

The Role of the Military in Civilian Unrest: Lessons from Iraq



Featuring Lieutenant General Jim Dubik (US Army, Retired)

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The Hill recently published an op-ed by Institute for the Study of War Senior Fellow Lieutenant General Jim Dubik (US Army, Retired). Dubik is one of America's preeminent experts on military ethics. His latest op-ed draws on his experience with the US counterinsurgency campaign in Iraq and uses the lessons he learned in that conflict to critique the US government's response to recent protests inside the US. In this episode of *Overwatch*, ISW Editor Jacob Taylor speaks to Lt. Gen. Dubik about the purpose of his op-ed and his suggested improvements to the government's decision-making process.

Jacob Taylor:

This is *Overwatch*, a podcast presented by the Institute for the Study of War. My name is Jacob Taylor, and I'm here today with ISW Senior Fellow and retired US Army Lieutenant General Jim Dubik. General Dubik recently published an op-ed in *The Hill* titled, "The Line Between Tough and Stupid: Better Thinking to Deal with the Protests." General Dubik, thank you for being here today.

Lt. Gen. Dubik:

Jacob. Thank you very much. I'm glad to do it.

Jacob Taylor:

What were you seeking to achieve with the publication of this op-ed?

Lt. Gen. Dubik:

Well, on June 1st, I saw that the rhetoric was really escalating, even before the photo-op at St John's, and that most of the comments were along partisan political lines, and I wanted to help change the conversation a little bit by making an apolitical policy recommendation based upon my professional military experience. And I saw three relevant and, I think, significant policy issues that were muddled in the discussion up to that point.

Jacob Taylor:

And would you be willing to take me through those policy recommendations?

Lt. Gen. Dubik:

Sure. I'll first go through what I thought was muddled and there were three, I thought, big things. First, the legality of using federal forces at that time was not settled, and this was a pretty important issue, but I set it aside for the purpose of an op-ed being a short document and left it to the lawyers to argue out. And so, in the op-ed I addressed the other two items that were muddled, in my view. The first of those were using the language of war, calling our citizens enemies and our city streets battle space. And others were using the language of war, suggesting that victory and battles would equate to success on the streets. And this framework was just wrong headed.

The other issue that I had addressed was lumping protestors, rioters, and looters together in one category. This is really sloppy thinking, in my view, and sloppy thinking that would generally result in equally sloppy actions. Actions that may end up dangerous as well as counter productive. So, in a short op-ed, I tried to bring some rigor to the discussion and some analysis of the problem, which in turn, I thought, might help open our minds to other, more precise options.

Jacob Taylor:

Gotcha. And what options do you conclude might come up from that more precise way of thinking?

Lt. Gen. Dubik:

Well, there were two that I mentioned. One was maybe the option of not usually using federal forces at all, or the second option, using them in a way that would help the analysis of the situation. When you lump everybody together in one category, the general result is reaching for a solution that treats everybody the same. But in this case, we had lawful protestors who had both the good reason and still have a good reason to protest, and the right to do so, and they were being lumped together in the same category as a lawless rioters and looters, who of course had no right to do what they were doing. The lawful and the lawless should not be treated the same. So, we should be looking for a solution, I thought, that treated the lawful differently from the lawless. And I thought with a little bit more rigor in our analysis, then we could find a solution that matched the actual problem, not a generic solution to a homogeneous problem that did not exist.

Jacob Taylor:

In your op-ed, you identify this problem of differentiating protestors from looters, from rioters and so on. And you compare this problem to a problem faced by the US military in Iraq. Can you unpack that a little bit?

Lt. Gen. Dubik:

Sure. That's a great question, of course, because I say the framework of war may not be the best framework. But I used Iraq as an example of the analysis, not the framework of war to the streets. At one point in Iraq, we were counting enemies and calling the enemies that we were fighting anti-Iraqi forces, one homogeneous title for anybody who committed a violent act, whether that person was a extreme Sunni terrorist or an Al Qaeda guy, or extreme Shia terrorist sponsored by Iran on the two extremes, or that person was merely acting in revenge of a person, a loved, one that was killed, or acting on a destitution, getting paid 25 or \$40 to put down an IED. And that kind of homogeneous thinking, lumping the enemy together, ended up being counterproductive and sustained the cycle of violence rather than reduce it.

So, once we were able to separate out in a spectrum kind of way, who were the extremes who had to be dealt with one way, who was the middle that really had no ideological iron in the fight, and we could treat them a different way, and then between the extremes in the middle, who are the varieties of groups and what would their motivation? Once we could separate these groups out and individuals out, then we could start acting in a more precise way to target some kinetically, to arrest some, and otherwise negotiate maybe with some others, a more precise analysis. I thought the Iraqi example provided an example of more precise analysis that I think would be very helpful in the current situation.

Not only when understanding who are the looters and the rioters that have to be identified, but also looking at the other category that people are using, called a quote unquote, outside agitators. Well, this kind of vague language, just like lumping together, the lawful and the lawless, these kinds of language is unhelpful because it lends itself to conspiracy theories. And the police, I thought, have, I know they do, have a fairly sophisticated intelligence capacity. And from the hundreds of people that they've arrested, they should have been able to use the questioning that followed arrest to start identifying, specifically, who were the individuals and groups feeding the violence. How do they do that? Where are they doing it? Social media, physically. Where are they located? And once they start getting more precision in their language about who's instigating this, then the amorphous category, outside agitators, should fall away, and you have specific people or groups to target with all the legal ways at the police disposal.

Jacob Taylor:

Is it fair to say that you believe that there are lessons that the US has learned abroad in it's military's counterinsurgency capacity that could be applied to better manage its domestic security as well? I asked this specifically, because in my understanding, those two realms have been kept intellectually separate from one another. In the sense that, lessons learned in Iraq, aren't traditionally considered lessons that would ever be applied to the domestic policing

of American citizens.

Lt. Gen. Dubik:

Sure. That's a very good question and, not to use a pun, but there's two sides to that coin. The first side is that counterinsurgency conducted outside the United States in foreign soil is, of course, much different, much different permissions, rules of engagement, conditions, than policing done in conditions of civil disturbance. So that part's true. But the other part is not true, the intellectual part, again, the analysis and the understanding of how to choose a proper tool for the situation.

So, let me give you an example. Military forces impose security, they come with all their guns, very intimidating, lots of people, helmets, all that comes with the military to impose security. Police enforce security and enforcement of security means that there's already some kind of social political agreement about the legitimacy of the laws. So, you come to policing even in coin, even in Iraq, differently than you come to a use of military force. So, that's one possible lesson.

A second is that overuse of military force, overuse of kinetic force, is counterproductive to creating the conditions for lawfulness. So, you have to be able to mix the non-kinetic actions, and the enforcement of law police actions, together in such a way that increases the legitimacy of the government. In Iraq, naturally, you're going to do that in different ways but, intellectually, in many ways, the same intellectual lesson can be learned in many of the cities. Use force to enforce the law in such a way that increases the legitimacy of the government. And I think there's probably two or three other lessons like that if I could have time to look at those.

So, again, while I grant operating outside the United States under the conditions of war, even if it's a counterinsurgency version of the war, is different than operating in the cities, there are intellectual lessons that, when properly adapted, I think can apply to many of the kinds of problems our police departments, our mayors, and our governors are trying to figure out.

Jacob Taylor:

And this cycle of violence, so to speak, where overuse of force by security forces, leads to the insurgent or protesting parties to escalate their response, necessitating additional use of force on the part of the security forces. Do you believe you've seen that paradigm in play in the US? And, specifically, it's been about a week since your piece was published, do you think things have tapered off since the beginning, or are we still in a cycle like that?

Lt. Gen. Dubik:

Well, I think that depends on the location. I think there are some places where the cycle of violence is spinning down. And in those places, I think you see the police trying to separate the lawful from the lawless, and precisely target the lawless in lawful ways. Not overusing force to target even the lawless. And in those areas, you see some settling down, not all, but some settling down. Other areas have not quite caught up with that thinking, either in those areas they're using their police forces, or they're using their police forces in such a way that they're overly violent even with the lawless. And you can see on TV pictures of now police, quote unquote, over-violence, and these kinds of pictures that will feed the cycle up rather than the cycle down.

But I have to say, look, these are very difficult situations in which to operate. And when you're at the very point, the policemen on the street, amid the rioters and the emotion, it takes a significant amount of self-control and leadership and discipline that is resident quite a bit in the police forces. But one little mistake can spin this back up rather than spin it down.

Jacob Taylor:

Do you see that as being analogous with the experience of US troops abroad?

Lt. Gen. Dubik:

Yeah, absolutely. I mean, in Iraq we would have several weeks or days with kind of minimal violence toward the end of my tour, anyway, in the middle of 2008, things were spiraling down. Then we'd have a mistake, either intentional or unintentional mistake, that caused the violence to spin up and create more antibodies against us. We would see that sometimes. Other times we would see our enemies, in this case the right word, not citizens but our enemies, use social media with previous errors that we had made to re-incite some more violence and hatred against us. So, like I said, this is not an easy situation. It won't turn off immediately, but you can keep turning it down and keep turning it down if you mix the proper use of legal force with the right amount of other incentives. And the discussion by Congress, for example, of trying to structure a bill that would address some of the root causes of the violence, the root causes of the protest, this was really good ideas. Some of the governors talking in the same way about police reform, this is a good idea. These are the non-force elements that have to address the root causes of the protest to keep that cycle going down.

Jacob Taylor:

So does this mean you're optimistic about the lessons that are being learned, yours, the ones you identify as well as others?

Lt. Gen. Dubik:

Well, I can't say optimistic. I'm not pessimistic, I guess I'd say the jury is still out. I'm encouraged by quite a bit of the police behavior that I've seen, at least, in the last week or so. And this is good, good for all of us in the country, but at the same time, it's not over yet. And we shouldn't think that, even the end of the protest is the end of the action, because addressing the root causes of the protest will be a long-term activity that will have to go on for years. Discussions among political leaders and their citizenry at the local level, at the state level and at the national level, and these are longterm. The violence, perhaps we can turn that down relatively quickly, but the protests are a reflection of something that is basically wrong in the way justice is enforced and administered. And that's going to take longer to deal with, but as long as you can show some progress, local, state and national, in that, and keep the level of police violence under control, then I think you set the conditions for a higher probability of a good outcome.

Jacob Taylor:

Well, General Dubik, thank you so much for being here with us today. It's been a pleasure talking to you and getting to hear your insights on this really incredibly salient issue.

Lt. Gen. Dubik:

Well, thanks Jacob. Like I said at the beginning, I really wanted to have some apolitical, nonpartisan discussion on the actual analysis of the situation, not contribute to the rhetoric that was, I thought, just escalating on both sides of the aisle. I hope I did that, that's what I was trying to do, and I appreciate the chance to talk to you.

Kim Kagan:

Thank you for listening to this episode of Overwatch. We look forward to your feedback on this episode and previous ones. Visit www.understandingwar.org to learn about ISW's work and to sign up for our mailing list.

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