

## illuminating Gabriel's Tunnel

by  
*Richard T. Oakes*

This responsive commentary was suggested by certain implications of Richard Gabriel's article, "No Light in the Tunnel: Can U.S. Unconventional Forces Meet the Future?"<sup>1</sup> His article sets forth a paradox: that the most likely form of future conflict involving the U.S. will be an unconventional "guerrilla" war. Yet the U.S. has, in the face of this prediction, systematically dismantled and hindered the formation of unconventional warfare units. Gabriel concludes that the U.S. is, "unlikely . . . to rebuild its capacity to conduct unconventional warfare operations short of having to engage in them."<sup>2</sup> His thesis suggests that this failure in strategic judgment invites future difficulties in Central American and a repeat of Vietnam.

Gabriel suggests two ways in which the U.S. hinders the formation and continuation of unconventional warfare units. First, the government immediately dismantles unconventional units at the conclusion of armed conflict, and second, there is the problem of military careerism.<sup>3</sup> He further describes a political motivation behind these actions by government. He cites the notorious "Morosco" affair as essentially a public relations difficulty for the Pentagon. The "Morosco" catalyst then initiated the political response of unconventional force dessication.<sup>4</sup> Gabriel proves his proposition well by noting that there were about twenty unconventional warfare units during the Vietnam conflict and today fewer than nine exist, "struggling to keep alive."<sup>5</sup>

In fact, a better and longer factual history of the policy of dismantling can be made. This policy of immediately dissolving such unconventional units has been in place long before Vietnam. The Askari Units in the Italo-Ethiopia war in 1935-36<sup>6</sup> were dismantled; so were with the U.S. Rangers<sup>7</sup> at the end of the Korean conflict.<sup>8</sup> The impulse to dismantle appears to approach an imperative among military planners, a response we can observe and predict. The Pentagon response of destroying such units cannot be explained away merely in terms of the embarrassment caused by the killing of two suspected Viet Cong spies (the "Morosco affair") by U.S. Special Forces. Nor is mere military conservatism a satisfactory explanation.<sup>9</sup>

Today's defense structure also proves Gabriel's contentions on careerism in the Western military establishment; quantity counts over quality. James Fallows calls this "the culture of procurement,"<sup>10</sup> the more the better and the bigger the better. Careerism,<sup>11</sup> the practice of advancing one's own career at the cost of personal or professional integrity, is a related phenomenon. The very nature of unconventional units, small semi-autonomous groups and without

great opportunity for promotion make such units the "kiss of death for any officer truly interested in rising to the top."<sup>12</sup> Unconventional units are not conducive to rising to the top because the units are small, require extensive training and skill, and, more importantly, cohesion. The latter is perverted by the desire to have rank rather than use it. Fallows discusses this occurrence as "up or out" and that one should "command a unit as quickly as possible but not for too long, for that might prevent moving on."<sup>13</sup>

None of these explanations is entirely satisfying. And worse, they suggest a cynicism in military thinking that goes unproved. There are explanations beyond these in the ethico-legal realm.

Ethics and law are not foreign areas to the military hierarchy. There may be a legitimate fear of semi-autonomous elite units. These units, because of specialized training and capability, may become a Praetorian Guard or even an S.S., capable of threatening a democratic state. Autonomy, low cost and the *esprit de corps* of the elite can be turned against government. There may be more than a cynical and public relations-sensitive cabal behind the history of dismantling.

We can also find an explanation in the history of military theory. Von Clausewitz suggested a spectrum running from negotiation to war in order to resolve conflicts between nations.<sup>14</sup> Von Clausewitz powerfully influenced Western military thinking. The Von Clausewitz roots are visible in what has developed as the "Law of Land Warfare." Von Clausewitz was however nearly silent on the subject of unconventional warfare and as a result we find rules regarding its conduct absent from the "Law of Land Warfare." In fact, the 'rules' are not triggered until the U.S. recognizes the insurgent or assaultive group as belligerents.<sup>15</sup> This leaves the area between negotiations and outright warfare rather vague as to rules of unconventional conflict. It is no surprise, then, that military planners are loathe to devise military operations in a legal limbo. The most troublesome mandate of the "Law of Land Warfare" is the requirement of a hierarchy of discipline and thus responsibility.<sup>16</sup> Even modes of dress and the manner of the bearing of arms are governed.<sup>17</sup> All of this works quite nicely as a derivation of chivalry, tempered by the intellectual rigor of Von Clausewitz. Lines of authority, supervision and responsibility run clearly from platoons through companies, battalions, brigades, divisions and armies. The military planner has a right to be ethically concerned with semi-autonomous, small units, estranged from the chain of command that the law assumes.<sup>18</sup> The "mad major" factor of fiction and failsafe systems becomes a reality for the ethical planner.<sup>19</sup>

None of this is to say that Gabriel is wrong. In fact, he is quite correct. What is suggested here is not a different, but an additional analysis of observed history. The answer lies in recognizing his observations as true, and wrenching unconventional warfare from a lawless limbo and into an ethical construct.

Recent United Nation protocols to the 1949 Geneva Convention were at first greeted with horror as a legalization of terrorism by some commentators.<sup>20</sup> These protocols, dealing with wars of national liberation, represent an inroad of international law into the limbo which is the legacy of Von Clausewitz.<sup>21</sup> We suggest here a six phase progression parallel to and perhaps within the spectrum of Von Clausewitz:

- Phase I Common criminality or sociopathic violence
- Phase II Terrorism
- Phase III Insurgency
- Phase IV Belligerency
- Phase V Civil War
- Phase VI Governance

The emphasis here is not on the scientific observation of conflict as dispute resolution (Von Clausewitz), but upon the progression from powerlessness to power (governance) within a nation state.

Governed nation states have little difficulty understanding the "Law of Land Warfare," enforcing it and punishing its transgressors. Neither is there great difficulty in a basic understanding that the sovereign state can and should deal with common criminality within its borders. As we progress backwards along our spectrum, the legal and ethical questions present themselves. The U.N. protocols are a mere first step of law encroaching into, and hopefully defining, the troublesome middle ground of insurgency and terrorism. This is an imperative since unconventional forces are most frequently either the insurgents or the counterinsurgents and sometimes the terrorists.

The light in Gabriel's tunnel is law and ethics and not merely political machinations of the military.

#### Footnotes

1. Richard Gabriel, "No Light in the Tunnel: Can U.S. Unconventional Forces Meet the Future?," *Conflict Quarterly* 2 (Fall 1981):4-8.
2. *Ibid.*, p. 7.
3. *Ibid.*, p. 6.
4. *Ibid.*, p. 5.
5. *Ibid.*, pp. 5-6.
6. Eric Hobsbawn, *Bandits* (New York: Pantheon Books, 1969), p. 12.
7. Richard Garrett, *The Raiders* (New York: Van Nostrand Reinhold Co., 1980), p. 7.
8. There appears to be a limited exception to the immediate dismantling policy within NATO. The British have maintained Commando and Special Boat Units, which were employed in the Falklands crisis. This is the exception that proves the rule. It is a fair description of Gabriel's factual observations to say that such forces have been in general reduced to cadres at best. Even these forces or the rapid Deployment Force of the U.S. could be fairly classified as raider or "time buying" forces rather than "unconventional" in the classis sense.

9. This conservation is most often observed in equipment. The Springfield 45-70 "Trapdoor" single shot rifle persisted from 1873 through the late 1880's, in spite of the commercial success of the repeating rifle.
10. James Fallows, *National Defense* (New York: Random House, 1981), p. 62.
11. *Webster's Third New Int'l Dictionary*, (1971), s.v. "careerism."
12. James Ladd, *Commandoes and Rangers of WWII* (New York: St. Martin's Press, 1978), appendix 235. Clearly indicates the limited ranks available as noted by Gabriel, p. 6.
13. Fallows, p. 114.
14. Antol Rapport, ed., *Clausewitz on War* (New York: Penguin Books, 1968).
15. U.S., Department of the Army, *Field Manual: Law of Land Warfare, July 1966 with revisions*, pp. 25-28. This manual is an anthology of treaties, conventions, cases, statutes and customs formally adhered to by the U.S. government.
16. *Ibid.*, p. 25.
17. *Ibid.*
18. In 1965 the author in private conversation with a now deceased general officer listened to his concern that modern small unit tactics (Vietnam) meant the end of the "gentlemen's wars." In a 1980 private conversation with Army Historian George McGarigle he commented that Vietnam was our first war fought by children (19 year olds) and supervised by kids (22 to 24 year old company grade officers). He further observed that those trained and equipped to manage warfare (the colonels and brigadiers) were made remote from action and thus unable to exercise their responsibilities. I suspect both men were making the same legal and ethical observations separated by 15 years.
19. A few cinematic and popular literature examples suffice: *Dr. Strangelove* (or *How I Stopped Worrying and Learned to Love the Bomb*), (G.B./U.S. release, 1963), the Peter George novel, *Red Alert*, and the movie *Seven Days in May* (U.S. release, 1964) authored by Rod Sterling with Fletcher Knebel and Charles W. Bailey, writers of the novel.
20. David E. Graham, "The 1974 Diplomatic Conference on the Law of War: A Victory for Political Causes and a Return to the 'Just War' Concept of the Eleventh Century," *Washington and Lee L.R.* 32 (1975): 25.
21. W. Thomas Mallison and Sally Mallison, "The Juridical Status of Privileged Combatants Under the Geneva Protocol of 1977 Concerning International Conflicts," *Law and Contemporary Problems* 42 (Spring 1978): 11.