

STAFF COLLEGECOUNTER INSURGENCY HANDBOOK

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CHAPTER 6USE OF FORCE

"The use of force is but temporary. It may subdue for a moment; but it does not remove the necessity of subduing again: and a nation is not governed, which is perpetually to be conquered."

Edmund Burke

"He knew that the essence of war is violence, and that moderation in war is imbecility."

Lord Macaulay (of John Hampden)

"All that it takes for evil to prosper is for good men to do nothing."

Anon

INTRODUCTION

1. The study of the military role in COIN is essentially the study of the selective application of force to a political situation. The dilemma of whether to use force, in what strength, and in what way, is at the core of most political and military decisions in a counter-insurgency campaign. It is a dilemma which confronts both those directing the campaign and the soldiers and policemen, of all ranks, conducting the operations.
2. There are seldom any simple solutions to this dilemma. To make matters worse decisions on using force, particularly for the soldiers and policemen involved in events, are more often than not taken in haste under circumstances of considerable pressure, while the consequences and criticism of their decisions must be endured at leisure. It is therefore important to reflect with care and in advance upon the issues involved.

LIMITATIONS ON THE USE OF FORCE

The first question to examine is why there is a need to limit the use of force in COIN operations at all. Although British doctrine has espoused the principle of minimum force for many years, there are many international examples of substantial force being used in insurgency campaigns, and even in British campaigns 'minimum necessary force' has been interpreted in different ways at different times.

Morality. Since the government and its servants are moral agents the question of whether it is right to use violence against members of one's own population, and deprive them of their legitimate rights and freedoms, must be confronted. Unfortunately moral judgements are complicated by the very nature of revolutionary war which involves a challenge to accepted values, leaves no one uninvolved and blurs the distinction between the

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culpable and the innocent. Any use of force will almost always impinge upon innocent citizens in some way, and in a moral society this requires justification. Moreover, the nature of revolutionary war, eloquently described by one author as 'War in the Shadows'<sup>1</sup> tends to blur moral issues. It is therefore doubly important that those engaged in this activity are clear as to what conduct is unacceptable if a just cause is not to be compromised by morally dubious activity.

5. The Nature of Democratic Society. The freedoms of a democratic society and the rights of the individual within it are highly prized and jealously guarded. There is a real danger that, by using force to protect society against a revolutionary threat, the Security Forces may restrict or destroy the very freedom and rights which constitute democracy. Those who place as high a price on freedom as on order will, rightly, demand a full justification for the steps taken to combat subversion and insurgency. If the government and Security Forces cannot provide justification for their actions public confidence and support will be undermined. Many of the measures required in a counter-insurgency war are alien to a democratic society, but some may prove acceptable given full explanation, justification, safeguards and legal backing. Other measures, such as torture, are anathema, and Security Forces suspected of such activities will alienate themselves from their own population with entirely detrimental consequences to the overall campaign. Even totalitarian states, though far less vulnerable to public pressure, attempt to explain and justify their actions to their people.

6. International Opinion. Very few states are unaffected by international opinion and pressures. Quite apart from the economic interdependence of states, international support is essential for the successful conclusion of a COIN campaign. To maintain international support governments must be able to justify the level of force they are using within their country in a given situation. Where force is perceived by other countries to be excessive, the government is liable to forfeit both moral support and tangible aid and may see these assets switched to its opponents.

7. Effectiveness. A major reason for examining the dilemma of the use of force closely is that there is a direct relationship between the appropriate use of force and successful COIN. Although there are numerous examples of the use of extreme force proving successful in the short term (such as Dyer's action at Amritsar in 1919)<sup>2</sup>, the long term effects of the excessive use of force are invariably counter-productive in a democracy, undermining government support and hardening opposition. Only totalitarian regimes which can implement solutions using maximum force consistently can expect long term success and even then this cannot be guaranteed. At the same time, some force and special measures are essential in defeating a violent insurgency movement. As explained in Chapters 4 and 6, a population cannot be expected to support the government if the government fails to protect them from

<sup>1</sup>Robert B Asprey; 'War in the Shadows'

<sup>2</sup>A British commander in India, confronted by a crowd in a confined space, coolly ordered his troops to open fire on them, killing large numbers.

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violence.

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FACTORS AFFECTING THE USE OF FORCE

8. Recognising the dilemma and its relevance to CI does not in itself provide useful guidance to action. The difficulty is that 'appropriate' use of force depends to a large extent upon circumstances and to a lesser extent upon viewpoint. A number of factors will affect the issue.

9. National Character and Traditions. The history, social structure, religious beliefs, legal code and political development of a country all affect the population's perceptions of whether actions by the government are acceptable or not. For instance, contrast attitudes in Victoria's Britain to colonial policing with the divided opinions that greeted the Suez expedition in 1956. In the contemporary world compare attitudes in Western Europe towards the maintenance of law and order with those in Iraq or Somalia. National attitudes develop and change with time, and will not be uniform among a population which will invariably have both progressive and conservative elements. A complicating consideration when national forces are deployed in support of a foreign ally in a CI campaign is the possibility of conflicting attitudes towards violence and law and order. The media inevitably emphasise these differences, as happened in Vietnam. The ruthlessness of the conduct of that war, which was taken for granted in South East Asia, shocked the American people and undermined their support for their Forces.

10. The Current Threat. Public attitudes will obviously be influenced by the threat. For example the steps taken by both army and police in the United Kingdom to organize themselves to counter the developments in international terrorism since the 1970's have been generally approved of, as an appropriate and moderate response to a clearly perceived threat. Initially however, the necessary preparatory measures were feared by the authorities to be controversial and highly sensitive.

11. The Law. The basic source of guidance for what constitutes appropriate use of force is the civil law. The law in relation to soldiers operating in Aid to the Civil Power will be examined in more detail in Chapter 7 of this handbook and in the associated presentation. It has already been noted in Chapter 2 that one of the main principles of CI is that the Security Forces should operate in accordance with the law, and operations that break the law will certainly be regarded as inappropriate use of force. However, the law is dynamic and new laws can, if necessary, be made to meet new situations. One of the building blocks of a successful CI campaign is the passage of appropriate legislation to meet the circumstances. Although the formulation of such legislation will take time, it brings the argument full circle, for how does one decide what is appropriate and acceptable legislation?

12. Economics. Although not immediately obvious, economic considerations creep into this question of the use of force. Security costs money, whether in terms of the costs of resettlement and remedial programmes for the population, or the capital and running costs of the Security Forces. CI and IS operations tend, by their very nature, to be manpower intensive, and there comes a point at which the appropriate response may prove just too

as much to satisfy their "need to be busy" as to meet the needs of the situation. The unnecessary presence of troops can antagonise the local population and provoke incidents that would not occur if the troops were not present or adopted a more subtle approach. One of the skills in CI is to know when to do nothing. 1346

#### INTERROGATION

17. Interrogation is a potential source for the sort of information that can be turned into contact intelligence. The word interrogation often carries with it the implication that force of some sort has to be used to obtain the information required. Interrogation is thus as much subject to the constraints and considerations mentioned in the rest of this chapter as any other aspect of the use of force.

18. Chapter 4 of the Force Projection Handbook provides an explanation of British policy on prisoner handling and interrogation. Annex A of this Chapter outlines the rules regarding British interrogation policy in COIN operations. Annex A also contains an examination of forceful interrogation and its effects. It contains many lessons for those amongst us who are inclined to be hawkish in their attitudes to these matters.

#### CONCLUSION

19. There are no neat solutions to the application of force in CI. The premature or cavalier use of force is clearly counter-productive, alienating the population, confirming opponents in their prejudices, providing anti-government propaganda and playing into the hands of the revolutionaries. Yet an absence of action reveals an ineffectual government handing the population over to the violent influence of the insurgents.

20. To achieve the appropriate balance of action and restraint it is necessary to approach each situation as objectively as possible, in full possession of the facts and nuances, aware of the broad issues involved as well as the specific circumstances and conscious of the immediate and long term aims and likely tactics of the opposition. While it is normally wise to act with circumspection and use the minimum necessary force, there may also be times to act resolutely and ruthlessly. On such occasions more rather than less force might be appropriate, always providing that the target is precise and carefully selected, and the Security Forces act in accordance with the law and with a mind to the long term effects of the action.

Annex:

A. Interrogation of prisoners in CI.