹⁰ After it was adopted as the lead doctrine in Iraq, and later Afghanistan, FM3-24 had nothing short of a paradigmatic impact on recent international and, in particular, U.S. military engagements. In addition, it embodied a unique consensus in strategic thinking within the U.S. military by merging historically separate, and distinctly different, U.S. Army and Marine Corps doctrines on irregular warfare.¹¹ By comparing the two versions of FM3-24, the study juxtaposes the U.S. military’s notion of duty toward host citizens during two crucial phases of recent military engagements: at the outset of the “surge” in Iraq, and at the tail end of U.S. combat operations in Afghanistan, America’s longest war.¹²

The article argues that the U.S. military’s notion of duty is shaped by a “host-citizen contract.” Based on the empirical findings of this study, this perceived contract obligates U.S. forces to suppress insurgents, build host-nation agency, and protect the host population in return for local legitimacy.¹³ The main finding of the study is that the notion of legitimacy has changed in ways that appear to fundamentally limit the duty of U.S. forces. In the 2006 version of FM3-24, legitimacy is treated as a zero-sum objective, achievable through extensive influence and involvement of U.S. forces. Conversely, in 2014, the

influence of U.S. forces is conceived as subordinate and dependent on the will and capability of the host nation to uphold legitimate rule, thereby making legitimacy an intangible and, at worst, unattainable objective. In light of the recent withdrawal of U.S. combat forces from Afghanistan this evolved notion of duty is thought-provoking, as it provides a strategic justification for breaching the “host-citizen contract” should the host nation fail to comply with its terms. More broadly, it problematizes the extent to which emerging international norms of host-citizen protection and empowerment do, in fact, foster a greater sense of duty towards host citizens among Western armed forces.

The article proceeds as follows. First, it briefly discusses the role of military doctrine and outlines the historical U.S. context leading up to the adoption, and later revision, of FM3-24. Thereafter, it develops the analytical framework guiding the study, which theorizes the notion of military duty as the function of a perceived “host-citizen contract.” Next, the concept of a “host-citizen contract” is explored empirically in a comparison of the 2006 and 2014 versions of FM3-24, which narrows in on the conceptualization of U.S. military duty toward host citizens. The article concludes with a brief discussion on the possible implications of its main findings.

A Tale of Two Manuals

Insurgencies, and military doctrine on how to suppress them, have been a feature of Western foreign military operations for centuries.¹⁴ The U.S. military has a long history of supporting counterinsurgency operations in foreign states, yet it has traditionally treated such missions as second-tier military engagements, at best, compared to fighting conventional wars.¹⁵

In theory, military doctrine embodies the armed forces’ best available explanation of, and solution to, a problem, and seeks to institutionalize this knowledge within the larger military organization. While building extensively on the “lessons-learned” of past wars, the main aim of military doctrine is to function as an “informed” point of departure for the battles of tomorrow. In so doing, it informs armed forces not only of “what to *do*,” but what they ought to be doing.¹⁶

In a democracy, military doctrine translates political aims into frameworks for military action. As such, this doctrine is conditioned on its surrounding political context. In this respect, doctrinal development does not necessarily represent a genuine evolution in military thinking *per se*.¹⁷ More precisely, it captures the current state of domestic civil–military affairs, the product of a dynamic and continuous dialogue between national political and military leadership. On the one hand, policy sets the objectives of new doctrine; on the other hand, the content of this doctrine also reflects the military’s stance on policy. For example, military doctrine can include reservations and cautionary tales on the use of force for the purpose of achieving certain political objectives.¹⁸

Although military doctrine does not dictate what armed forces do in practice, it has traditionally served as an important factor in shaping military change, commonly through the pathways of military education, training and, not least, spending. This is particularly true in the face of crisis, such as having to adapt to an unexpected military defeat.¹⁹ An interesting case in point is the U.S. military’s reaction to losing the war in Vietnam. Instead of learning from, and adapting to, the apparent inability to effectively conduct counterinsurgency operations, U.S. political and military support for counterinsurgency plummeted to an all time low. For decades, there was widespread reluctance to send American troops on foreign missions “among the people.” This aversion to counterinsurgency became increasingly institutionalized through an enduring standstill in doctrinal development, education, and training on unconventional operations.²⁰

In its place, the U.S. military, and in particular the U.S. Army, returned to the comforts of conventional warfare and fostered a culture of an “American Way of War.” With the end of the draft system, the U.S. military became increasingly professionalized, technical, and more detached from the broader American public. As a result, the principle role and duty of the U.S. military was to conduct large-scale, highly technical, conventional warfare, which was characterized by an exceptional capability to employ brute force. Missions that bore any resemblance to irregular warfare were deemed “Low-Intensity operations” and, later, “Military Operations *Other Than War*” (MOOTW), and reassigned to the newly established Special Forces units.²¹

The salience of the U.S. enemy-centric, conventional mindset received validation with the successful outcome of the Gulf War. However, U.S. reluctance to deploy American troops to foreign countries and engage in unconventional operations became increasingly criticized with the onset of international “interventionism” in the 1990s. Not surprisingly, when U.S. forces invaded Afghanistan in 2001 and Iraq in 2003, they did so in a highly conventional manner. Initial successes of these “shock and awe” operations, again, validated the effectiveness of the “American Way of War.”²²

However, the years following these invasions were characterized by deteriorating security situations. At first, U.S. political and military leaders failed to recognize, or correctly understand, the situation unfolding in Iraq as the rise of an insurgency. Upon realizing that U.S. forces were not only fighting, but also losing, against an insurgency, U.S. President Bush proclaimed the need for a change in U.S. military engagements in Iraq. Instead of accepting defeat, the United States vastly increased its ground troops and sought to regain momentum by holding “the areas that have been cleared,” protecting Iraqi citizens and building relationships with them.²³

To systematically implement this strategic change, the U.S. military required new solutions, and hence, it needed new military doctrine on counterinsurgency. Drafted under the leadership of Lt. Gen. Petraeus, FM3-24 (2006) provided the framework for the “surge” in Iraq. When U.S. forces began to see signs of military progress against the insurgency, the objective to “win hearts and minds” became the new mantra of Western armed forces.²⁴

In December 2009, U.S. President Obama called for a similar strategic shift in Afghanistan to “help create the conditions for the United States to transfer responsibility to the Afghans” and ultimately end the U.S. combat presence there.²⁵ In 2010, Lt. Gen. Petraeus returned to theater to command U.S. and ISAF forces in Afghanistan. Yet, during the years that followed, it became abundantly clear that counterinsurgency was not paving a straightforward path toward military effectiveness in Afghanistan.

In spite of an Afghan “surge,” security challenges continued to unfold in Afghanistan. Concurrently, in Iraq, the security situation deteriorated shortly after the United States withdrew its troops. With mounting evidence that recent counterinsurgency operations had produced limited and unsustainable results, the U.S. Department of Defense (DoD) issued a new strategic framework for U.S. armed forces. In it, the DoD envisioned the end to large-scale U.S. counterinsurgency operations, yet stressed the continued importance of strategic relationship-building and the need to “retain and continue to refine the lessons learned . . . over the past ten years of counterinsurgency and stability operations in Iraq and Afghanistan.”²⁶ This strategic shift in the perceived role and duty of U.S. armed forces needed translation into new military guidelines, and hence, the development of a new military doctrine.

In response to this call, the U.S. Army and Marine Corps issued a substantially revised version of FM3-24 entitled *Insurgencies and Countering Insurgencies*, in 2014.²⁷

As it stands, this recent revision reflects the most up-to-date view on U.S. “population-centric” military engagements. It is expected to exert salient influence on U.S. military and host-citizen relations in the near future. However, as of yet, the revised manual has received limited scholarly attention and public debate compared to its predecessor.

The Legitimate Intervener: A Novel Concept of Host-Citizen Contracts

Social contract theory and the parsimonious idea that people’s sense of obligation and duty is dependent on perceived, or hypothetical, “contracts” has found its way into the rapidly growing strand of interdisciplinary research on external peace and state building operations, and the dynamic relationship between intervening forces and host citizens.²⁸

Traditionally, the relationship between interveners and those “intervened upon” was confined to the dyad of the intervening state and the host-nation state.²⁹ Similarly, the notion of mission legitimacy was firmly rooted in the peacekeeping principle of acquiring national consent from the host government prior to mission deployment.³⁰ It was not until the blatant failures of foreign interventions in intrastate armed conflicts during the 1990s that this exclusively top-down, state-centric, and legalistic understanding of mission legitimacy was declared inadequate. Simultaneously, the relationship between intervening forces and host citizens has soared to the top of the international policymaking agenda and has paved the way for an increasingly relational, or “population-centric,” understanding of the duty, and legitimacy, of intervening forces.³¹

At the outset of this development, Christopher Dandeker and James Gow stress the need to study the relational and subjective dimensions of mission deployment. Mission success in peace support operations, they argue, demands more than robust mandates, troop contributions, and sufficient resources. In addition, intervening forces must also bolster their own legitimacy through relationship-building with a vast number of different actors, not least host-nation authorities and the host population. This concept of “peacekeeper legitimacy” has since been tailored to target, specifically, the relationship between intervening forces and host citizens.³² To date, several scholars have argued that host citizens hold a number of expectations toward intervening forces and what obligations they have to those living in the host nation. Expectedly, hypothesized obligations include the provision of security and overall improvements to quality of life.³³ Michael Mersiades proposes that local expectations toward intervening forces function as perceived social contracts, which provide a frame of reference against which host citizens evaluate the performance of intervening forces, and ultimately, the legitimacy of such forces.³⁴

Inconveniently, the host population is not a homogenous entity with a fixed or shared set of expectations. Instead, expectations placed on intervening forces are likely to vary over time and in relation to an evolving host-nation context. As a result, intervening forces are likely to encounter numerous, dynamic and, to varying degrees, competing local “host-citizen contracts,” which create potential areas of tension and conflict. In addition, host citizens’ expectations rarely overlap neatly with the objectives of intervening forces. In the end, the same objectives used to assert the legality—or at least the “legitimate” necessity—of military intervention to the domestic population, international community, and the host nation, may, inadvertently, impede intervening forces from adapting the mission to address the needs of the host populace.³⁵ In particular, attempts by intervening forces at strengthening the relationship between host authorities and the host population, or creating a “legitimate” social contract in the host nation, is problematic when bearing in mind that the contested nature of this relationship is commonly why

intervening forces are deployed to the host nation in the first place. At the very least, internal host-nation relations inevitably shape, to a certain extent, how host citizens evaluate the presence of intervening forces.³⁶

Recent experiences of Western armed forces in Iraq and Afghanistan demonstrate the difficulty of successfully managing the tripartite relationship between intervening forces, host authorities, and the host population in ways that legitimize host authorities as well as foreign mission objectives.³⁷ On this matter, David A. Lake convincingly argues that contemporary U.S. efforts to establish effective and legitimate governance in host nations have failed because they only acknowledge the legitimacy of host-nation leaders who are sympathetic to U.S. national interests. Problematically, host citizens do not necessarily view “pro-Western” leaders as legitimate. As a result, Lake argues that U.S. forces are faced with a fundamental tradeoff: either support state actors “that are legitimate in the eyes of their people,” or those that are “loyal” to U.S. interests.³⁸ Lake’s argument about the U.S. military’s statebuilding experience, in fact, resonates more broadly with other forms of foreign interventions in host nations, as is evident in the burgeoning literature on the various dilemmas of “peacebuilders.”³⁹

While policymakers provide the political context and set the broader legal, moral, and ethical framework for Western military engagements,⁴⁰ it is the task of the armed forces to define how military means should be used as a “continuation of policy with other means.”⁴¹ To this end, military doctrine is instrumental to how armed forces understand, and approach, wars. Military doctrine is commonly understood to embody high-level military thinking and functions as the connective tissue between strategic objectives and the use of military means. Looking closer at the U.S. Army, Celestino Perez takes a critical approach to recent “population-centric” military doctrine that claims to “serve” the host population and “cultivate stable, effective, and humane polities.”⁴² Perez argues that despite the development of more culturally astute doctrine, core documents guiding U.S. Army “professional military ethic” still fail to specify the nature and scope of soldiers’ ethico-political duty toward host citizens. Instead, Perez finds that the U.S. Army’s notion of military duty is firmly rooted in the obligation to protect the American people, nation-state, and constitution, not the host population.⁴³ In the case of Western armed forces, the duty to act as armed servants to the *domestic* nation-state is expected, but its execution widely debated.⁴⁴ Nonetheless, in the setting of contemporary “population-centric” military engagements, it appears to impose caveats, and a potential Achilles heel, to the duty of intervening forces toward foreign host populations.

Expanding on this thought, Caroline Holmqvist eloquently deconstructs the concept of strategic communication (SC), which has recently emerged in U.S. military thinking. Holmqvist argues that the rise of SC demonstrates, and reproduces, a fundamental ethico-political problem in the recent era of “population-centric” military engagements, namely the assumption that host populations will, ultimately, assent to the national objectives of intervening forces.⁴⁵ No other outcome is considered a viable option. Working from this assumption, local acts of obstruction and opposition are not conceptualized as the result of a fundamental conflict of interest between intervening forces and the host population, but simply as the failed attempts of armed forces to persuade, influence, and manipulate the population. According to Holmqvist, “there is something fundamentally *unethical*” (italics added) about this act of non-recognition of local agency, not least because an understanding of war as fought through means of persuasion rather than coercion is, essentially, a “refusal to accept the existence of political conflict, and thereby ‘difference’, in war.” Treating host citizens as amenable “consumers” of whatever strategic message intervening

forces aim to convey only begets the question of *how* to get the message across, while neglecting the question of *whether* host citizens, in fact, agree with the content of the message.⁴⁶

Building on this strand of thought, this article employs a largely inductive approach to detect patterns and regularities, as well as contradictions and change, across the 2006 and 2014 versions of FM3-24. The manual seeks to “stimulate” a shared “population-centric” mindset among U.S. forces. It is a conceptual framework that draws on lessons learned from historical and contemporary operations.⁴⁷ For the purpose of this article, the empirical analysis does not attempt to satisfactorily address all relevant themes and contradictions between, and within, the two versions, but to elucidate some of the key, broader underlying principles that pertain specifically to the relationship between U.S. forces and host citizens.

Although FM3-24, similar to other field manuals, is not binding in nature, it has arguably shaped the ways in which U.S. forces conceptualize problems, tasks, and preferred solutions in theater and, thus, what principles, techniques, and tactics are deemed suitable during mission implementation.⁴⁸ Aiming for broad applicability, field manuals do not address all idiosyncrasies of a specific mission, which is precisely why they are apt for tapping into more general trends in the continuous learning process and evolving normative framework of the U.S. professional military ethos.⁴⁹ Nevertheless, two important limitations of analyzing field manuals should be pointed out. First, as official documents, they do not refer to classified or mission-specific information. Including other sources of information in the analysis may diversify empirical findings and offer more detailed information about the underlying premises of host-citizen relations in a specific host nation. Second, echoing a point touched upon earlier, field manuals are intended to facilitate the implementation of national policy with military means. As such, they are more prone to take on a descriptive approach that addresses *how* to execute operations rather than to problematize, and delve into, the rationale of *why* to implement a mission in a specific way.⁵⁰

In line with the concept of a “host-citizen contract,” this article works from the assumption that *bolstering local legitimacy of host authorities and U.S. mission objectives* represents the ideal end-state of the duty of U.S. forces toward host citizens. To capture the official U.S. notion of military duty under this “contract,” the empirical analysis is structured around a set of focused questions. The analysis begins with identifying, and fleshing out, the core terms of the “host-citizen contract” by asking, what areas of responsibility are identified as key determinants of legitimacy in each version of the manual? Thereafter, the analysis looks closely at the conceptualized end-state of the “host-citizen contract” by asking, what origins, features and strategic values are assigned to legitimacy in each version of the manual? Lastly, to clarify the envisioned roles and obligations of the main signatories of the “host-citizen contract,” the analysis asks, what is the division of labor envisioned between U.S. forces vis-à-vis host authorities with respect to the host population? In particular, what are the limitations to U.S. military influence over the legitimacy process in the host nation?

U.S. Military Duty Under the Host-Citizen Contract

The revised version of FM3-24 has been substantially rewritten and reorganized, but nonetheless preserves several of its predecessor’s key premises for U.S. host-citizen relations.⁵¹ The next sections of the article empirically flesh out the framework of the U.S. “host-citizen contract” and how it has evolved between 2006 and 2014.

Core Terms of the “Contract”

Three main and interdependent areas of responsibility permeate both versions of FM3-24: suppressing the threat of the insurgency, empowering host-nation agency, and protecting the lives of host citizens. Together, these three key obligations have remained largely consistent and can be argued to represent the formal basis of U.S. military duty toward host citizens during its quest for legitimacy. As such, they comprise the conceptual “terms” of the U.S. “host-citizen contract.”

Upon closer examination of the (*shape*)–*clear*–*hold*–*build*–(*transition*) approach, which is outlined in both versions of FM3-24, it is possible to elucidate the underlying logic, and overlapping nature, of these core U.S. military obligations.⁵² The framework has been the main operational approach employed by U.S. forces in both Iraq and Afghanistan. In 2006, the framework consisted of only three phases: clear, hold and build. In the 2014 version of FM3-24, the framework was expanded to include two additional phases: shape and transition. This change is indicative of an evolution that permeates the revised manual, namely a reconceptualization of the legitimacy process. This finding is further developed in the next section; briefly put, legitimacy is no longer conceptualized as the necessary end-state to a U.S. presence in the host nation, nor the panacea that will consolidate the sovereignty of the host nation. As a result, the role and scope of U.S. forces in the host-nation legitimacy process is fundamentally redefined.

Returning to the three core obligations of U.S. military duty toward host citizens, the first “term” of the “host-citizen contract” is to *clear the immediate threat of the insurgency* at minimal cost to civilian life and property in order to create the security conditions necessary for actors other than military forces to assist host citizens.⁵³ To this end, *protecting host citizens from physical harm*, the second core obligation, is given primacy over other preferences or concerns that may resonate with the host population. It is also conceptualized to trump the security of U.S. forces. Inconveniently, these obligations are in a state of tension as the use of force by U.S. forces is envisioned to have different levels of impact on the operational environment, and the host population in particular, some of which are neither intended nor anticipated. Reports of collateral damage or perceived use of excessive force strengthen insurgent propaganda about the illegitimacy of host authorities and U.S. mission objectives.⁵⁴ Therefore, U.S. forces are obligated to show restraint in the use of force, intimidation and abusive behavior to avoid alienating the population, which will undermine perceptions of legitimacy. Fighting a “war of perceptions,” the main weapon at the disposal of U.S. troops is not the use of superior military force, but rather the effective use of information and strategic messaging to the population. In addition to a combination of offensive, defensive, and stability (security) operations, information operations are considered crucial to shaping realistic expectations toward, and accurate perceptions of, the progress made by U.S. forces and host-nation authorities. Local “perceptions—more than reality—drive a commander’s decision making” and informs the ways in which U.S. forces conduct day-to-day communication and interaction with host citizens. Human interaction is an essential element of “population-centric” military engagements as, essentially, “[a]ll interactions between security forces and the population directly impact legitimacy.”⁵⁵

Once the immediate threat of the insurgency is suppressed, U.S. forces are instructed to help host-nation forces *hold* security gains and further expand on them by *building conditions for host-nation governance and security infrastructure*. The third core obligation is, thus, to create momentum for the host government and leave behind a functioning, self-sufficient, entity that can provide an effective and legitimate alternative to the

insurgency.⁵⁶ This includes the “slow and painstaking process” of developing capable host-nation “military, paramilitary, and police forces.” However, perceived threats against the host population, and thus the legitimacy of the host government, extend beyond that of the insurgency; most likely, they tap into widely held social, political, and economic concerns, which military means alone cannot resolve.⁵⁷ In order to help host authorities tackle these grievances, U.S. forces are instructed to build “connections with the populace that help establish real legitimacy.” To ensure effective communication with host citizens, U.S. forces must become cognizant of the impact of foreign troops on local livelihood and security concerns, as well as with host-nation “cultures, perceptions, values, beliefs, interests and decision-making processes.”⁵⁸

In 2014, the new *shape-clear-hold-build-transition* framework was introduced to provide “a frame of reference for understanding actions by the *host nation* to defeat an insurgency,” which helps clarify how U.S. forces can integrate “U.S. capabilities into a host-nation effort.” Different from the previous version, the initial focus at the outset of a mission is not to clear the immediate threat of insurgents, but to *shape* the operational environment in ways that “create the conditions for success of the other phases.” Thus, before beginning to implement core obligations toward the host citizens, U.S. troops must now first have “effectively shaped the environment, including host-nation partners and enablers, and prepared all elements of the unified action partners appropriately, decided on where to focus the counterinsurgent effort, and . . . developed the plan to progress through to *transition* to host-nation responsibility.” This final transition, which is conceptualized to occur *after* the build phase, is believed to depend as much on perceptions as actual progress, if not more so. Ultimately, unless host citizens “believe they are secure” and view host-nation forces as their “protectors,” they will “not risk overtly supporting host-nation efforts.” Therefore, if necessary, U.S. military efforts in the host nation may be extended beyond building functioning host-nation authorities.⁵⁹

Legitimacy: The Evolving End-State of U.S. Military Duty

In both versions of FM3-24, legitimacy is conceptualized as a primary objective of U.S. forces, which is broadly defined as a perception-based phenomenon rooted in a set of norms and values. However, beyond this point, there are a number of distinct differences between the two versions, which appear to indicate a fundamental evolution in how the U.S. military defines the origins, features and strategic value of legitimacy. Initially approached as a rational, zero-sum objective, which is attainable with extensive support of U.S. forces, legitimacy is reconceptualized into an open-ended and intangible phenomenon, which may be out of reach for U.S. forces. As a result, the division of labor between U.S. forces and host-nation authorities is realigned, and U.S. forces’ influence over the host-nation legitimacy process is conceptualized as subordinate to the will and capability of the host nation.

Legitimacy at the Outset of “Population-Centric” Military Engagements in Iraq. In *Counterinsurgency* (2006), gaining and maintaining legitimacy in the eyes of the host population is portrayed as the main objective and center of gravity for U.S. military operations. More specifically, this refers to the “*acceptance of the legitimacy* of one side’s claim to *political power* by the people of the state or region.”⁶⁰ The phenomenon of legitimacy itself is conceptualized as a finite, zero-sum resource, where an increase in legitimacy for the host government and U.S. objectives undermines the legitimacy enjoyed by the insurgents. As such, U.S. forces cannot “achieve lasting success” until “the populace

consents to the government's legitimacy and stops actively and passively supporting the insurgency." For U.S. forces, the main strategic value of legitimacy is to achieve population control without overdependence on coercive and costly methods of population management.⁶¹ Conversely, from the perspective of insurgents, gaining popular legitimacy is not necessarily of *decisive* strategic importance; rather, the main strategic aim may simply be to discredit the legitimacy of the national government. To this end, the use of coercive tactics can be enough to curb opposition, enforce support, and exert sufficient control over the population.⁶²

For its part, the host population is conceptualized to consist of a largely passive "uncommitted middle" on the fence about granting legitimacy to either the host government or the insurgency. Only a minority of host citizens are expected to actively support either side. However, passivity does not denote a lack of host-citizen agency and influence over the legitimacy process *per se*. Indeed a "passive populace may be all that is necessary for a well-supported insurgency to seize political power." Yet, even though the manual recognizes that "the most important attitude" lies with the host population, it operates from the assumption that the main obstacle to legitimacy is the presence of an insurgency. Thus, understandably, it focuses primarily on how U.S. forces can analyze and combat the insurgency rather than how to learn about, and interact with, the wider host population.⁶³

Ultimately, from the perspective of host citizens, local legitimacy is conceptualized to boil down to a matter of rational choice. Put bluntly, it is expected that "[c]alculated self-interest, not emotion, is what counts." Thus, legitimacy is a rational outcome if U.S. forces persuade the host population of the strategic advantage of supporting host nation authorities and U.S. objectives while, at the same time, convincing them that violent resistance is futile.⁶⁴ This way of reasoning conveys two underlying assumptions: U.S. forces have the power to exert positive influence—persuasion or manipulation—over the legitimacy process and, thus, that host citizens are "receptive" to the information conveyed by U.S. forces. Working from these assumptions, local legitimacy does not require host citizens to form emotional bonds with, or necessarily "like" U.S. forces; rather, host citizens must merely be convinced that U.S. forces and host authorities "have the means, ability, stamina, and will to win." To reach this end, U.S. forces must "continually diagnose" what the host population understands as "effective and legitimate governance," while at the same time shape "reasonable expectations" on the progress of host-nation authorities and U.S. forces in addressing local grievances. This endeavor requires that U.S. forces shoulder the role of main collectors, producers, and distributors of information. U.S. forces are expected to, in various ways, cultivate an image of themselves as trustworthy and caring human beings who empathize with the host population, "rather than as aliens who descended from armored boxes" for the principal purpose of facilitating effective communication.⁶⁵

In addition to the importance of rational considerations and security concerns, the 2006 version of FM3-24 recognizes the perception-based quality of legitimacy and, thereby, its normative and subjective dimensions. However, the manual demonstrates an inconsistent understanding of whose norms, values, and beliefs are the most influential to the process of bolstering local perceptions of legitimacy. The manual briefly develops the concept of *legitimate authority*, where it (implicitly) leans on Max Weber's ideal types. In doing so, it distinguishes between legitimate authority ascribed through "law and contract" (rational-legal authority) as opposed to "tribal and religious forms of organization" (traditional authority). It associates the former with "developed Western societies" and the latter with "non-Western societies," which commonly applies to host nations.

Acknowledging the importance of cultures, norms, values, and beliefs prevalent in a certain context, the manual points out that “[d]ifferences between U.S., local, and international visions of legitimacy can further complicate operations” in the host nation. It also underscores that local understandings of legitimacy do not necessarily rely on “freedoms associated with Western democracies.” Particularly, in the context of “a serious breakdown of order,” an emblematic feature of host nations, the provision of basic security may provide an actor with “enough legitimacy to govern in the people’s eyes.”⁶⁶

Nevertheless, the manual suggests “[s]ix possible indicators of legitimacy,” which all resonate strongly with liberal, democratic norms. In particular, rule of law that is developed “through a credible, democratic process” is deemed “a powerful potential tool” with which counterinsurgents can consolidate legitimate host-nation authority. This interdependence, and to a certain degree conflation, between legality and legitimacy is recurrent throughout the manual. To bolster mission legitimacy, U.S. forces must abide by legal and ethical codes of conduct stipulated in the law of war, domestic laws, and “*certain* HN [host nation] laws” while refraining from engaging in “illegitimate actions,” or the use of “power without authority.”⁶⁷ Another dimension of the relationship between the perceived legality and legitimacy of U.S. mission objectives is that they are conceptualized to uphold the “moral high ground” in contrast to “amoral and often barbaric” insurgents that are “not constrained by neither the law of war nor the bounds of human decency as Western nations understand them.” In this respect, U.S. forces have a “responsibility to serve as a moral compass that extends beyond the COIN force and into the community” and to set “an example for the local populace.”⁶⁸

However, there is ambiguity surrounding how U.S. forces, on the ground, are to traverse both the normative concerns of the host population and those upheld by the U.S. mission. On the one hand, the manual instructs U.S. forces to resist any “HN [host-nation] positions contrary to U.S. or multinational values or policy.” In case host-nation authorities are deemed to act in a “dysfunctional” manner or pose a threat to the local population, U.S. forces should intervene for the purpose of safeguarding the political, legal, and moral integrity of the mission. On the other hand, U.S. forces are told to respect local idiosyncrasies and refrain from attempting to shape host-nation forces into replicas of themselves. Instead, they should patiently learn “what normalcy looks like” in the host nation. Somewhat contradictory to the assumption of U.S. forces’ inherent “moral high ground,” the manual stresses the need to reevaluate “Western or American values” and criteria for success, because they may block an accurate understanding of what legitimacy entails for the people in the host state.⁶⁹

Relatedly, in terms of the division of labor between U.S. forces and host authorities, the 2006 version of FM3-24 acknowledges that a perceived reliance on, or subordination to, “foreign forces for internal security” can have a negative impact on local “perceptions of the capacity and legitimacy” of the host government. Problematically, “U.S. forces *usually* operate with the security forces of the local populace or host nation” because “U.S. and multinational military forces often possess the *only* readily available capability to meet many of the local populace’s fundamental needs.” Realistically, U.S. forces are therefore likely to temporarily shoulder the role of lead military actor and principal counterinsurgent in the host nation.⁷⁰ In this all-inclusive role, U.S. forces are conceptualized to function both as “nation builders as well as warriors,” ready to implement wide-ranging and large-scale operations. At the same time, if necessary, U.S. forces are tasked with creating unity of effort among multinational contributions in support of host-nation authorities and U.S. mission objectives.⁷¹

Assuming the role of principal counterinsurgent, U.S. forces are envisioned to achieve the legitimacy objective if they effectively suppress the insurgency with legitimate means, engage with and protect the host population in a legitimate fashion, and strengthen host-nation authorities' ability to govern legitimately. Nevertheless, at some point, the host government must be able to convey a similar commitment to the host population on its own, without the support of U.S. counterinsurgents. Ultimately, the insurgents' "primary battle is against the HN [host-nation] government, not the United States" and, eventually, "all foreign armies are seen as interlopers or occupiers."⁷² To this end, host authorities are conceptualized as the preferred key partners for U.S. forces in both the planning and execution processes of counterinsurgency efforts and "the sooner the main effort can transition to HN [host-nation] institutions, without *unacceptable* degradation, the better."⁷³ At the very least, the U.S. military notion of legitimate authority, and thus end state of U.S. efforts in the host nation, requires authorities that are willing and capable of providing "reasonable levels" of internal and external security in accordance with the rule of law and basic civil liberties.⁷⁴

After Afghanistan: Reconceptualization of the U.S. Quest for Legitimacy. In *Insurgencies and Countering Insurgencies* (2014) the quest for legitimacy remains the strategic backbone of U.S. operations. In fact, the revised manual refers to legitimacy even more extensively than its predecessor.⁷⁵ However, the origins, features, and strategic value of legitimacy have changed. The 2014 version of FM3-24 understands legitimacy as "the *acceptance* of an authority by a society", thereby removing the element of political power from its core definition. The new definition of legitimacy recognizes that *whomever* the host population accepts as "providing legitimate authority to govern their actions is that group's legitimate authority."⁷⁶ This modification has significant impact on what conditions are conceptualized to bear influence on the development of legitimacy. It also realigns the division of labor between U.S. forces and host authorities in ways that subordinate the positive influence that U.S. forces exert over the legitimacy process to the will and capability of the host-nation. In doing so, it downplays the strategic necessity of achieving legitimacy in order to end U.S. military efforts.

Although legitimacy is still conceptualized as highly entwined with matters of political power and population control, the nature of this tripartite relationship appears less straightforward. From the perspective of the host government, *political* legitimacy is no longer a necessary condition for sustainable population control. Instead, the revised manual makes the more moderate claim that, "[t]he host-nation government generally needs *some level* of legitimacy among the population in order to retain power. This provides some level of consent." As such, the revised manual does not conceptualize legitimacy as the panacea for consolidating the sovereignty of host-nation authorities. Similar to its predecessor, the revised manual points out that a principle goal of the insurgency is to credibly undermine the legitimacy of the host government. However, suppressing the insurgency is no longer conceptualized as leading to an automatic increase in the perceived legitimacy of the host government. Relatedly, the revised manual recognizes that coercive methods, although a more costly and therefore less sustainable form of population control than popular support, do not conflict with the element of popular consent. Even though coercive action may lead to perceptions of "[i]llegitimate governments," it may also be deemed "justifiable under the norms and values of the population" and therefore "not necessarily undermine the legitimacy of the government or host nation." Thus, any act by either "the government and the insurgency must be viewed from the perspective of the population experiencing those acts and not from an outside perspective that will bring its own bias."⁷⁷

In the revised manual, the previous understanding of legitimacy as a finite and zero-sum resource has been reconceptualized into a dynamic and open-ended resource, which no longer demands the ultimate defeat of the insurgency. Instead, conditions for legitimacy vary and change over time “as a society evolves and groups or individuals change their conceptualization of who they are and what authority they accept.” To this end, host-nation culture and norms gain reinforced prominence in the revised manual, which devotes an entire chapter (chapter 3) to the role of culture in the operational environment. In doing so, it modifies the previous rational-legal approach to bolstering legitimacy by shifting focus to the decisive importance of emotional considerations, or the logic of appropriateness. As a result, a complex relationship between rational and normative dimensions unfolds, which poses a problem to U.S. forces. Conditions for legitimacy are principally “decided in the minds of the population,” where the legitimate authority is granted to *whomever* resonates most with local notions of identity, culture, and religion. This inevitably limits the extent to which U.S. forces, or any other external forces, can positively influence the legitimacy process.⁷⁸

Relatedly, the revised manual has removed explicit references suggesting the superiority of “American” ideals and downplays the relevance of employing democratic indicators to gauge local legitimacy. It is acknowledged that host citizens may not view their politically elected “government as legitimate or effective.” In some cases, it is the normative appeal of host authorities rather than efficiency in providing public goods that is the decisive legitimizing factor: the revised manual portrays religion as a particularly “powerful source in shaping beliefs,” while efficiency or professionalism, as defined by U.S. forces, are no longer considered sufficient “to establish legitimacy among the population.” To illustrate, even if U.S. forces initially perform more efficiently than host-nation authorities, they may be perceived as less legitimate than their host-nation counterparts because of their foreign status.⁷⁹

Aside from pointing out limitations to U.S. forces’ positive influence over the host-nation legitimacy process, the revised manual extensively problematizes the likely negative impact of U.S. forces. At worst, “the presence of U.S. forces in the region can lead to the conditions for an insurgency.” Bearing this in mind, the host nation is “[i]deally . . . the primary actor in defeating an insurgency.” For their part, U.S. forces should principally advise and assist host-nation authorities by supporting existing capabilities. Preferably, U.S. forces should adopt an indirect approach that is limited to different forms of national assistance and security cooperation. If necessary, U.S. forces may instead employ a direct approach, or a combination of both, which involves “decisive action.” This involves actions ranging from the use of “modest force . . . to a large force that could be, at least for a time, the primary counterinsurgency force.” A direct approach, such as the shape-clear-hold-build-transition framework, is conceptualized as “a valid option” if “the success of a host nation’s counterinsurgency efforts is critical to U.S. interests.” However, it is also criticized for having “unintended consequences, such as increased tensions among segments of society or to U.S. involvement.” Furthermore, “even if the U.S. is directly involved in defeating the insurgency, its primary role can be only to *enable* a host nation.” Thus, unlike the 2006 version, “an exceptionally high degree of cooperation” with host-nation authorities is not only preferable, but also necessary, for direct action to pave the way for effective and legitimate host-nation authorities. Even in the worst possible cases, “the goal is still for the host nation and its forces to defeat an insurgency” because U.S. forces “cannot compensate” for a host government or host population that is unwilling to maintain legitimate governance.⁸⁰

Similar to the 2006 version of FM3-24, U.S. forces are still expected to achieve “an end state acceptable to the host-nation government, the populace, *and* the governments providing forces,” and thereby satisfy both “U.S. policy goals” and “the host nation’s essential political goals.” However, the revised manual resolves some of the ambiguity, conveyed by its predecessor, on how to determine the best course of action when host-nation authorities do not comply with the political, legal, and moral framework of the mission. The revised manual situates the answer to this query, on the one hand, with U.S. political leadership and underscores that, ultimately, “U.S. national ends” “determine the criteria for success” for U.S. forces. On the other hand, the revised manual also redirects responsibility onto the host nation by stating that, “the host nation must eventually provide a solution that is culturally acceptable to its society *and* meets U.S. policy goals.”⁸¹ There is, in fact, a striking difference in how the revised manual applies the concepts of *victory* and *defeat* compared to its predecessor. In 2006, these “conventional” concepts of warfare are applied nearly exclusively to the ultimate defeat of insurgents and, thereby, victory of U.S. forces. Conversely, in 2014, the fight against insurgents is reconceptualized into the host nation’s quest. With this framing, the principal role of U.S. forces is to help, assist, or enable host authorities to prevent or manage the insurgency, rather than directly participating in achieving its ultimate military defeat. The revised manual states that, success “*often* depends on developing host-nation capacity to *contain, reduce, and* defeat the insurgency *without requiring direct* U.S. involvement.”⁸²

With a shift away from its previous insurgency-centric focus, the revised manual now turns first to the “strategic and operational context” of the insurgency, which includes situating the insurgency in relation to U.S. national interests. In doing so, the revised manual emphasizes the need to, from the outset, clearly delineate and critically assess the specific aims of deploying U.S. forces to the host nation. This assessment must carefully consider to what degree the host population is expected to be receptive to the influence of U.S. forces’ “assistance, advice, and reform.” At the same time, strategic end-states “may change as the situation changes.” The revised manual underlines that “[c]ounterinsurgency is not a substitute for strategy” and, thus, meeting the “conditions necessary for the host nation to counter an insurgency independently” does not automatically terminate a U.S. military presence in the host nation. Although transitioning to host-nation leadership represents “the end point for the U.S. when it acts as the *primary* counterinsurgent,” the host government “*often* determines the criteria for success” in the host nation. Thus, at the request of the host government, the United States can “continue to support the host nation through a long-term relationship that addresses that nation’s legitimacy” and whereby U.S. forces can “remain in an area during and *beyond* transition to help train host-nation security forces or institutions, provide enablers, or begin security cooperation tasks.”⁸³

Conclusion: A Legitimate Breach of the Host-Citizen Contract?

The starting point of this article was to explore how “population-centric” military engagements and the quest for local legitimacy in Iraq and Afghanistan have shaped the way in which the U.S. military conceptualizes its duty toward host citizens. To shed light on this important topic, this article conducted a qualitative analysis that compared the 2006 and 2014 versions of the U.S. Army and Marine Corps’ counterinsurgency field manual, FM3-24. Based on empirical findings, three broad and interdependent obligations are argued to constitute the core of the U.S. military’s duty toward host citizens, namely suppressing the threat of insurgents, building host-nation agency, and protecting host citizens. As such, they represent the conceptual “terms” of the U.S. “host-citizen contract.”

Beyond this core framework, the notion of legitimacy appears to have evolved in ways that appear to reflect the understanding that U.S. armed forces exert limited positive influence on the host-nation legitimacy process. This fundamentally realigns the role and duty of U.S. forces vis-à-vis host-nation authorities, as it subordinates the influence of U.S. forces to that of host-nation authorities. In 2006, legitimacy is treated as a finite, zero-sum resource, which is achievable with extensive influence and involvement of U.S. forces. Conversely, in 2014, legitimacy is reconceptualized into an open-ended and intangible phenomenon, which U.S. forces cannot attain without the will and capacity of the host nation. Thus, the duty of U.S. forces is no longer to lead, but rather to assist host-nation efforts.

With this new point of departure, the revised manual presents a self-problematizing and cautious—verging on defeatist—pledge to “first, do no harm.” This is a message that not only challenges the historical narrative of the almighty U.S. military and the “American Way of War,” but it also raises concerns about the role and utility of U.S. forces in fighting insurgencies, or more broadly, operating “among the people” of a host nation. Considering the challenges associated with military engagements in Iraq and Afghanistan, the decision to downplay the role of U.S. forces in leading a host-nation legitimacy process is perhaps a wise one. Nevertheless, it challenges the underlying assumption and contemporary narrative on counterinsurgency, namely that if done right, it *can* be done.

As it reads now, the main revision to the narrative of U.S. counterinsurgency interventions has been to shift focus away from the military and the duty of deployed troops and instead place it onto the political leadership of both domestic and host-nation authorities. In sum, without realistic and compatible U.S. *and* host-nation objectives, U.S. forces cannot be expected to achieve victory. In light of recent experiences, this cautionary tale indeed carries weight. On the one hand, the revised FM 3-24 provides a means by which the military can understand, and explain, the lack of sustainable military gains; that flawed objectives cannot be saved by operational methods, regardless of how skillfully they have been adopted. On the other hand, it justifies the political and strategic decision to breach the “host-citizen contract” and support the decision to, once again, withdraw U.S. forces “prematurely” from a host nation. Perhaps more importantly, looking ahead, it appears to provide a rationale as to why U.S. troops should not be deployed in the first place.

Yet, how does this way of thinking move the U.S. military forward, and what does it say about the future duty of Western armed forces toward foreign host nationals? Insurgencies have existed for centuries and the U.S. military, together with other Western nations, have fought both with and against them over the years. If anything, this past decade has demonstrated that insurgencies, most likely, will continue to shape operational theaters in the next decades. Even if U.S. armed forces have never been particularly fond of these wars, they have had to fight them, nonetheless, and undoubtedly will continue to do so in the future.

Judging by the content of the revised FM 3-24, which is likely the new starting-point for such future missions, this article concludes that U.S. forces remain caught between the responsibility to serve U.S.-specific objectives and a duty to protect host citizens and the sovereignty of nascent host authorities.⁸⁴ Striking the balance between these, perhaps conflicting, mindsets weakens the perceived utility of U.S. forces in the role of an “invited leviathan,” and fundamentally calls into question to what extent they can, in fact, be deployed to advance a sustainable and legitimate social contract between a host government and its citizens.

Notes

1. The notion of “population-centric” military engagements refers to military operations that are implemented “among the people,” which seek to “win hearts and minds” of the local population, David Kilcullen, *Counterinsurgency* (New York: Oxford University Press, 2010); John A. Nagl, *Counterinsurgency Lessons from Malaya and Vietnam: Learning to Eat Soup with a Knife* (Westport, CT: Praeger Publishers, 2002).
2. Norms of civilian protection and local ownership are manifested in burgeoning international policy on intervention and peacebuilding. A growing number of UN Security Council Resolutions call for increased measures of civilian protection and local capacity-building in the context of foreign interventions to ensure local ownership and sustainability of peace and development efforts, see, for example, Angus Francis, Vesselin Popovski, and Charles Sampford, eds., *Norms of Protection: Responsibility to Protect, Protection of Civilians and Their Interaction* (Tokyo: United Nations University Press, 2012).
3. For the purpose of this article, the terms “host citizens” refers to civilians living in the host nation of a foreign military operation who are affected by (but not actively participating in) the armed conflict. This includes individuals who are neither formally associated with central government, nor non-state parties to the armed conflict. It thus excludes armed stakeholders such as the national army and police, militia, insurgents, and rebel groups.
4. To mention a few notable contributions, Jason Lyall and Isaiah Wilson, “Rage Against the Machines: Explaining Outcomes in Counterinsurgency Wars,” *International Organization* 63 (1) (2009), pp. 67–106; Paul Collier, Anke Hoeffler, and Mans Soderbom, “On the Duration of Civil War,” *Journal of Peace Research* 41(3) (2004), pp. 253–273; Lisa Hultman, “UN Peace Operations and Protection of Civilians: Cheap Talk or Norm Implementation?,” *Journal of Peace Research* 50(1) (2013), pp. 59–73; United Nations, *Peacekeeping Operations: Principles and Guidelines* (New York: United Nations Department of Peacekeeping Operations and Department of Field Support, 2008); Virginia Page Fortna, “Does Peacekeeping Keep Peace? International Intervention and the Duration of Peace After Civil War,” *International Studies Quarterly* 48(2) (2004), pp. 269–292. On U.S. military operations in Afghanistan, see Astri Suhrke, “From Principle to Practice: US Military Strategy and Protection of Civilians in Afghanistan,” *International Peacekeeping* 22(1) (2015), pp. 100–118.
5. Some would argue that applying the term *host nation* to recent U.S. military operations in Iraq and Afghanistan is far from uncontroversial considering the arguably “occupational” nature of these interventions.
6. Jens Ringmose, Kenneth Pedersen, Lars Mouritsen, and Peter Dahl Thruelsen, *The Anatomy of Counterinsurgency Warfare* (Copenhagen, DK: Faculty of Strategy and Military Operations, Royal Danish Defense College, 2008), p. 5. Available at <http://forsvaret.dk/FAK/Publikationer/Rapporter/Documents/Counterinsurgency%20Warfare.pdf> (accessed 20 April 2015).
7. Richard Lock-Pullan, “The U.S. Way of War and the ‘War on Terror,’” *Politics & Policy* 34(2) (2006), pp. 374–399.
8. See, for example, Amitai Etzioni, “Rules of Engagement and Abusive Citizens,” *Prism* 4(4) (2014), pp. 87–102; Caroline Holmqvist, “War, ‘Strategic Communication’ and the Violence of Non-Recognition,” *Cambridge Review of International Affairs* 26(4) (2013), pp. 631–650; Fred Kaplan, “The End of the Age of Petraeus: The Rise and Fall of Counterinsurgency,” *Foreign Affairs* (January/February 2013); Celestino Perez, Jr., “The Soldier as Lethal Warrior and Cooperative Political Agent: On the Soldier’s Ethical and Political Obligations toward the Indigenous Other,” *Armed Forces & Society* 38(2) (2012), pp. 177–204; Rowan Scarborough, “Shades of Vietnam: Spike in U.S. Troop Deaths Tied to Stricter Rules of Engagement,” *The Washington Times*, 5 December 2013; David H. Ucko, *Counterinsurgency and Its Discontents: Assessing the Value of a Divisive Concept* (Berlin: Stiftung Wissenschaft und Politik, 2011).
9. U.S. Army and Marine Corps, FM 3-24/MCWP 3-33.5 *Counterinsurgency* (Washington, DC: Department of the Army and Department of the Navy, 2006) and U.S. Army and Marine Corps, FM 3-24/MCWP 3-33.5 *Insurgencies and Countering Insurgencies* (Department of the Army and Department of the Navy, 2014).
10. Harald Hoiback, “What is Doctrine?,” *The Journal of Strategic Studies* 34(6) (2011), pp. 879–900.

11. The U.S. Army has traditionally leaned heavily on conventional metrics such as combatant-to-combatant death ratios, while Marine Corps has emphasized the importance of political considerations and employing a smaller military footprint, see Steven Casey, *When Soldiers Fall: How Americans Have Confronted Combat Losses from World War I to Afghanistan* (New York: Oxford University Press, 2014); Robert M. Cassidy, *Counter-Insurgency and the Global War on Terror* (Westport, CT: Praeger Security International, 2006); Gian P. Gentile, "A Strategy of Tactics: Population-centric COIN and the Army," *Parameters* (Autumn 2009).
12. U.S. forces began adapting operations to fighting an insurgency in Iraq already in 2003. At the same time in Afghanistan, U.S.-led coalition forces worked toward expanding the use of Provincial Reconstruction Teams (PRTs) throughout the country, which combined a military presence with humanitarian and aid efforts in an effort to win "hearts and minds" of the Afghan people. However, these initial counterinsurgency efforts were not thoroughly evaluated and conceptualized as part of a comprehensive counterinsurgency campaign until the issuance of the first counterinsurgency manual in 2006.
13. For the purpose of this article, legitimacy is understood as a function of widely held perceptions within a host population.
14. Particularly influential historical cases of the different usages of "COIN" include British operations in Malaya and Northern Ireland, French military operations in Algeria, and U.S. counterinsurgency operations in Vietnam. Thomas Rid, "The Nineteenth Century Origins of Counterinsurgency Doctrine," *Journal of Strategic Studies* 33(5) (2010), pp. 727–758.
15. David Ucko, "Innovation or Inertia: The U.S. Military and the Learning of Counterinsurgency," *Orbis* 52(2) (2008), pp. 291–310.
16. Høiback, "What is Doctrine?," p. 888. Italics in the original.
17. The author is grateful to one of the anonymous reviewers for raising this point.
18. The widespread public debate surrounding FM 3-24 illustrates the increasing importance of the message contained in doctrine to the broader domestic public and voters. For critical pieces, see, for example, Gentile, "A Strategy of Tactics"; Roberto J. González, "Towards Mercenary Anthropology? The New US Army Counterinsurgency Manual FM 3-24 and the Military-Anthropology Complex," *Anthropology Today* 23(3) (2007), pp. 14–19.
19. Høiback, "What is Doctrine?"
20. John A. Nagl, "Learning to Eat Soup with a Knife. British and American Army Counterinsurgency Learning during the Malayan and Emergency and the Vietnam War," *World Affairs* 161(4) (1999), pp. 193–199. John A. Nagl, "The Evolution and Importance of Army/Marine Corps Field Manual 3-24, Counterinsurgency," Foreword in U.S. Army and Marine Corps, FM 3-24/MCWP 3-33.5 *Counterinsurgency* (Washington, DC: Department of the Army and Department of the Navy, 2006).
21. Lock-Pullan, "The U.S. Way of War and the 'War on Terror'"; Ucko, "Innovation or Inertia."
22. Lock-Pullan, "The U.S. Way of War and the 'War on Terror.'"
23. Steven Simon, "The Prize of the Surge," *Foreign Affairs* (May/June 2008); U.S. President George W. Bush, "President Bush Addresses Nation on Iraq War," transcript, *The Washington Post*, 10 January 2007; Toby Dodge, "Chapter Three: Iraq, US Policy and the Rebirth of Counter-insurgency Doctrine," *Adelphi Series* 52(434–435) (2012), pp. 75–114; Stephen Biddle, Jeffrey A. Friedman, and Jacob N. Shapiro, "Testing the Surge: Why Did Violence Decline in Iraq in 2007?," *International Security* 37(1) (Summer 2012), pp. 7–40.
24. Fred Kaplan, *The Insurgents: David Petraeus and the Plot to Change the American Way of War* (New York: Simon & Schuster Paperbacks, 2014).
25. U.S. President Barack Obama, "Remarks by the President in Address to the Nation on the Way Forward in Afghanistan and Pakistan Eisenhower Hall Theatre," United States Military Academy at West Point, West Point, New York, 1 December 2009. Available at <http://www.whitehouse.gov/the-press-office/remarks-president-address-nation-way-forward-afghanistan-and-pakistan> (accessed 15 January 2015). Earlier that same year, the U.S. Army published a manual for company, battalion, and brigade level that further developed doctrine on the tactical considerations in counterinsurgency operations, U.S. Army, *FM 3-24.2 Tactics in Counterinsurgency* (April 2009).

26. U.S. Department of Defense, *Sustaining U.S. Global Leadership: Priorities for 21st Century Defense* (2012), p. 6.
27. U.S. Army and Marine Corps, *Insurgencies and Countering Insurgencies*.
28. For studies on Western armed forces, see, for example, Deborah Avant and James Lebovic, "U.S. Military Attitudes Toward Post-Cold War Missions," *Armed Forces & Society* 27(1) (2000), pp. 37–56; Christopher Dandeker and James J. Gow, "Military Culture and Strategic Peacekeeping," in Jean Callaghan and Mathias Schönborn, eds., *Warriors in Peacekeeping: Points of Tension in Complex Cultural Encounters* (New Brunswick, NJ: Transaction Publishing, 2004), pp. 11–28; Laura L. Miller and Charles Moskos, "Humanitarians or Warriors?: Race, Gender, and Combat Status in Operation Restore Hope," *Armed Forces & Society* 21(4) (1995), pp. 615–637; Perez, "The Soldier as Lethal Warrior and Cooperative Political Agent." For studies on the host population, see Lisa Karlborg, "Enforced Hospitality: Local Perceptions of the Legitimacy of International Forces in Afghanistan," *Civil Wars* 16(4) (2015), pp. 425–448, doi:10.1080/13698249.2014.984383; Laura Neack and Roger M. Knudson, "Multitextual Analysis in the Service of Peace: Local People and Peacekeeping," *Qualitative Inquiry* 5(4) (1999), pp. 525–540; Béatrice Pouligny, *Peace Operations Seen From Below: UN Missions and Local People* (Bloomfield, CT: People Kumarian Press Inc., 2006); Andrea K. Talentino, "Perceptions of Peacebuilding: The Dynamic of Imposer and Imposed Upon," *International Studies Perspectives* 8(2) (2007), pp. 152–171.
29. Linnéa Gelot and Fredrik Söderbaum, "Interveners and Intervened Upon: The Missing Link in Building Peace and Avoiding Conflict," in Hanne Fjelle and Kristine Höglund, eds., *Building Peace, Creating Conflict?: Conflictual Dimensions of Local and International Peacebuilding* (Lund: Nordic Academic Press 2012), pp. 73–88.
30. Chiyuki Aoi, *Legitimacy and the Use of Armed Force: Stability Missions in the Post-Cold War Era* (New York: Routledge 2011), pp. 525–540; Nicholas Tsagourias, "Consent, Neutrality/Impartiality and the Use of Force in Peacekeeping: Their Constitutional Dimension," *Journal of Conflict & Security Law* 11(3) (2006), pp. 465–482.
31. David A. Lake, "Why Statebuilding Fails: The Social Origins of State Weakness and the Limits of External Intervention," The Osher Distinguished Lecture Series, 21 October 2013, University of California, San Diego, California. Available at <https://www.youtube.com/watch?v=5O4pusNMQ-Y> (accessed 15 January 2015). See also Bruce Gilley, "Putting State Legitimacy at the Center of Foreign Operations and Assistance," *Prism* 4 (4) (2014), pp. 67–85; Paul D. Miller, *Armed State Building: Confronting State Failure, 1898–2012* (Ithaca, NY: Cornell University Press, 2013).
32. Christopher Dandeker and James Gow, "The Future of Peace Support Operations: Strategic Peace-Keeping and Success," *Armed Force & Society* 23(3) (1997), pp. 327–348; Michael Mersiades, "Peacekeeping and Legitimacy: Lessons from Cambodia and Somalia," *International Peacekeeping* 12(2) (2005), pp. 205–221.
33. Mersiades, "Peacekeeping and Legitimacy"; Talentino, "Perceptions of Peacebuilding."
34. Others point out the likely circular nature of this relationship, namely that the degree to which foreign troops are perceived legitimate influences to what extent they are perceived to fulfill their perceived duty, or "contract," toward the host population. In a nutshell, "[i]t is difficult for international actors to gain support and legitimacy without demonstrating positive changes, but they cannot make positive change happen without support and legitimacy," Talentino, "Perceptions of Peacebuilding," 160.
35. For a critique on the role of an "external" peace and state-building agenda, see, for example, David A. Lake and Christopher J. Fariss, "Why International Trusteeship Fails: The Politics of External Authority in Areas of Limited Statehood," *Governance: An International Journal of Policy, Administration, and Institutions* 27(4) (2014), 569–587; Michael Barnett and Christoph Zürcher, "The Peacebuilder's Contract: How External Statebuilding Reinforces Weak Statehood," in Roland Paris and Timothy D. Sisk, eds., *The Dilemmas of Statebuilding: Confronting the Contradictions of Postwar Peace Operations* (New York: Routledge, 2009), pp. 23–52; Robert Egnell, "Winning Legitimacy? Counterinsurgency as the Military Approach to Statebuilding," in Robert Egnell and Peter Haldén, eds., *New Agendas in Statebuilding: Hybridity, Contingency and History* (New York: Routledge, 2013), pp. 210–231; Roger Mac Ginty, "Hybrid Peace: The Interaction Between Top-Down and Bottom-Up Peace," *Security Dialogue* 41(4) (2010), pp. 391–412; Roland Paris,

- “Saving Liberal Peacebuilding,” *Review of International Studies* 36(2) (2010), pp. 337–365.
36. Jan Angstrom, “Inviting the Leviathan: External Forces, War, and State-Building in Afghanistan,” *Small Wars & Insurgencies* 19(3) (2008), pp. 374–396.
 37. Karlborg, “Enforced Hospitality.”
 38. Lake, “Why Statebuilding Fails”; Lake and Fariss, “Why International Trusteeship Fails,” p. 570.
 39. Cf. Lake’s argument with contributions in Paris and Sisk, *The Dilemmas of Statebuilding*. Notably, Michael Barnett and Christoph Zürcher, “The Peacebuilder’s Contract,” which seeks to explain the limitations of external peacebuilding efforts in shaping local conditions for positive peace as the outcome of strategic interactions between peacebuilders, national elites, and local elites; David Edelstein, “Foreign Militaries, Sustainable Institutions and Postwar Statebuilding,” pp. 81–104, on the dual state building dilemmas of “footprint” and “duration”; or Astri Suhrke, “The Dangers of a Tight Embrace: Externally Assisted Statebuilding in Afghanistan,” pp. 227–251, for an excellent analysis of the dilemmas inherent to recent armed intervention in Afghanistan. See also Paris, “Saving Liberal Peacebuilding,” p. 343, for a discussion on the difficulty of squaring “competing imperatives” of peacebuilders, namely to “expand the scope and duration of operations in order to build functioning and effective governmental institutions in war-torn states” while at the same time seeking to “reduce the level of international intrusion in the domestic political processes of the host states.”
 40. Legal frameworks such as Rules of Engagements and Status of Forces Agreements.
 41. Carl von Clausewitz, *On War*, ed. and trans. Michael Howard and Peter Paret (Princeton, NJ: Princeton University Press 1976), p. 69. Italics removed.
 42. Perez, “The Soldier as Lethal Warrior and Cooperative Political Agent,” p. 185.
 43. *Ibid.*, p. 178f.
 44. For a notable critique of Huntington’s theory on civilian objective control, see Peter D. Feaver, *Armed Servants: Agency, Oversight, and Civil-Military Relations* (Cambridge, MA: Harvard University Press, 2003).
 45. Holmqvist, “War, ‘Strategic Communication’ and the Violence of Non-Recognition.”
 46. *Ibid.*, pp. 637, 642 and 647.
 47. U.S. Army and Marine Corps, *Counterinsurgency*, 1-148; U.S. Army and Marine Corps, *Insurgencies and Countering Insurgency*, p. 7–2.
 48. Robert M. Cassidy, *Peacekeeping in the Abyss: British and American Peacekeeping Doctrine and Practice after the Cold War* (Westport, CT: Praeger, 2004), p. 3f; U.S. Department of Defense, *Joint Publication 1-02: Department of Defense Dictionary of Military and Associated Terms* (2010, as amended through 15 December 2014); Høiback, “What is Doctrine?”; Stephen Biddle, “The New U.S. Army/Marine Corps Counterinsurgency Field Manual as Political Science and Political Praxis,” *Review Symposium* 6(2) (2008), pp. 347–360; Lt Colonel John A. Nagl, “The Evolution and Importance of Army/Marine Corps Field Manual 3-24, *Counterinsurgency*.” Available at <http://press.uchicago.edu/Misc/Chicago/841519foreword.html> (accessed 15 January 2015).
 49. Although field manuals may incorporate insights from civilian experts and scholars, they mainly draw from, and adapt to, mission experiences. Ultimately, field manuals are *military* publications and, as such, represent important “benchmarks” in a continuous learning process of the armed forces.
 50. Holmqvist, “War, ‘Strategic Communication’ and the Violence of Non-recognition”; David Martin Jones, M. L. R. Smith, and John Stone, “Counter-COIN: Counterinsurgency and the Preemption of Strategy,” *Studies in Conflict & Terrorism* 35(9) (2012), pp. 597–617.
 51. U.S. Army and Marine Corps, *Insurgencies and Countering Insurgency*, p. vii.
 52. This approach is conceptualized to consist of interdependent and dynamic phases that progress in a way and pace largely determined by the conditions of the operational environment, Kaplan, “The End of the Age of Petraeus”; David H. Ucko, “Beyond Clear-Hold-Build: Rethinking Local-Level Counterinsurgency after Afghanistan,” *Contemporary Security Policy* 34(3) (2013), pp. 526–551; U.S. Army and Marine Corps, *Insurgencies and Countering Insurgencies*, paragraph 9–10.

53. U.S. Army and Marine Corps, *Counterinsurgency*, paragraph 1–109; U.S. Army and Marine Corps, *Insurgencies and Countering Insurgencies*, paragraph 9–17.
54. U.S. Army and Marine Corps, *Counterinsurgency*, paragraphs 1–150, 1–151, and 1–152; U.S. Army and Marine Corps, *Insurgencies and Countering Insurgencies*, paragraphs 5–7 and 7–5.
55. U.S. forces are expected “to adopt appropriate and measured levels of force and apply that force precisely so that it accomplishes the mission without causing unnecessary loss of life or suffering.” If mistakes are made, clarity, accuracy, and transparency are keywords that should shape the dialogue with host citizens. At worst, failure to effectively communicate with host citizens can be interpreted as deliberate attempts at deception, which undermines “long-term credibility and legitimacy of the host national government,” U.S. Army and Marine Corps, *Counterinsurgency*, paragraphs 1–14, 1–120, 1–128, 1–138, 1–139, 1–141, 1–142, 1–149, 2–18, 3–1, 3–18, 3–19, 3–138, 3–164, 3–165, 3–170, 3–184, 5–2, 5–4, 5–19, 5–22, 5–26, 5–27, 5–38, 7–35, 7–37, 7–40, 7–43, 7–48, A-28, A-29, B-12, B-23, and D-36; U.S. Army and Marine Corps, *Insurgencies and Countering Insurgencies*, paragraphs 1–37, 1–38, 1–89, 8–14, 8–15, 9–17, 9–18, 9–19, 9–20, 9–21, 9–22, 9–40, 9–45, and 9–46.
56. U.S. Army and Marine Corps, *Counterinsurgency*, see paragraphs 5–51 through 5–80; U.S. Army and Marine Corps, *Insurgencies and Countering Insurgencies*, see paragraphs 9–5 through 9–40.
57. If the host government and socioeconomic infrastructure are not viable, U.S. forces will have to engage in “complex sovereignty and national reconstruction issues” in addition “to an already complex mission,” U.S. Army and Marine Corps, *Counterinsurgency*, paragraphs 1–109, 1–123, 1–134, 3–68, and 5–5; U.S. Army and Marine Corps, *Insurgencies and Countering Insurgencies*, paragraphs 9–5, 9–23, 9–24, 9–25, 9–26, 9–27, 9–28, 9–29 and 9–30.
58. U.S. Army and Marine Corps, *Counterinsurgency*, paragraphs 1–14, 1–51, 1–129, 1–149, 2–6, 3–2, 3–3, 6–29, 7–5, 7–8, 7–37, A-35, and A-36; U.S. Army and Marine Corps, *Insurgencies and Counterinsurgencies*, paragraphs 3–4, 3–5, 3–6, 3–7, 3–8, 3–14, 3–15, and 3–16.
59. U.S. Army and Marine Corps, *Insurgencies and Countering Insurgencies*, paragraphs 1–20, 1–83, 9–3 through 9–17, and 9–30 through 9–40. Italics added.
60. U.S. Army and Marine Corps, *Counterinsurgency*, paragraph 1–7, see also paragraphs 1–113 through 1–20. Italics added.
61. *Ibid.*, paragraphs 1–3, 1–7, 1–40, 1–109, 1–113, 1–115, 1–120, 1–130 and 3–83.
62. *Ibid.*, paragraphs 1–2, 3–76, 3–84, 3–87, and 3–88.
63. In line with this insurgency-centric focus the manual underscores that, “the ratio of security forces (including the host nation’s military and police forces as well as foreign counterinsurgents) to inhabitants” leads to more effective operations, *ibid.*, paragraphs 1–10, 1–14, 1–67, 1–108, and 1–130.
64. This captures the rationale behind the (in)famous “winning hearts and minds” approach, which first originated in U.S. doctrine during counterinsurgency operations in Vietnam.
65. *Ibid.*, paragraphs 1–118, 1–126, 1–127, 1–138, 1–139, 1–149, 5–38, 7–8, A-23, A-24, and A-58.
66. *Ibid.*, paragraphs 1–14, 1–43, 1–108, 1–114 through 1–119, 1–130, 1–131, 3–63, 3–64, and 3–77.
67. Violations against which are acts of “unjustified or excessive use of force, unlawful detention, torture, and punishment without trial,” *ibid.*, paragraphs 1–116 and 1–132. Italics added.
68. *Ibid.*, paragraphs 1–82, 1–160, 3–97, 5–24, 7–9, 7–10, 7–11, 7–21, 7–39, and 7–42.
69. *Ibid.*, paragraphs 5–116, 6–10, 6–60, 6–78, 6–88, A-25, A-40, and B-25.
70. *Counterinsurgents* refer broadly to government(s) conducting the counterinsurgency operation and thus include both host-nation and external civilian and military actors. Throughout the 2006 manual, there is a tendency to cluster all actors fighting the insurgents under the sweeping banner of “counterinsurgents,” which complicates the task of teasing out the specific role of U.S. forces. To help unpack and clarify the envisioned military duty of U.S. forces as counterinsurgents, two chapters in the U.S. Army and Marine Corps’ *Counterinsurgency* are especially informative, “Unity of

- Effort: Integrating Civilian and Military Activities” (chapter two) and “Developing Host-Nation Security Forces” (chapter six), see, for example, paragraphs 2–11, 2–24, 2–41, and 6–6.
71. *Ibid.*, foreword, paragraphs 1–106, 1–109, 1–113, 1–123, 2–10 through 2–13.
 72. *Ibid.*, paragraphs 1–118, 1–134, 1–139, 1–147, 1–149, 1–151, A-23, and A-26. Italics added.
 73. The manual does outline alternative operational approaches (combined action and limited support), which assign host authorities a more active military leadership role; however, they are deemed inapplicable unless U.S. forces face “limited insurgent activity” in the area of operations, *ibid.*, foreword, paragraphs 1–106, 1–121, 1–154, 2–7, 2–11, 2–13, 2–15, 2–20, through 2–24, 2–40, 2–41, 2–44, 2–48, 2–49, 5–2, 5–36, 5–40, 5–42, 5–82, 5–88, 6–6, 6–29, B-17, and B-18. Italics added.
 74. *Ibid.*, paragraphs 1–4, 1–147, 1–154, 6–29, and Table 6–2.
 75. As a point of comparison, the 2014 version of FM3-24 employs various constellations of the word “legitimacy” more frequently than its predecessor. Compared to the substantially more lengthy 2006 version, the word “legitimacy” is repeated 111 (cf. 74) times and “il/legitimate/ly” 51 (cf. 38) times.
 76. U.S. Army and Marine Corps, *Insurgencies and Countering Insurgencies*, paragraphs 1–27 and 1–28. Italics added.
 77. *Ibid.*, paragraphs 1–27 through 1–33. Italics added.
 78. *Ibid.*, paragraphs 1–27, 1–28, 1–30, 1–32, and 3–1 through 3–25.
 79. *Ibid.*, paragraphs 1–12, 1–19, 1–27 through 1–33, 1–39, 1–40, 1–82, 3–12, 3–14, 3–15, and 4–18.
 80. *Ibid.*, paragraphs 1–2, 1–5, 1–6, 1–13, 1–19, 1–21, 1–35, 1–60, 9–1 through 9–5, 9–37, 9–39, 9–40, 10–1 through 10–5, 10–21, 10–25, and 10–31. Italics added.
 81. *Ibid.*, paragraphs 1–6, 1–7 and 1–25.
 82. In line with this change, the revised manual also includes sections on reconciliation and reintegration of former insurgents, which arguably extends U.S. forces’ duty to protect host citizens to former insurgents, *ibid.*, paragraphs 1–25, 1–30, 1–32, 1–33, 1–82, 10–41, 10–43, 10–49, 10–50, and 10–52.
 83. *Ibid.*, paragraphs 1–1 through 1–26, 1–32, 1–60, 2–15, 2–19, 3–8, 7–23, 7–36, 9–37, and 9–40. Italics added.
 84. *Ibid.*, paragraph 1–40.