

The 2016 Archive of Modern American Warfare Symposium Agenda “ISIS and the Global War on Terrorism”

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The Archive of Modern American Warfare, Texas Tech University
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Thursday September 15, 2016

8:00 AM: Opening Remarks

Stephen Maxner, PhD, Director, Archive of Modern American Warfare, Texas Tech University

David Perlmutter, PhD, Dean, College of Media and Communication, Texas Tech University

8:30 AM: Session 1

The Law of Armed Conflict and the Global War on Terrorism

The presentation addresses the law of armed conflict in counterinsurgency and counterterrorism operations. It examines the precepts underlying the law of armed conflict—military necessity, humanity, distinction, proportionality, and honor. It reviews common issues arising from counterinsurgency and counterterrorism operations, such as the law of targeting and the related precepts of civilian immunity from attack and avoidance of “collateral damage,” as well as the associated problems of the enemy’s use of civilians as human shields and direct participation by civilians in hostilities. These subjects are considered in the light of the June 2015 Department of Defense Law of War Manual—the first comprehensive U.S. government exposition of the law of armed conflict in nearly 60 years. Finally, the presentation discusses the impact rules of engagement have on counterinsurgency and counterterrorism operations. Based in large part on political considerations, these rules of engagement impose far greater restrictions on the use of military force than those restraints found in the law of armed conflict.

Presenter: Richard Rosen, Colonel (Retired)

Richard D. Rosen is the Glenn D. West Endowed Research Professor of Law and the Director of the Center for Military Law and Policy at the Texas Tech University School of Law. Professor Rosen received his Bachelor of Arts degree from The Ohio State University, his Juris Doctor degree from the University of Miami, and his Master of Laws degree from the University of Virginia. Before entering academia, Professor Rosen served for 26 years as an Army judge advocate, retiring as a colonel in August 2003. At the time of his retirement, then-Colonel Rosen was the Commandant of the Army's Judge Advocate General's School in Charlottesville, Virginia. His other military assignments include Staff Judge Advocate of the III Armored Corps and Fort Hood, Deputy Legal Counsel to the Chairman of the Joint Chiefs of Staff, and Staff Judge Advocate of the 1st Cavalry Division.

The Concepts of War and Peace in Islam

The concepts of war and peace as they refer to the constructs of the abode of war, or *dar al-harb*, and the abode of Islam or *dar ul-Islam*, as well as how they are misconstrued with *Jihad*, has long been a contentious issue. This is so mainly because the interpretation and application of the laws have changed over the past fourteen centuries of Islamic history as shown by Isaacs in his comparison of European and Islamic laws. This paper will attempt to identify the origins of these concepts and will attempt to shed some light on the background and original intent of these concepts, and how that has changed over time, by examining the historiography and the history of these juristic concepts. What did this mean historically? Especially between the 7th and 10th centuries, when the majority of Muslim jurisprudence was acknowledged to have been codified. How has the interpretation changed since the decline of the last Muslim caliphate in the 19th Century? What is the world view that separates the House of War from the House of Peace? This paper shows that the application of the laws of war and peace by Muslim leaders and their armies over time, although at times not always exemplary, is not dissimilar to the misapplication of "just war" principles by Christian leaders and their armies through history. In addition, it shows that these concepts are been manipulated to this day in order to support views held by ISIS, Al-Qaeda and other extremist groups.

Presenter: Sid Hamid, Ph.D.

Dr. Sid Hamid is a graduate student of history at George Mason University. He is well versed in the cultural and religious aspects of the Middle East, as his experience spans several decades serving in Special Operations units around the world, including the Middle East and the Balkans where these skills were essential for effective interaction with the local populace. Sid is a 30 year veteran of US Army Special Forces and is a veteran of both the Afghan and Iraqi wars. He has extensive experience in the National Defense and Homeland Security areas especially with regards to intelligence, terrorism analysis and counter/anti- terrorism, and has authored policies for the Department of Defense as well as published on infrastructure protection, personnel security and critical defense assets.

Contextualizing ISIS between Dictatorships and Illiberal Democrats: What are the Muslim Clergy and Intellectuals Thinking?

This presentation contextualizes ISIS in the context of two sets of indigenous major players in the region: the authoritarian regimes and their illiberal democrat opposition. From the 'international community's' point of view the democratic option is not very palatable because of the fact that the likely winners of the elections are the illiberal democrats. It argues that when democratically elected governments are overthrown with the tacit approval of the 'international community', it only reinforces ISIS et al.'s hitherto propagated narrative: "democracy is not for muslims" and helps with recruiting more disenfranchised youth into their ranks. This presentation, after demonstrating the causal relation between repressive regimes and terror recruitment, argues that the American or enlightenment notion that "good things go hand in hand", thus democratization should

accompany modernization, i.e. liberalization of the social sphere and secularization, might not be the actual reality on the ground. In the second part, this presentation presents the response of the Muslim clergy ('Ulamā) and academics on the phenomena of ISIS.

Presenter: Nazmus Sakib

Nazmus Sakib is a Ph.D. student in the Department of Political Science at Texas Tech University with International Relations as his major. His research interests include conflict in the Middle East. His articles have appeared in Newsweek Middle East version, Open Democracy, Turkey Agenda, and South Asian Journal Blog.

10:00 AM: Coffee Break

10:30 AM: Session 2

Shaken or Stirred? Terrorism & Third Party State Resolve in Civil War Interventions

Does terrorism directed against a state affect its resolve to continue an intervention into a civil war? Contemporary research investigates the general impact of terrorism on partisanship in domestic politics; the effect of war casualties and terror attacks upon public opinion, voting behavior, and the survival of governments; and those nations most likely to be targeted by international terrorists. Drawing on this research, I link terrorist attacks originating in civil war states with third party state resolve to continue an intervention. Terrorism can either undermine a third party's resolve, because the costs resulting from terrorism appear larger than the benefits of an intervention for a third party state's national security; or, terrorism can fortify a third party state's resolve to continue an intervention, because terrorism results in a rally effect in the third party state that encourages continued intervention. Analysis of 168 third party state interventions with military personnel during the period 1975--2005 suggests that terrorism shakes the resolve of third party states, thereby resulting in more rapid termination of an intervention. Moreover, attacks on the third-party's allies or attacks originating from the region surrounding the civil war state also shakes third party resolve.

Presenter: Christopher Linebarger, Ph.D.

Christopher Linebarger is a Visiting Assistant Professor at the National Security Studies Institute at The University of Texas at El Paso. He completed his Ph.D. in Political Science at the University of North Texas in 2014 and is published in *International Interactions*, *Studies in Comparative International Development*, *Foreign Policy Analysis*, with forthcoming work in the *Journal of Peace Research*. His dissertation research explores the means by which rebels learn from one another globally, thus driving the transnational diffusion of civil conflict across the international system. Recent research has also explored the domestic resolve of third party military interventions in insurgencies, as well as social conflict on the African continent.

The Pivotal Role of Popular Support in Fighting Against Terrorism

Terrorism is one of the most pervasive threats that challenges the security and interests of the United States and every nation-state in the world. This paper uses analytical knowledge and frameworks from the program of Strategic Studies to strategically analyze the nature of the war fighting against terrorism. From the lessons of historical case studies in fighting terrorism in Algeria and Peru, the analysis of the current U.S.-led coalition's fight against the Islamic State of Iraq and the Levant (ISIL), this paper argues that among different strategic dimensions and factors, popular support plays a pivotal role that America has to recognize and carefully incorporate into its strategy in order to effectively lead the coalition combating terrorism. A working definition for "popular support" in this case comprised of all three types of terrorism's audiences: the constituent, the non-

constituent population and the international public. As ISIL is a transnational threat that has proved to be able to be very extreme and lethal yet able to adapt and mature itself, the U.S. government needs to reassess the nature of the war against ISIL in particular and "the war on terror" in general in order to be able to achieve the goal of "degrade, and ultimately destroy ISIL" as President Obama has declared. This paper makes certain strategic recommendations on achieving such goal through capitalizing on popular support.

Presenter: Carie/ Uyen Nguyen, MA

Carie/ Uyen Nguyen [pronounced as "win-win"] is an international student from Saigon, Vietnam. She earned her Bachelor degree of International Relations from the Department of International Relations at Ho Chi Minh National University of Social Sciences and Humanities in 2008. Carie had more than five years of working experience for international corporations in Saigon, across different sectors such as advertising, marketing, market research, and public affairs.

In 2013, Carie moved to America to pursue higher education at Texas Tech University. Last May, 2015, she earned a Master of Arts in Interdisciplinary Studies, with an emphasis in International Affairs, together with a Graduate Certificate in Strategic Studies.

Currently, Carie is a second year Ph.D. student of the Department of History at Texas Tech University, majoring in U.S. Military History. She is working with Dr. Ron Milam on her dissertation about the Vietnam War regarding the American Soldiers' attitudes toward the Army of the Republic of Vietnam (ARVN) soldiers.

12:00 PM Lunch Keynote Presentation:

Cyberwar and ISIS: How International Law Can Address the Threat

This year, February 2016, the United States started what the media has called a "cyberwar" against ISIS and their ability to recruit using social media and the internet (Assoc. Press, 26 Feb. 2016). U.S. Cyber Command is taking the lead in this classified operation. The U.S. Cyber Command is a new unit established in 2009 for the purpose of waging defensive or offensive operations and Secretary Carter has also reportedly asked U.S. Cyber Command to direct more resources toward ISIS and away from traditional areas of focus on Iran, China and Russia. While Russia, Iran and China have demonstrated cyberwar capabilities, including the recent arrest of an Iranian attack on a dam in New York, the sheer scope of infestation by ISIS on the internet is the fastest growing threat. For example, The Brookings Institute, in a March 2016 report, noted that ISIS supporters used at least 46,000 Twitter accounts from September to December 2014. As part of these strategy, the private company, Twitter, was asked by the FBI to monitor and close those sites identified as ISIS social media tools for recruitment. Twitter has reportedly cooperated.

The scrutiny given social media by US Cyber Command could infringe on civilian privacy in the U.S., and this new kind of cyberwar requires different tools to ensure that civil liberties are protected and balanced against the need for measures to ensure national and global security.

How can international law and domestic law evolve to meet this new kind of threat to our security?

Presenter: Victoria Sutton, MPA, PhD, JD

Victoria Sutton is the Director of the Center for Biodefense, Law and Public Policy, the only center at a law school in the U.S. to focus solely on issues of law and biosecurity. She is the founding editor-in-chief of the Journal for Biosecurity, Biosafety and Biodefense Law, an official journal of the Texas Tech University School

of Law. She is also the Director of the Science, Technology and Engineering Concentration and Dual Degree programs and the new, Emerging Technologies Law Certificate program.

She teaches courses in emerging technologies, intelligence law, constitutional law, environmental law, biosecurity law, biotechnology law, nanotechnology law and space law. She has publications in all of these areas, including seven books.

She was awarded the Paul Whitfield Horn Professorship in 2010, the highest honor that can be bestowed on a faculty member at Texas Tech University. She has taught at Yale Law School and is a permanent visiting faculty member of the Vytautas Magnus University School of Law, Lithuania.

She has served as a consulting attorney on several high profile biosecurity law cases and provides advice to several government agencies.

She has served two Presidents, President George H.W. Bush in the White House Science Office, and President George W. Bush as Chief Counsel for the Research and Innovative Technology Administration, U.S. Department of Transportation. She was a member of the Texas Task Force on Infectious Diseases during the Ebola events; and currently serves on the Texas Governor's Task Force on Infectious Diseases addressing the Zika threat.

Dr. Sutton has served on Committees of the Institute of Medicine and National Academy of Engineering.

1:00 PM: Session 3

Maneuver in the Narrative Space: How ISIS Operates and What It Says About Modern Warfare

Conflict in the 21st Century is maneuver in the narrative space. The Islamic State (ISIS) is currently the best and most extreme example of this type of maneuver. Narrative space is not simple narrative in the sense of messages, advertisements, and social media. Narrative space is the domain of human interaction and a domain for conflict: arguably the critical domain in conflict as currently conducted. Narrative space needs to be understood as a combination of societal identity, liminal narrative, and transient narrative. Narrative space, like physical space, changes over time. With narrative space the changes can be dramatic or subtle. Conceptualizing this terrain in its pre-existing and changing dynamic is crucial to successfully conducting conflict in the present environment.

ISIS provides an example of successful maneuver in the narrative space. For example, ISIS took control of Mosul, Iraq in 2014 in a way that shocked the western world and surprised the government of Iraq in Baghdad. They conducted their efforts through promulgating an ideology that combined much of political Islam, but also combined that ideology with a specific Islamic eschatology wherein they were the star – the Army of the Righteous come to cleanse and prepare the believing world before the end of times. They developed influence through a variety of methods that included personal engagement; masterful use of print, broadcast, and electronic media; and actions that supported their words. Targeted, specific, and graphic acts of violence supported the influence building efforts to reshape the manner in which organizations gained power and moved throughout the physical and narrative spaces.

Presenter: Brian Steed, Lieutenant Colonel

LTC Brian L. Steed is an assistant professor of Military History at the US Army Command and General Staff College and a Middle East Foreign Area Officer. He served eight and a half consecutive years in the Middle East including three times in Iraq. He was a Jordanian Army Officer as part of the Military Personnel Exchange Program for two and a half years and a liaison to the Israel Defense Force providing immersed experiences of Middle East culture. He has written numerous books including *Voices of the Iraq War: Contemporary Accounts of Daily Life (Voices of an Era)* and *Bees and Spiders: Applied Cultural Awareness and the Art of Cross-Cultural Influence*. His most recent book is *ISIS: An Introduction and Guide to the Islamic State*. He is currently a PhD student at University of Missouri-Kansas City (UMKC) where he is working on a dissertation titled *Warfare in the 21st Century: Maneuver in the Narrative Space*.

It Ain't Easy Being Mean: The Dilemmas of Terrorism

This presentation looks at a variety of dilemmas faced by terrorist organizations in terms of how they organize and operate. Alienated population subsets who feel they do not have a legitimate voice in the process of political change may turn to insurgent methods and terrorism to achieve their aims. This is neither an easy choice, nor a simple path to follow. Terrorist groups, typically defined as non or sub-state actors utilizing violence or the threat of violence against non-combatants for a political or religious ideology, must determine how they will operate and conduct their campaigns of violence. To understand and potentially exploit these terrorist dilemmas we look at their organization, “theory of victory”, targeting process, audience influence, resource management, recruitment, sanctuary needs, effects on constituent populations, and even time. Once we identify the assorted dilemmas that an organization faces then we can begin to identify ways to exploit those dilemmas from a counterterrorism approach.

Terrorism is inherently asymmetric in nature; as a result, terrorist groups typically do not survive very long if they do not carefully consider the multiple dilemmas they face, and make the optimum choices. Assorted “strategies of the weak” are only effective if the terrorist organization can translate the “military” gain from operations into some type of political success. Counterterrorism focus therefore must strive to understand and exploit the multiple dilemmas that terrorist groups face in order to force errors and prevent terrorists from achieving their objectives.

Presenter: David Lewis, Colonel, USAF (Retired)

Colonel Dave Lewis, US Air Force (Retired) served 29 years on active duty and has commanded at the flight, operating location, flying squadron, and operations group levels. His combat experience includes service as an air liaison officer with the US First Armored Division in Operation DESERT STORM as well as no-fly zone missions in Operation SOUTHERN WATCH. He has served in the European, Pacific, and Southwest Asian theaters, and his career includes duties with the US Army, the US Naval War College as a faculty member, and commander of a foreign fighter squadron.

Colonel Lewis retired from the Air Force in December 2009, with his last duty as Commander, Air Force ROTC Detachment 820 at Texas Tech. During his time at Tech he was instrumental in the creation of the Strategic Studies graduate certificate program, and now serves as an Assistant Professor of Practice in the Political Science Department, where he teaches courses on Strategy, Intelligence, Terrorism, National Security and Homeland Security.

2:30 PM: Coffee Break

3:00 PM: Session 4

Instilling Civic Responsibility in Afghanistan: District Government Managed-Community Based Development

During the 2010-2011 Surge in Afghanistan, DeJesse served as the District Support Team (DST) Leader for the International Security Assistance Forces designated Key Terrain District of Alingar District, Laghman Province. The District borders Nuristan Province and western edge of Kunar Province. Support for the government was minimal in the valleys that run to the East and West away from the central Alingar River. In these valleys, the government had little to no presence and therefore did not have the ability to address the populace's grievances. DSTs were tasked to provide daily mentorship to district level government official. The host nation government's success in Alingar depended on the District's ability to involve the entire populace in the process to effectively develop a plan for delivering essential services.

DeJesse worked directly with government officials to develop the district's service delivery plan which was designed to foster an environment where the district government and population developed an actual partnership/shareholder relationship that resulted in a 'first-of-its-kind' *District Government Managed-Community Based Development* plan. Through the plan, Officials acted to coordinate with communities; set goals; manage budgets; manage project materials; manage labor; develop maintenance skills; track project status and perform QA/QC functions. The program renewed the traditional social Afghan practice of communities working together to address their needs. DeJesse's presentation will focus on the DST's challenges of daily contact with an enemy and our efforts to support the Afghan officials who risked their lives to serve their country and communities.

Presenter: Andrew DeJesse, Lieutenant Colonel

LTC Andrew DeJesse graduated from University of the Arts, Philadelphia and commissioned in the Army Reserves through Drexel University ROTC. Andrew was branched as an Armor Officer, Adjutant General, and as a Civil Affairs Officer. As a Civil Affairs Officer in the US Army, he has experience in Iraq, Afghanistan, and South America working on governance and community based initiatives. Andrew has the Additional Skill Identifier as a Cultural Affairs Officer (Monuments Men). His efforts have focused on the human-centric aspects of the stability operations and heritage conservation communities and for the purposes to explore cultural heritage's inter-relations with the stability sectors of stable governance, rule of law, safe and secure environment, social well-being, and sustainable economy. He completed the Naval Postgraduate School's Security Stability and Development in Complex Operations and Rule of Law programs. He is current assigned as the Commander of the 413th Civil Affairs Battalion, Lubbock, TX.

Small Arms and the Rise of IS (Islamic State)

In the last ten years the so-called Islamic State has taken control of a sprawling web of territory from northern Iraq, Syria and creeping into northeastern Lebanon. The militant Sunni jihadist group has been able to equip its forces with small arms and light weapons even as it drew in thousands of foreign militants in response to calls for loyalty to the caliphate. During the rise of Islamic State, the flow of small arms and light weapons contributed to the group's ability to make advances and control territory through violent conflict. This study used data from U.S. and foreign government and NGO reports to provide estimates of small arms transfers into Syria and Iraq prior to the rise of Islamic State in 2006. The study then analyzed the flow of small arms and light weapons and discussed the international laws, regulations and policies that shaped the flow of small arms to Islamic State. A discussion of the efficacy of international arms trade controls suggests that antecedents to

arms controls may form casual patterns on a spectrum between displacement, where actors substitute small arms for other weapons, and instrumentality, whereby arms controls contribute to less armed conflict. Careful attention to the political and economic institutions that exist prior to arms trade controls could better shape future non-proliferation efforts.

Presenter: Daniel Rolan

Daniel Rolan is currently a graduate student at Texas Tech University in the Department of Agriculture & Applied Economics. He served with the 10th Mountain Division as an infantryman in Baghdad, Iraq during 2005-2006 in support of Operation Iraqi Freedom. Daniel attended Texas Tech University following military service, completing his undergraduate studies in 2015. In addition to his studies, Daniel is also the Financial Manager for a local vineyard & farm. His research interests include: small arms transfers, peace and conflict studies and law and economics. He and his wife currently reside in Lubbock, Texas with their bullmastiff.

4:30 PM: Closing Remarks

Ambassador Tibor Nagy, Vice Provost for International Affairs, Texas Tech University

5:00 PM: End of Symposium