Counterterrorism:

Can both Counterterrorism and Counterinsurgency Operations be Compatible and Mutually Reinforcing, or do both Inherently Operate at Cross-Purposes?

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In the shadows of failed enemy-centric counterterrorism policies in the Iraq War, a new counterinsurgency manual has been adopted by the United States military. While the official US policy on countering terrorist and insurgent groups in the Middle East is inherently a counterinsurgency doctrine, there has been an overreliance on counterterrorism force tactics, such as kill and capture campaigns and drone strikes in undeclared war zones in order to eradicate high value targets. Although these force tactics can indeed have short-term resolutions, questions remain regarding their long-term effects on the United States' counterinsurgency goals in the region. This research paper discusses the United States' official counterinsurgency policy under the Obama administration and its stated long-term goals in the regions where al Qaeda and their affiliates are present. Furthermore, the paper analyzes the short- and long-term consequences of these seemingly paradoxical shadow operations by discussing their legality, ethics, and effectiveness. The research paper concludes that while these tactics have proven effective in some situations, overreliance on them is counterproductive to the long-term goals intended to maintain security both in the host countries and on an international level.

midst the entanglement of the United States in an ongoing and seemingly expanding Global War on Terror, different tactics and policies have been utilized in attempts to weaken and eventually eradicate terrorist groups. Although counterterrorism and counterinsurgency are inherently different doctrines, the United States policy under the Obama administration is a hodgepodge of tactics from both doctrines. While the new United States army manual has been rewritten to include counterinsurgency (COIN) as its main ap-

proach, counterterrorism and the focus on force tactics has remained embedded into its Global War on Terror.

Despite understanding that population-centric approaches and political solutions to the conflict are necessary in order to curb the violence, during his presidency, President Barack Obama signed and approved a large number of drone strikes and signature strikes in order to kill high value targets in undeclared warzones such as in Pakistan and Yemen. More so, the United States Joint Special Operations Command

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(JSOC) continues to expand kill and capture campaigns in both Iraq and Afghanistan. The differences in the approaches used to counter the current global threat of Islamic terrorism raises questions regarding the compatibility of these strategies when utilized simultaneously in the same region.

Moving towards effective counterterrorism approaches requires understanding the potential repercussions, as well as successes, of certain tactics and the government's overall policy in the region. There is a sharp division regarding the proper policies and tactics that should be enacted to deal with the threat of terrorism and insurgency. In addition, the potential compatibility of the two main schools of thought, counterterrorism (CT) and counterinsurgency (COIN), remains debatable. Before delving into the compatibility issue, it is crucial to understand both doctrines along with their potential opportunities and obstacles. Below is a literature review that is meant to provide a comparative analytical framework, highlighting the main contributors to each school of thought and their respective arguments. This literature review will also lay the groundwork in addressing the debate regarding counterinsurgency and counterterrorism tactics, and whether they are mutually reinforcing or counterproductive.

II. Literature Review

Definitions:

The first doctrine of combating terrorism and insurgency is referred to as counterterrorism. It is a force doctrine that is defined in the United States Army Field Manual as "operations that include the offensive measures taken to prevent, deter, preempt, and respond to terrorism"(qtd by Rineheart, 2010). This doctrine focuses its efforts on the enemy, and seeks their physical annihilation as the primary goal (Adam, 2012). It is also defined by David Kilcullen, a former Chief Strategist in the Office of the Coordinator for counterterrorism at the U.S. State Department, as "a variant of conventional warfare...it could be summarized as 'first defeat the enemy, and all else will follow" (Kilcullen, 2007).

Counterterrorism includes different strategies that argue for the use of different levels of force. Kilcullen explains that these levels are scattered across a spectrum, and can vary from extreme to less brutal forms (Kilcullen, 2009). These counterterrorism methods are often referred to as "enemy-centric", because they focus on the enemy as their main priority. The most brutal form of counterterrorism occurs when the military takes no account of civilian casu-

alties, but rather eliminates everyone in the territory that harbors the terrorists; Kilcullen refers to this as "scorched earth" (Kilcullen, 2009). This approach defends the destruction of entire villages and the death of civilians by arguing that they are providing safe havens for the insurgents. Other, less brutal, methods of counterterrorism often attempt to minimize casualties by searching for the insurgents within the population, rather than kill everyone in a specific area (Kilcullen, 2009). Kilcullen calls this approach "search and destroy"; since the military are searching for the insurgents among the civilians (Kilcullen, 2009).

The second doctrine of combating terrorism and insurgency is counterinsurgency.

The Department of State defines counterinsurgency as:

Unlike conventional warfare...non-military means are often the most effective elements, with military forces playing an enabling role... Strategies will usually be focused primarily on the population rather than the enemy and will seek to reinforce the legitimacy of the affected government while reducing insurgent influence. This can often only be achieved in concert with political reform to improve the quality of governance and address underlying grievances, many of which may be legitimate ("The Counterinsurgency Guide", 2009).

The United States army manual also defines it as "a political struggle (that) incorporates a wide range of activities by the host nation government of which security is only one, albeit an important one", as well as "comprehensive civilian and military effort designed to simultaneously defeat and contain insurgency and address its root causes" (DTIC, 2013).

Dissimilar from counterterrorism, which focuses its efforts on the enemy, counterinsurgency focuses their efforts on the wider population in order to minimize casualties, and gain proper intelligence (Adam, 2012). It understands insurgencies as a control problem, and in return employs "an all- encompassing approach to countering irregular insurgent warfare - an approach which recognizes that a military solution to a conflict is not feasible; only a combined military, political, and civilian solution is possible" (Rineheart, 2010). Counterinsurgency is often referred to as "population-centric", or "hearts and minds", which implies that it is an anti-force doctrine. That is a common misconception; counterinsurgency includes and advocates for the use of some force (enemy-centric) and military tactics. However, it is not



Thirty-seven soldiers in the Djibouti army conduct counter-terrorism training along with U.S. Army National Guard soldiers from Guam, currently assigned to Combined Joint Task Force-Horn of Africa.

inherently a force or military doctrine. Kilcullen explains that population-centric approaches understand the situation as "fundamentally a control problem... it believes that establishing control over the population, and the environment (physical, human and informational) in which that population lives, is the essential task... the underlying philosophy is "first control the population, and all else will follow" (Kilcullen, 2007).

Counterinsurgency:

Following the initial loss of the Iraq war, counterinsurgency gained increased support as the dominant approach to countering terrorists and insurgent groups. General David Petraeus revised the United States army manual to include counterinsurgency (COIN) as the primary military doctrine (Springer, 2011). Advocates of COIN point to both pragmatic and ethical reasons for their support; they argue that current-day insurgencies are a different kind of war from other wars in history, and therefore should be dealt with accordingly. Since the insurgents are hiding amongst the civilians, the difficulty in this type of warfare is to eliminate the enemy without having large numbers of casualties. Therefore, counterinsur-

gency scholars and military personnel advocate for different tactics and policies in order to win over the population and establish control over territories that were once safe havens for terrorists and insurgents.

John Nagl, a veteran of both Operation Desert Storm and the conflict in Iraq, supports this argument in his book Learning to Eat Soup With a Knife. He discusses insurgency tactics through a comparison between the British's response in Malaya and the United States in Vietnam (Nagl, 2002). He explains that Britain's success was due to its ability to adapt its tactics and techniques to its specific needs. Although a "direct approach", focusing on eliminating the enemy first may seem more familiar to the military in terms of conventional warfare, the "indirect approach", which focuses on diminishing the population's support of the insurgents, is the most effective long-term strategy (Nagl, 2002). Therefore, Nagel advises the United States military to train soldiers in addressing insurgencies with different political and economic strategies, and not simply military tactics (Nagl, 2002).

Nagel's analysis and argument for counterinsurgency is widely accepted by most counterinsurgency advocates. One of the most influential strategists and writers about counterinsurgency is David Kilcullen.

Kilcullen has written multiple books and articles advocating for counterinsurgency methods of winning over the civilian population's support in territories where the United States is fighting insurgencies and terrorism. In his book The Accidental Guerrilla, Kilcullen examines the weaknesses in the United States' initial policy in the Iraq War (Kilcullen, 2009). He argues that counterterrorism (enemy-centric) approaches lead to the creation of more fighters since the number of casualties pushes the civilians into arming themselves against the military solely out of defense and personal vengeance, a term he refers to as "accidental guerrilla" (Kilcullen, 2009). He explains that if the enemy-centric tactics are killing insurgents, but in return, creating more insurgents, then the insurgency will never end.

Therefore, he argues that the best way to end conflict and maintain stability with the country is to gain control of the territory, through whatever means necessary, and establish trust with the population in order to gain intelligence about who hiding among them are insurgents (Kilcullen, 2009). This can only be done if the population feels secure and trusts the military. Therefore, he argues that this should be the military's main task in order to avoid the accidental guerrilla syndrome and deal with the root causes of

the problem at hand (Kilcullen, 2009). According to Kilcullen, counterinsurgency is mostly political and needs to secure the people as well as provide them with political solutions to their grievances (Kilcullen, 2009).

Since counterinsurgency is inherently different from conventional military practices, Kilcullen wrote his article "Twenty-Eight Articles: Fundamentals of Company-Level Counterinsurgency Editorial" in order to provide the military with twenty-eight steps that would help them win the insurgency and secure the territories (Kilcullen, 2006). These twenty-eight steps include learning the language and culture, gaining the elders' support, building trusted networks, and proceeding with precautionary methods in order to not let their actions be used as recruitment propaganda by the insurgents (Kilcullen, 2006).

More so, Kilcullen explains that the military cannot simply respond to the insurgents' attacks; but rather keep the initiative and be preemptive in order to initiate every attack necessary to leave the insurgents constantly reacting (Kilcullen, 2006). He argues that this is only possible through the mobilization of the civilians in the territory, and accumulating human intelligence of who and where the insurgents are (Kilcullen, 2006). Addressing the misconception



Hamid Karzai, center standing, the President of Afghanistan from 2001 to 2014, with Special Forces and CIA Paramilitary in late 2001.

of counterinsurgency discussed earlier, Kilcullen, in his article "Two Schools of Classical Counterinsurgency", explains that "the key to 'good counterinsurgency practice" is the agile integration of civil and military measures across security, economic, political and information tracks -- and this is something that has to be done regardless of which approach you adopt, and is just as necessary in both" (Kilcullen, 2007). He explains that successful counterinsurgency needs to include both enemy-centric and population-centric tactics, depending on the situation at hand. The military needs to be properly trained to know what circumstances require which approach.

Paul Cornish, a former researcher at the RAND Corporation and scholar, agrees with Kilcullen and argues that political measures are the only viable way to defeat terrorist groups. In his article, "The United States and Counterinsurgency: 'Political First, Political Last, Political Always", Cornish explains that counterinsurgency is not against the use of force, and that in some situations the insurgents must be dealt with militarily (Cornish, 2009). However, he argues, that the main goal of counterinsurgency is to win the support of the population, not to defeat the insurgents through conventional military tactics (Cornish, 2009). He explains that the best way to win local population's support is not by focusing on solving their small grievances, but by convincing the local population that they are secure from the insurgents and will not be "abandoned prematurely" (Cornish, 2009). According to him, this can only be granted to these populations if there are political solutions to their problems, and the counter insurgent is aware of those solutions (Cornish, 2009).

The combination of different agencies such as the military, Central Intelligence Agency (CIA), National Security Agency (NSA), law enforcement and foreign policy makers, in order to solve a situation can be problematic in cooperation, information sharing, and enforcement efforts. In his article "Counterinsurgency Warfare", David Galula addresses the complexity of this kind of holistic approach and emphasizes the necessity of it being carried out under single leadership in order to be efficient (Galula, 2006). He argues that no operation can be strictly militarily or strictly political. Military action is needed, but it should be secondary to the political goal (Galula, 2006). Therefore, he explains that the hardest task is to retrain conventional soldiers to adjust catering to political goals since they have never been trained this way before (Galula, 2006).

Many advocates of counterinsurgency also point to state building as an essential task of effective counterinsurgency efforts. This approach is similar to providing stability and security for the population, but includes more political approaches. Seth Jones, an analyst for the RAND Corporation, dissects America's policies in Afghanistan from 2001 to 2009 (Jones, 2009). In his book, In the Graveyard of Empires: America's War in Afghanistan, Jones explains that the war in Afghanistan failed because it did not establish a democratic government or provide the population with the security they needed (Jones, 2009). He insists that a renewed form of counterinsurgency is needed to gain the population's support in order to weaken the Taliban (Jones, 2009). He argues for a population-centric approach with a focus on the Afghan countryside as well as the need for the government of Afghanistan to build better institutions and address the root issues that are leading to the problems of their people (Jones, 2009). Jones' argument, however, raises questions about whether a democratic government can be strong enough to counter terrorism and insurgencies, and whether the democratically elected leader will be willing to cooperate with the United States in order to ensure regional and global stability.

Counterterrorism:

The counterterrorism doctrine is supported by scholars, policy makers, and military personnel that consider the threat of terrorism ideological, and not necessarily due to social and political grievances. They argue that enemy-centric tactics that focus on the insurgent or terrorist as the primary target are the most effective ways to defeat insurgencies and terrorist groups. Moreover, they explain that abiding human rights laws and using political tactics makes the United States weak in its chances of winning this type of war.

One of the most acclaimed scholars of counterinsurgency is Gil Merom. In his book How Democracies Lose Small Wars, Merom dissects three different countries' experiences with counterinsurgency; France in Algeria, Israel in Lebanon, and the United States in Vietnam (Merom, 2003). He argues that democracies lose these wars because they are unable to use the sufficient amount of force and enemy-centric approaches that are needed to win (Merom, 2003). Therefore, he recommends a scorched earth approach, and argues that the United States military should be prepared to use brutal methods, such as destroying the opposing population as a whole or carrying out whatever means necessary to kill the insurgents (Merom, 2003). However, he criticizes democracies' limitations in regards to what policies are employed due to public opinion; which becomes antiwar as soon as the numbers of casualties rise (Merom, 2003). He argues that the media usually influences a more soft-handed approach, and prevent the hard-handed approach that is needed to combat the threat (Merom, 2003).

Douglas Porch, a United States military historian and academic, agrees with Gil Merom that counterinsurgency tactics will never lead to the United States winning the war on terror. He dissects the history of counterinsurgency in France, Britain and the United States, from the 19th century to the Iraq war, and explains that the idea of counterinsurgency as the humane way of war is false (Porch, 2013). According to Porch, counterinsurgency "consists of the application of petty war tactics that its advocates since the 1840s have puffed as infallible prescriptions for effortless conquest, nation-building and national grandeur" (Porch, 2013). He argues that population-centric approaches will never ensure lasting stability in the region (Porch, 2013).

Max Boot, a military historian and foreign-policy analyst, also supports counterterrorism methods and argues that the military's success in conducting counterterrorism tactics is the main reason the United States has not experienced any major terrorist attacks on its soil since 9/11 (Boot, 2011). He contributed an article to the series "Ten Lessons Since the 9/11 Attacks", in which he praises the United States' counterterrorism policies. He explains that counterterrorism has been successful through President Bush's approval of the use of enhanced interrogation techniques on high value detainees, warrantless wiretapping, and CIA operated black sites, and drone strikes (Boot, 2011). He argues that although they are controversial practices, they have been successful in preventing more terrorist attacks and continue to be carried out by the Obama administration (Boot, 2011). However, the article was written in 2011 and predates the rise of ISIS as well as the terrorist attacks that have happened since.

Regarding the war in Afghanistan, counterterrorism tactics are supported by some officials in the White House; most famously by Vice President Joe Biden. Biden argues that COIN strategies are expensive and will not lead to a victory in the war in Afghanistan (Antal, 2009). Therefore, he advocates for reducing the number of American troops in Afghanistan in order leave a smaller "footprint" on the region. He explains that this will prevent the population from viewing troops as an occupation force (Antal, 2009). Biden's approach is interesting because it supports counterterrorism tactics, but also accounts for the population's reception of United States' actions; a different approach than any of the others. Former Afghanistan CIA case officer, Marc Sageman explains

that targeted strikes are very close to "completely eliminating al-Qaeda" (Antal, 2009). Although drone strikes are very controversial, they indeed reduce civilian casualties. Their low cost, precision, and ability to reduce civilian deaths are the main reasons behind the increase for their utilization.

Alex Wilner is an advocate of targeted killings and drone strikes, which are common counterterrorism tactics. In his article "Targeted Killings in Afghanistan: Measuring Coercion and Deterrence in Counterterrorism and Counterinsurgency", Wilner provides a case study analysis of four targeted killings in Afghanistan (Wilner, 2010). He argues that targeted killings are effective because they can lead to a change in the terrorist's behavior in order to avoid being monitored (Wilner, 2010). Therefore, this could lead to a decrease in their success of planning attacks. He explains his findings support the notion that targeted killings diminished the success rates of the Taliban in conducting terrorist attacks, and therefore argues that targeted killings should continue to be utilized in anti-terrorism operations (Wilner, 2010).

Are the two doctrines compatible or mutually reinforcing?

In the article "Counterterrorism and Counterinsurgency: Competing Approaches to Anti- Terrorism", Scott Adam analyzes the two competing approaches of responding to terrorism; counterinsurgency and counterterrorism. He explains that counterterrorism is effective in removing high value targets (Adam, 2012). However these approaches usually lead to high numbers of civilian casualties, as well as raise questions about the United States' legitimacy in the war on terror (Adam, 2012). Adam goes on further to discuss how counterinsurgency has a completely different approach to the problem. It focuses on the local population and attempts to minimize and address their grievances in order to get rid of their support for the terrorist and insurgent groups (Adam, 2012). Therefore, he concludes that both approaches are mutually exclusive and counterproductive, since counterinsurgency strives towards gaining the populations' trust, while counterterrorism tactics may alienate the population due to the excessive use of force (Adam, 2012).

Michael Boyle also raised the question of compatibility of counterinsurgency and counterterrorism in his article "Do Counterterrorism and Counterinsurgency Go Together". Boyle compares and contrasts counterinsurgency and counterterrorism, and explains that while they are used interchangeably, they are inherently very different (Boyle, 2010). Focusing

on the war in Afghanistan, Boyle argues that counterinsurgency focuses more on state building, as well as population support (Boyle, 2010). On the other hand, counterterrorism focuses solely on defeating the terrorist group militarily (Boyle, 2010). Boyle explains that if the terrorists differ demographically from the local population, then a combination of both counterterrorism and counterinsurgency tactics can be successful (cited by Adam, 2012). This is because each approach is targeting a different people; with counterterrorism targeting the terrorists, and COIN targeting the civilian population (cited by Adam, 2012). However, he explains that this is not always the case and argues that counterterrorism strategies can sometimes undermine counterinsurgency efforts (Boyle, 2010). He concludes by explaining that both approaches are not mutually exclusive, however they are not complementary or mutually reinforcing by any means (Boyle, 2010).

III. Methodology

Although not all-encompassing, this thesis is a qualitative study that will analyze the United States' use of drone strikes in undeclared warzones under the Obama administration. It will analyze legality, transparency, and overall effectiveness and consequences of the tactic both short-term and long-term. This research is not focused on an analysis of country case studies, but rather an analysis of the tactic with references to different countries, specifically Pakistan and Yemen; both undeclared warzones. Additionally, this research will analyze kill and capture campaigns carried out by the Joint Special Operations Command (JSOC) in Iraq and Afghanistan. It will also analyze the legality, transparency and overall effectiveness and consequences of the tactic both short-term and long-term. For the scope of this thesis, this research will not discuss detainee policies or policies not pertinent to the Obama administration.

Given the fact that data from the region discussed is often not reliable, and governmental data regarding counterterrorism operations is mostly classified, this study will use a qualitative approach to the question at hand. The research will discuss and analyze the long-term results of these tactics in the light of United States' counterinsurgency policies under the Obama administration. This will be done in order to see if counterterrorism tactics such as drone strikes and kill and capture campaigns can ever be compatible with the United States' counterinsurgency policies and their end goals, or if they are mutually exclusive.

The United States' counterinsurgency policy under the Obama administration:

In order to understand the basic overarching American policy in the war on terror during the Obama administration, this research will focus on main aspects of "The Counterinsurgency Guide" (2009), "National Strategy for Counterterrorism" (2011), as well as "Quadrennial Defense Review" (2014). These reports offer a comprehensive approach to counterinsurgency, which is the government's official stated policy in dealing with terrorism and insurgency.

"The Counterinsurgency Guide" includes five different components, which appear to be the main components of counterinsurgency in the Middle East and South Asia, the economic and development component, the security component, the information component, the political strategy component, and the control component ("The Counterinsurgency Guide", 2009). The guidelines explain that the economic component involves immediate aid such as humanitarian relief, sustainable infrastructure and medical activities. The security component is the process of providing security to the population form insurgent violence, in order to progress towards human rights, and freedoms. The information component is the process of gathering human and technological intelligence regarding terrorist and insurgent activity. The political component, which is essential to counterinsurgency, works towards political reconciliation, the establishment of a functioning government within the host country, as well as supporting civil society and governmental programs. And, the most important component of all, control of the territory, is the underlying function for all the other components to build upon ("The Counterinsurgency Guide", 2009).

The guide states that finding a balance between involvements to counter the threat, and allowing the host country to maintain its sovereignty is essential. Overstepping the boundaries of the host state's sovereignty can be counterproductive to the main goals ("The Counterinsurgency Guide", 2009). Furthermore, the guide explains that success in the mission can be measured by, "improved governance that brings marginalization of the insurgents to the point of destruction or at least reduction" ("The Counterinsurgency Guide", 2009). This calls for a legitimate and strong government that is capable of controlling their institutions and territories, as well as addressing the needs and grievances of the people in order to marginalize insurgent groups.

Additionally, the "National Strategy for Counterterrorism", published by the White House, lists core

values that the United States must adhere to in order to be successful in their counterinsurgency mission ("National Strategy for Counterterrorism", 2011). These core values include "respect for human rights, encouraging a responsive government, respect for privacy rights, and civil rights, balancing security and transparency, and upholding the rule of law"("National Strategy for Counterterrorism", 2011). These guidelines focus on the importance of balancing United States' short- and long-term goals and missions in the region. The end goal of this guideline is more specific towards Al Qaeda (AQ), and aims to disrupt and defeat AQ, prevent their expansion, eliminate safe havens, and build partnerships ("National Strategy for Counterterrorism", 2011). Moreover, the 2014 "Quadrennial Defense Review", published by the Department of Defense, explains that counterinsurgency efforts will focus on "building partnership capacity, especially in fragile states, while retaining robust capability for direct action, including intelligence, persistent surveillance, precision strike, and Special Operations Forces" ("Quadrennial Defense Review", 2014).

The United States' counterinsurgency policy, as evident by these documents, focuses on state building and cooperation with both the host government and the population. Although counterinsurgency doctrine is not against the use of force or the utilization of military tactics to kill targets, questions remain regarding the compatibility of the force tactics, as they stand today with the long-term goals in the region. This research will shed a light on this dilemma within the two case studies discussed.

IV. Case Study 1: Drone Strikes

"The inherently secret nature of the weapon creates a persistent feeling of fear in areas where drones hover in the sky and the hopelessness of communities that are on the receiving end of strikes cause severe backlash both in terms of anti US opinion and violence" (Abbas, 2013).

Drone strikes have been an extremely controversial counterterrorism tactic both on a national and international level within the last decade. The Obama administration has received criticism from the international community regarding its use of drones to carry out attacks on key leaders, militants, and affiliates in undeclared warzones around the globe. The administration's overreliance on drone strikes has led to many people referring to drone strikes as "The Obama Doctrine" (Rineheart, 2010). While the use of force tactics is not in opposition with counterin-

surgency doctrine at large, many questions remain regarding the compatibility of drone strikes in undeclared warzones with counterinsurgency policy in the Middle East. In attempt to answer this question, this case study will analyze the short-term successes of drone strikes, and compare the long-term repercussions of their use with the stated long-term goals and measures of success discussed in the various counterinsurgency documents and policies of the Obama administration.

Legality and transparency of drone strikes:

The legality of drone strikes has long been contested both domestically and internationally. Although domestic laws were passed to legitimize and legalize their use, their utilization in undeclared warzones remains illegal under international law. The Obama administration, much like the Bush administration, cites legal basis for the use of drone strikes abroad, such as The Authorization for Use of Military Force bill passed by congress after September 11 2001. The bill gave the president the broad authority to use force on those responsible for the attack. It states:

The President is authorized to use all necessary and appropriate force against those nations, organizations, or persons he determines planned, authorized, committed, or aided the terrorist attacks that occurred on September 11, 2001, or harbored such organizations or persons, in order to prevent any future acts of international terrorism against the United States by such nations, organizations or persons (Daschle, 2001).

The ambiguity of the bill in giving the president the ability to use "all necessary and appropriate force" against "nations, organizations, or persons", makes it difficult to deem the president's use of drone strikes as illegal under domestic law. Moreover, the Global War on Terror declared a war on terrorism internationally and therefore is arguably not constrained to borders. However, their utilization in undeclared war zones has been contested as violating state sovereignties, the underlying principle of all international relations.

Lack of governmental transparency in regards to the use of drone strikes has also sparked debate regarding their legality. For a long time, information on drone strikes was classified, and the government refused to provide information regarding the aftermath of the strikes. Although some governmental data has since been declassified and released to the public, a report by the Human Rights Clinic at Columbia Law School stated that the data is still lacking

in many aspects, and does not match with data from independent networks' investigations (Human Rights Clinic, 2012). The report explains that the official government reports on drone strikes state that very few civilians have been killed; however, news reports on strikes as well as independent investigations have concluded otherwise (Human Rights Clinic, 2012). "It's hard to credit (the government)'s death count, which is lower than all independent assessments," explained Hina Shamsi, the director of the ACLU's National Security Project (qtd by Devereaux, 2016).

Additionally, further complications to obtaining clear data on drone strikes arise due to severe inconsistencies between different investigative journalists' data and other independent sources. "NGOs provide accounts that differ not only from official figures, but also vary widely from organization to organization... For the period between January 20, 2009, and December 31, 2015, non-governmental organizations' estimates range from more than 200 to slightly more than 900 possible non-combatant deaths outside areas of active hostilities" (Devereaux, 2016). Although discrepancies between different investigative networks and other independent sources regarding the numbers of strikes and civilian casualties exist, all of them agree, "there is evidence to suggest that deaths, and civilian deaths in particular, are much higher than U.S. officials admit" (Human Rights Clinic, 2012).

This discrepancy between governmental data and independent sources can be explained as a result of differences in labeling and definitions. "The Obama Administration claims that U.S. officials have, over the years, maintained a practice of labeling military-aged males killed in drone strikes as militants unless evidence is produced indicating otherwise", explains Ryan Devereaux, author of "Obama Administration Finally Releases Its Dubious Drone Death Toll" (Devereaux, 2016). This means that any military aged male killed during a drone strike is written off as a combatant until this information is contested, which explains the reason the number of civilian casualties reported by the government is much lower than independent organizations.

Since governmental data does not provide information on the details of the strikes, or accurate justification for their count, this research will use independent data from the New America Foundation reports on drone strikes. According to the New America Foundation, there have been 403 drone strikes in Pakistan, 355 of them carried out by the Obama administration, which is 88% of the total strikes in the country (New America Foundation). The Obama administration's drone strikes in Pakistan have killed between 1,904 to 3,114 people. The report states

that between 1,645 to 2,731 were militants, 129 to 161 were civilians, and 130 to 222 were "unknown" (New America Foundation). Upon averaging and calculating the data into percentages of casualties for each category, the results showed that around 87% of all deaths were militants, 5.7% were civilians, and 7.01% were unknown. This means that civilian casualties are from 5.7% to 12.8% [if unknown are counted as civilians].

In regards to Yemen, the International Security Reports report 182 drone strikes, with 99.5 % of them carried out by the Obama administration. These strikes killed between 1,085 to 1,363 people. The report states that between 965 to 1,218 were militants, 87 to 93 were civilians, and 33 to 52 were "unknown" (New America Foundation). Upon averaging and calculating the data once again, the results showed that 89.17% of all deaths by drone strikes in Yemen were militants, 7.35% were civilians, and 3.47% were unknown. Which means that civilian casualties range from 7.35% to 10.82% [if unknown are included in the count].

It is important to note that the numbers of civilian casualties due to drone strikes are less than that from other force tactics. However, the contested legality and transparency of the use of drone strikes, coupled with the number of civilian casualties, has had negative repercussions in regards to United States' intervention in the region as a whole. Furthermore, the excessive use of drone strikes by the Obama administration has resulted in a negative view of the tactic worldwide.

Effectiveness of Drone strikes:

This case study will measure the effectiveness of drone strikes by evaluating the short- and long-term successes and repercussions of drone strikes in comparison with the measures of successes stated in the counterinsurgency policies of the Obama administration. While drone strikes have been proven effective in carrying out their tasks of killing key terrorists and insurgents, their long-term effectiveness remains debatable. Drone strikes are more precise than other tools and offer low cost surveillance and response to threat without risking the lives of US soldiers (Abbas, 2013; Byman, 2016). They have also killed key terrorist and insurgent leaders as well as denied terrorists sanctuaries in Pakistan, Yemen, and Somalia (Byman, 2016). According to the New America Foundation, data shows that the Obama administration drone strikes have killed around 3,300 AO Taliban and others in Pakistan and Yemen alone (Byman, 2016). Proponents of drone strikes argue that they have devastated the groups and denied them the potential and capacity to grow (Boot, 2011; Wilner, 2010). However, it remains debatable whether drone strikes have actually devastated terrorist groups and their growth, or simply altered their way of functioning.

Despite their short-term successes, drone strikes have caused a number of long-term consequences. Although it is difficult to gather an accurate estimate of the number of terrorists or insurgents in the Middle East, the numbers seem to have grown and spread. This is largely due to alienation of the host population, which is often a result of civilian casualties. The rise in casualties works against the United States' goal to be seen as protecting the population, but rather reinforces the idea that the intervention is terrorizing the people and their homes. This alienation of the population often results in rising recruitment for terrorist groups. Hassan Abbas, author of the article "How Drones Create More Terrorists", explains that drone strikes are used as recruitment tools in order to help terrorists gain recruits and monetary support (Abbas, 2013). The civilian casualties legitimize the grievances of terrorist groups, and justify their actions to the population (Abbas, 2013). In his book, The Last Refuge: Yemen, Al-Qaeda, and the Battle for Arabia, Gregory Johnsen argued that drone attacks in Yemen have had the opposite of their intended outcome due to civilian casualties, and has helped AQ grow immensely (Johnsen, 2013). Hassan Abbas explains that "the political message of drone strikes emphasizes disparity in power between the parties and reinforces popular support for the terrorists who are seen as David fighting Goliath" (Abbas, 2013) The rise in recruitment can also be a result of 'the accidental guerrilla' syndrome discussed by Kilcullen, which is the push of civilians arming themselves against the military solely out of defense and personal vengeance for innocent relatives or friends who were killed (Kilcullen, 2009).

Moreover, drone strikes alienate the host government fighting terrorist or insurgent groups on their territory and hinder potential cooperation. Drone strikes often occur without the knowledge or approval of the host government, such as the case in Pakistan. This can aggravate the government and strain relationships and cooperation with them in order to address the current terrorist threat (Benjamin, 2013). Imran Khan , leader of the PTI [the Pakistan Tehrik-i-Insaaf] Political Party, showed his disapproval of the United States' continued use of drone strikes by stating, "we will put pressure on America, and our protest will continue if drone attacks are not stopped" (Benjamin, 2013). This hostility is potentially harm-

ful to the United States' goals in the region since Pakistan is a vital partner in the region. Furthermore, drone strikes reinforce the terrorist and insurgent groups' portrayal of the host government as either too weak to protect its people, or conspiring against them with the United States. This is problematic as it hinders the host government's capacity to control their territory, and marginalize the terrorist and insurgent groups.

Conclusion on Drone Strikes:

Prior to addressing the compatibility question, this case study assessed the legality, transparency, and efficiency of the United States' use of drone strikes in undeclared warzones. Furthermore, it discussed the short- versus long-term successes and repercussions of their use. With regards to the United States government's counterinsurgency guidelines discussed earlier, this case study concludes that while the use of drone strikes can indeed result in some short-term successes, overreliance on drone strikes is inherently counterproductive to the United States counterinsurgency policy, values, and end goals in the region.

The excessive use of drone strikes has violated most of the United States' core values discussed in the "National Strategy for Counterterrorism" such as, valuing human rights, encouraging a responsive government, and balancing security and transparency ("National Strategy for Counterterrorism", 2011). Moreover, excessive use of drone strikes has had a negative effect on the five components addressed in the "Counterinsurgency Guide". Drone strikes destroy infrastructure and hinder the distribution of humanitarian aid, which undermines the economic and development components. The security and the information components are also negatively affected by the use of drone strikes because the strikes alienate the population and therefore push them towards supporting the insurgent and terrorist groups.

The excessive use of drone strikes also prevents the success of the political component, which works towards establishing a functioning government and supporting governmental programs. The rise in civilian casualties and, by default, rise in anti-US sentiments also undermines the control component as a whole, which could result in the government's loss of control of the population and the territory.

The "Counterinsurgency Guide" measure of success points to an "improved governance that brings marginalization of the insurgents to the points of destruction or at least a reduction ("The Counterinsurgency Guide", 2009). However, the Obama administration's excessive use of drone strikes has resulted in

quite the opposite. Additionally, the administration's excessive use drone strikes has also undermined state sovereignties, cooperation, and unintentionally helped terrorist groups gain support and legitimacy.

V. Case Study 2: JSOC Kill and Capture Campaigns

"If killing were all that winning wars was about, the book on JSOC would be written. But no war in modern times is ever won simply by killing enough of the enemy. Even in an era of precision weaponry, accidents happen that create huge political setbacks" (Arkin & Priest 2011).

Although drone strikes are often viewed as the most controversial tool of targeted killing, the increasing prevalence of JSOC kill and capture campaigns has also resulted in much criticism. Despite the shift in military strategy in Iraq from counterterrorism to counterinsurgency in 2007, JSOC kill and capture operations were increased accordingly and spread across the country, later expanding to Afghanistan (Niva, 2013). The increasing use of kill and capture campaigns simultaneously with the military's population-centric operations has raised questions regarding their compatibility. To shed a light on the question, this case study will discuss the legality and transparency of the kill and capture campaigns. Furthermore, it will discuss their short- and longterm successes and consequences under the Obama administration.

Legality and transparency of JSOC kill and capture campaigns:

Aside from The Authorization to Use Force discussed earlier, the Obama administration cites legal basis for kill and capture operations. Obama has continued many policies from the Bush administration that allow US forces to operate globally to pursue high value targets (Scahill, 2011). Al Qaeda Network Execute Order, known as AQN ExORD was originally signed by Rumsfeld in 2004 and expanded by General David Petraeus in 2009 (Arkin & Priest 2011). The initial order was "intended to cut through bureaucratic and legal processes in order to allow US Special Forces to move into denied areas or countries beyond the official battle zones of Iraq and Afghanistan" (Schahill, 2015). The order listed fifteen countries in which terrorists operate, and gave JSOC pre approvals to carry out their operations (Arkin &

Priest 2011). General David Petraeus expanded AQN ExORD in 2009 in order to allow JSOC forces to further operate without legal obstacles (Schahill, 2015).

In addition, General Petraeus signed an executive order known as Joint Unconventional Warfare Task Force (JUWTF), which Scahill explained as "a permission slip of sorts for US Military Special Operations teams to conduct clandestine actions without the president's direct approval for each operation" (Scahill, 2014, p. 282). While there have been domestic laws passed in order to protect JSOC operations, the legality of kill and capture campaigns have been contested both domestically as well as internationally.

Criticism of kill and capture campaigns is often due to the secrecy and unchecked nature of the campaigns, as well as the groups carrying them out, specifically JSOC. In his publication "Disappearing violence: JSOC and the Pentagon's new cartography of networked warfare", Steve Niva explains that JSOC has their own intelligence divisions and drones for surveillance (Niva, 2013). Moreover, their overarching group, SOCOM (Special Operations Command), has control over budgeting and training, which he explains is usually reserved for actual departments such as the Navy or the Army (Niva, 2013). Essentially, JSOC collects their own intelligence and acts upon it without the required approval from any other powers. This is problematic considering the secretive nature of JSOC, and the fact that the group's functions are classified, with no proper way of checking them. "JSOC operates with practically no accountability", argues Ackerman in his article, "How the Pentagon's Top Killers Became (Unaccountable) Spies" (Ackerman, 2012).

Most data regarding kill and capture campaigns is classified and very little is disclosed regarding their processes ("Kill/Capture", 2011). The classification of such tactics is understandable considering the need to remain anonymous and secretive in order to effectively target the enemy. However, the lack of transparency and accountability regarding JSOC operations is often seen internationally as contradictory with the United States' core values such as abiding to the rule of law and checks and balances. This can contribute to many long-term negative consequences.

Effectiveness of JSOC kill and capture campaigns:

There has been an overreliance on kill and capture campaigns for counterterrorism operations in both Iraq and Afghanistan. Retired Colonel John Nagl, explained to PBS Frontline that the operations are utilized extensively and their capabilities are those

of "an almost industrial-scale counterterrorism killing machine" ("Kill/Capture", 2011). The excessive use of JSOC kill and capture campaigns raises many questions regarding the effectiveness of the campaigns in reaching the final goals of the US counterinsurgency policies. Much like the previous case study, this case study will measure the effectiveness of JSOC by evaluating both short- and long-term successes and consequences. It will then compare them with the measures of successes stated in the counterinsurgency policies of the Obama administration.

JSOC operations have had many successes. Proponents of JSOC operations praise JSOC for their "devastating effectiveness", in finding and killing key leaders (Porter, 2011). JSOC Seal Team 6 is known and praised for the raid that killed Osama bin Laden, leader of AQ, in 2011. However, it remains debatable whether the killing of a key leader is in fact destructive of the group as a whole. While killing key leaders can be somewhat damaging to a group, it can also open the door for younger, even more violent individuals to take charge, making it less likely for the group to negotiate. Such is the case with the Taliban in Afghanistan; while the US military says kill and capture campaigns might force the Taliban leaders negotiate, the group has repeatedly stated otherwise (Edge, 2011). Proponents also argue that the tactics of targeted killings such as kill and capture have altered the way that terrorist groups function. However, there is no proof that the alterations truly affect their functionality and efficiency in communication.

Although data regarding details of kill and capture operations including number of civilian casualties is classified, various news reports highlighting civilian casualties in Yemen, Iraq, and Afghanistan have emerged throughout the years, and have negatively impacted United States' image and goals in the region. "Every JSOC raid that also wounded or killed civilians, or destroyed a home or someone's livelihood, became a source of grievance so deep that the counterproductive effects, still unfolding, are difficult to calculate", explained Arkin and Priest in their article "Top Secret America': A look at the military's Joint Special Operations Command" (Arkin & Priest 2011). The article argues that success of targeting the correct individuals was around 50%, but there is no clear way of verifying this information.

However, civilian casualties caused by JSOC kill and capture operations are a reality, and often yield unexpected consequences. General Mccrystal expressed this concern in an interview, "sometimes our actions were counterproductive... we would say, 'We need to go in and kill this guy,' but just the effects of our kinetic action did something negative and they

[the conventional army forces that occupied much of the country] were left to clean up the mess" (Arkin & Priest 2011). The death of civilians is often due to inaccurate data gathering methodologies. Although the official criteria for placing names on the kill list are mostly classified, it is known to be some sort of digital quantitative methodology. Gareth Porter, author of the article "How McChrystal and Petraeus Built an Indiscriminate "Killing Machine", explains that JSOC gathers their own intelligence through mobile phones of the locations they monitor, and maps them out in order to monitor communications between phone numbers on the kill list and others (Porter, 2011).

The inevitable result is that more phone numbers held by civilian noncombatants show up on the charts of insurgent networks. If the phone records show multiple links to numbers already on the "kill/capture" list, the individual is likely to be added to the list" (Porter, 2011). This methodology can be quite problematic since there is not a person verifying and understanding the nature of the contact or linkage between the phone numbers (Porter, 2011). Aside from civilian casualties, targeting civilians in night raids, whether deliberately for information gathering, or accidentally, also yields negative results.

While JSOC kill and capture operations have been effective in killing key leaders, their consequential long-term effects are detrimental to United States' goals and policies in the region. Despite the killing of thousands of militants and key leaders, the number of fighters in these groups have not decreased .In fact, the Taliban in Afghanistan seems to be recruiting at a very close rate to the rate of them getting killed (Edge, 2011). This is due to the unexpected civilian casualties of the campaigns. As with drone strikes, the death of civilians in JSOC kill and capture campaigns often results in the alienation of the population, and rise in recruitment for terrorist groups. Terrorist groups use the civilian deaths caused by US intervention in the region in order to gain support from the population and legitimize their grievances. They portray US intervention in the region as a western war against Islam and Muslims, and civilian casualties help them prove their case. The portrayal of the US forces as terrorists delegitimizes America's goals in the region, while further legitimizing the grievances of the insurgent groups. This can ignite anti-American sentiments that result in violence against civilians in the United States.

Furthermore, much like drone strikes, JSOC kill and capture campaigns often occur without approval or input and control from the host government. This strains the relationship between the host government

and the United States, and hinders potential cooperation for reaching a political end goal. The former President of Pakistan, Pervez Musharraf, showed his discontent of American forces violating the sovereignty of Pakistan to pursue high value targets. "I would like to point out one sensitivity of Pakistan and its people, and that is it's a violation of the sovereignty of Pakistan," he stated after the killing of Osama bin Laden (qtd by Schahill, 2011). He continued saying "American troops coming across the border and taking action in one of our towns...is not acceptable to the people of Pakistan" (qtd by Schahill, 2011).

Additionally, this reinforces the terrorist group's rhetoric that the host government is too weak and inefficient to protect its people from the violence of US intervention. It also portrays the host government as conspiring with the West against their own population, all of which can lead to the host government losing control of their people and their territory to the terrorist or insurgent group.

Conclusion on JSOC kill and capture campaigns:

Prior to addressing the compatibility question, this case study assessed the legality, transparency, and efficiency of JSOC kill and capture campaigns. Additionally, it analyzed the short- versus long-term successes and repercussions of their use. Since information about JSOC operations is classified, it remains a challenge to conclude how effective they actually are. JSOC kill and capture campaigns have killed key leaders and disrupted safe havens. However, in discussing their long-term effects, it is evident that many of them are detrimental to our goals in the region. With regards to the United States government's counterinsurgency guidelines discussed earlier, this case study concludes that while JSOC operations have yielded short-term successes, their long-term repercussions are counterproductive to the Obama administration's main components, values, and end goals.

JSOC kill and capture campaigns work against the five main components projected by the Obama administration in "The Counterinsurgency Guide" as essential to successful counterinsurgency in the region ("The Counterinsurgency Guide", 2009). Unlike drone strikes, kill and capture operations do not have a direct negative effect on the economic and development component. However, the campaigns work against the security and information components, as the United States is no longer seen as securing the population from insurgent violence, but rather terrorizing them. Therefore, the population is less likely

to cooperate with US forces in finding the insurgents hiding among them, but is more likely to (passively or actively) support the insurgent groups.

The political component is essential to the stability of the region, and is one of the most important aspects of counterinsurgency doctrine at large. However, overreliance on the kill and capture campaigns prevents the possibility of achieving a political end goal; due to rise in tensions between the host government and the United States, as well as lack of cooperation from the population. Consequently, this undermines the control component, as both the US forces, and the host government, lose control of the population and the territory to the insurgent groups. Furthermore, much like drone strikes, the excessive utilization of kill and capture campaigns violates United States' core values discussed in the "National Strategy for Counterterrorism" such as, respect of the rule of law, valuing human rights, and balancing security and transparency ("National Strategy for Counterterrorism", 2009). This is problematic because if the United States is seen as unabiding to these core values, it becomes increasingly difficult to hold other countries accountable for their actions and violations of core values. Furthermore, the alienation of the host government through the excessive use of kill and capture campaigns works against "The Quadrennial Defense Review", which advocates for "building partnership capacity, especially in fragile states" ("Quadrennial Defense Review", 2014).

In noting "The Counterinsurgency Guide", which points to an "improved governance that brings marginalization of the insurgents to the points of destruction or at least reduction" ("The Counterinsurgency Guide," 2009), it is evident that the excessive use of JSOC kill and capture campaigns is counterproductive to the main goals in the region. Furthermore, kill and capture campaigns have resulted in many negative consequences such as undermining state sovereignties, hindering regional and international cooperation, and failing to reduce support for the terrorist and insurgent groups.

VI. Conclusion

This research assessed counterterrorism tactics, such as drone strikes in undeclared warzones and JSOC kill and capture campaigns, in order to answer the ongoing question of whether counterterrorism and counterinsurgency doctrines can ever be compatible. The research concludes that these counterterrorism tactics have been proven effective in getting rid of key leaders and militants. However, in understanding

the importance of long-term consequences and successes, the research concludes that overreliance on counterterrorism tactics is counterproductive to the long-term goals of counterinsurgency in the region and to maintaining international security. Keeping in mind the extreme opposition to the overutilization of drone strikes and kill and capture campaigns by the affected populations, host governments, and the region as a whole, it remains difficult to project long-term political successes for the operations.

While both doctrines agree on the killing of key leaders and militants, counterinsurgency seeks a long-term political solution to the conflict by addressing political grievances and root causes. This can be done by working towards diminishing the population's support for the insurgents, rather than focusing on physically eliminating the enemy (Nagl, 2002). Therefore, as Kilcullen suggests, counterinsurgency operations should proceed with caution so as to not alienate the population in the process of eradicating the enemy (Kilcullen, 2009). This type of approach can address the political solutions needed to defeat the insurgencies in the region, and is different from counterterrorism, which has no political end goal, but seeks the physical destruction of the enemy as its primary goal. The inherent difference of the end goals between both doctrines makes their compatibility difficult, but not impossible.

Moving forward with counterinsurgency policy, it is important to understand that counterinsurgency is not against the use of force tactics, but rather the overreliance on them and their consequential negative effects. Therefore, precise and limited utilization of force tactics is essential in eradicating militants without yielding negative consequences. The task of balancing the appropriate use of force tactics with the goal of furthering political objectives was never considered the purview of the military, or the magical equation for a successful war. However, any success of the war on terror will be reliant on just that balance.

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