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Outside the Wire: American Exceptionalism and Counterinsurgency

David Fidler

Indiana University Maurer School of Law, dfidler@indiana.edu

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OUTSIDE THE WIRE: AMERICAN EXCEPTIONALISM AND COUNTERINSURGENCY

David P. Fidler[†]

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I. INTRODUCTION

In the past five to six years, counterinsurgencies in Iraq and Afghanistan have reshaped U.S. military strategy, national security

[†] James Louis Calamaras Professor of Law, Indiana University Maurer School of Law. In 2009–2010, Professor Fidler provided briefings on rule of law activities in counterinsurgency operations for military and civilian personnel being deployed to Afghanistan at the Camp Atterbury-Muscatatuck Center for Complex Operations in Indiana and at the Foreign Service Institute in Washington, D.C. He has taught Counterinsurgency and Rule of Law Operations and Complex Operations and the Rule of Law at the Maurer School of Law

thinking, and foreign policy.¹ Historically, such rapid shifts in U.S. political and military strategies concerned with armed conflict have occurred only in connection with developments in military technologies, such as air power and nuclear weapons. By contrast, the embrace of counterinsurgency (COIN) has no roots in technological innovations that threaten U.S. military power or the American way of life. In this sense, the rise of COIN in U.S. political and military policies is an extraordinary development in U.S. thinking about armed conflict.²

Despite the dangers inherent in commenting on seminal events still unfolding, this essay explores the U.S. relationship with COIN thinking and strategy. The essay's purpose is not to argue, as many have done, that the U.S. experience with COIN in Iraq and Afghanistan demonstrates how challenging, complex, and contentious COIN is.³ Fighting insurgencies has long proved difficult for many countries, with few examples of counterinsurgent forces achieving unequivocal success. Rather, this essay analyzes why COIN in Iraq and Afghanistan has been so difficult for the United States.

My argument is that American exceptionalism has played a significant role in preventing the United States from meeting the

1. In this period, literature on counterinsurgency (COIN) has poured forth in attempts to help or critique COIN operations in Iraq and Afghanistan. Among this literature, the *Counterinsurgency Field Manual* crafted by the U.S. Army and Marine Corps stands out as a seminal analysis and prescriptive guide. See generally U.S. ARMY AND MARINE CORPS, COUNTERINSURGENCY FIELD MANUAL (U.S. Army Field Manual No. 3-24 and Marine Corps Warfighting Publication No. 3-33.5) (Chicago: University of Chicago Press, 2007) [hereinafter COUNTERINSURGENCY FIELD MANUAL].

2. John A. Nagl, who participated in the drafting of the COUNTERINSURGENCY FIELD MANUAL captured the extraordinary nature of the shift into COIN when he observed that “[p]erhaps no doctrinal manual in the history of the Army has been so eagerly anticipated and so well received as Field Manual 3-24, *Counterinsurgency*.” John A. Nagl, “Foreword: The Evolution and Importance of Army/Marine Corps Field Manual 3-24, *Counterinsurgency*,” in COUNTERINSURGENCY FIELD MANUAL, *supra* note 1, at xiii, xvii. For many of my students, the importance of counterinsurgency became more vivid when Nagl appeared on the *Daily Show with Jon Stewart* in August 2007 to talk about COIN and the COUNTERINSURGENCY FIELD MANUAL, surely a first for a military doctrine of any kind. See Interview by Jon Stewart of The Daily Show with Lt. Col. John Nagl (Aug. 23, 2007), available at <http://www.thedailyshow.com/watch/thu-august-23-2007/lt-col-john-nagl>.

3. T. E. Lawrence—Lawrence of Arabia—famously captured the difficulties of COIN when he said that “to make war on rebellion is messy and slow, like eating soup with a knife.” T. E. Lawrence, *The Evolution of a Revolt*, ARMY Q. & DEF. J., Oct. 1920, reprinted in COMBAT STUDIES INSTITUTE REPRINT 8 (1989), available at <http://www.cgsc.edu/carl/download/csipubs/lawrence.pdf>.

exceptional challenges posed by COIN in Iraq and Afghanistan. As a unique political and military activity, COIN does not connect with the traits often identified as making the United States an exceptional power politically and militarily. These difficulties do not flow only from problems at the operational level, although such problems have been epidemic in U.S. policies in Iraq and Afghanistan. Instead, the difficulties emerge from deeper sources within the American approach to national security and foreign policy, specifically how the United States fuses its principles with the exercise of its material power in connection with armed conflict.

American exceptionalism is, at its core, a claim about the way in which the United States utilizes its significant power in world affairs in accordance with principles that define the United States as a different player in international politics. In fighting insurgencies in Iraq and Afghanistan, the United States has not been able to align its principles and power in a manner that reflects the claim of American exceptionalism. More deeply, the features of American exceptionalism have contributed to the difficulties faced by the United States in waging COIN in those two countries. In short, American exceptionalism has been one of the obstacles to the United States meeting the exceptional challenges posed by COIN.⁴ Beneath the policy, tactical, and strategic problems that have bedeviled U.S. actions in Iraq and Afghanistan, COIN has presented the United States with a much deeper political and military challenge that carries implications for the future of U.S. national security and foreign policy that the country has yet fully to comprehend.

II. COIN EXCEPTIONALISM

As the literature on COIN over the past five years demonstrates, most experts agree that engaging in COIN represents an extremely difficult task that requires extraordinary things from both the civilian and military agencies of involved governments. Even the well-known description of COIN as the “graduate level of war”⁵ does not adequately capture the taxing

4. Other attempts to link COIN with American exceptionalism have argued that American exceptionalism produced or contributed to failed COIN efforts. See, e.g., D. MICHAEL SHAFER, DEADLY PARADIGMS: THE FAILURE OF U.S. COUNTERINSURGENCY POLICY (1988).

5. COUNTERINSURGENCY FIELD MANUAL, *supra* note 1, at 1.

nature of fighting insurgencies effectively. The accepted premises of COIN strategy call for civilian and military personnel to engage in activities for which they have not been traditionally trained or equipped to undertake. Members of armed forces are not typically trained to engage in “armed social work.”⁶ Furthermore, diplomats and development practitioners—whose goal is to facilitate rapid nation-building activities in another country—are not accustomed to participating in expeditionary missions that involve intense political-military coordination in conditions of significant insecurity.

COIN has been difficult for a long time, which demonstrates that the exceptional nature of this type of armed conflict is not epiphenomenal or uniquely associated with the troubles of the United States in Iraq and Afghanistan. British, Ottoman, French, Chinese, African, American, Soviet, and Indian governments have all experienced failure in attempting to defeat insurgency movements considered a threat to national security. These failures span different historical periods, governmental regime types, and political ideologies, suggesting that the difficulty of COIN is deeply rooted in the nature of this kind of armed conflict.

This difficulty stands out even against the well-understood complexities of armed conflict—the “fog of war” and all that. Although war is the continuation of politics by violent means, the historical trajectory of thinking about armed conflict has been to advance the increased separation and specialization of civilian and military components of such politics. This trajectory is especially prevalent with the great powers, particularly the United States. Developments in military technologies have contributed to this separation, as the need for ever more specialized skills at deploying more destructive weapons increased as part of the competition for power and survival in the international system. The United States is particularly associated with this embrace of military technology, as the “American way of war”⁷ has been described as being one dominated by the development of advanced military technologies applied on a large scale to overwhelm adversaries or to deter them from aggression.

6. See David Kilcullen, *Twenty-Eight Articles—Fundamentals of Company-Level Counterinsurgency* 8 (Mar. 2006), <http://smallwarsjournal.com/documents/28articles.pdf> (defining counterinsurgency as “armed social work”).

7. See, e.g., RUSSELL F. WEIGLEY, *THE AMERICAN WAY OF WAR: A HISTORY OF UNITED STATES MILITARY STRATEGY AND POLICY* (1973).

The trajectory of increased separation of military and civilian components with respect to armed conflict also reflects two other phenomena. First, since the latter half of the nineteenth century, states and nongovernmental organizations (e.g., International Committee of the Red Cross) have worked to protect, as much as possible, the civilian population from armed conflict through international humanitarian law. This law recognizes the reality of military violence but seeks to direct such violence away from civilian populations and the physical infrastructure that supports the health and welfare of civilians. This strategy works to separate the military and civilian realms during armed conflict and to have military forces direct hostilities only at each other. This trend connected with, and contributed to, the military's need for more powerful, sophisticated technologies to deter or defeat rival military forces.

Second, political efforts have been made to subordinate military power to civilian control, especially through the spread of democratic political philosophy and institutions. The objective is to minimize military involvement in the political affairs of a nation and to focus military capabilities on protecting the country from external threats. This direction encourages the development of separate civilian and military realms and responsibilities, and, in particular, sets the military down a path of specializing in the application of military technologies in armed conflict. These efforts have contributed to the development of distance between civilian and military responsibilities, thinking, cultures, and capabilities. In the United States, these trends informed a linear dynamic between civilian and military roles in armed conflict—the civilians determined when armed conflict would begin and end, but the conduct of the conflict itself was the military's domain. This linear pattern is apparent in conventional U.S. military doctrine's division of a military campaign into four phases, with the fourth phase being military support to the post-conflict transition back to the political realm.

As reflected in the U.S. search for guidance in its fight against insurgencies in Iraq and Afghanistan, COIN theory and doctrine point counterinsurgents in a different direction—towards intense strategic and tactical integration of civilian and military policies and capabilities in coordinated political-military campaigns aimed at shoring up an allied or friendly government facing violent overthrow. Rather than minimizing the impact of military

operations on the civilian population for humanitarian reasons, COIN requires making the political allegiance of that population the primary strategic objective of all civilian and military activities.

With this objective, subordinating military activities to civilian control becomes more difficult in these situations because all military actions, down to the tactical level traditionally the domain of military officers, have heightened political significance in COIN campaigns. The traditional line demarcating the operational primacy of the diplomat and the soldier blur. Harnessing the military for COIN's more complicated political ends suffers when the material capabilities of military forces have not been built for these purposes, yet these capabilities far exceed what civilian agencies can deploy—a capability gap produced by the historical trend of ever deeper separation of civilian and military roles in foreign policy and larger-scale investments in military than in civilian capacities. This gap has been particularly glaring for the United States because civilian agencies, such as the Department of State and U.S. Agency for International Development, simply had little to no expeditionary capabilities to deploy in Iraq or Afghanistan when those COIN campaigns got underway.

COIN blurs the line between civilian and soldier in other contexts as well. One controversy to emerge from COIN operations in Iraq and Afghanistan involves complaints from the nongovernmental humanitarian assistance and development communities that COIN's comprehensive, tightly-wound political-military objectives diminish or eliminate the "humanitarian space" these communities need to deliver aid to populations affected by war. The *modus operandi* for humanitarian assistance and development organizations in conflict settings embraces neutrality—they provide their aid without taking sides in the conflict or its resolution.

With COIN, humanitarian and development assistance is, strategically and tactically, part of winning hearts and minds among the civilian population. Civilian and military counterinsurgents begin to occupy this space intentionally through programs and projects designed to encourage targeted populations to take sides in the conflict. Thus, in U.S. COIN thinking, nongovernmental humanitarian and development groups became force multipliers for counterinsurgents and delivery of money for humanitarian and development purposes became a weapons system in the struggle with the insurgency.

COIN is also exceptional in its operational demands on civilian agencies and military forces. In conventional armed conflict, military forces engage in combat in order to establish the terms of an eventual political solution to the underlying problems that produced war. Such combat requires acumen in military strategy, tactics, logistics, and leadership and—with the exception of small cadres of special forces—has not traditionally mandated extensive knowledge of foreign languages, cultures, religions, and political systems among military personnel. The need for such knowledge relates more to the tasks of diplomacy, intelligence, and development—with diplomacy and development valued more before and after armed conflict than in the midst of hostilities with enemy military forces.

However, as the U.S. experiences in Iraq and Afghanistan illustrate, COIN's demand for language, cultural, and comparative politics expertise among civilian and military personnel is voracious, outstripping the capabilities developed in these areas by the U.S. diplomatic, intelligence, development, and military corps and by private contractors bidding for government contracts. Further, the language, cultural, and comparative political skills the governmental corps have traditionally developed were crafted for different missions that reflect distinct bureaucratic cultures that, over time, have become less, rather than more, alike. One example is the concern among development experts in the U.S. government over the COIN-influenced militarization of development as part of the increased use of development activities to advance short-term U.S. political interests, as opposed to pursuing development as a long-term humanitarian endeavor.

The operational demands of COIN also require civilian and military personnel to alter significantly their traditional approaches to their responsibilities. On the military side, COIN doctrine instructs combat units to minimize the use of force in order to curtail harm to civilian populations rather than to find the most rapid and efficient way to attack and defeat the enemy's military capabilities. The need to minimize the use of force renders some key military technologies, such as artillery and air power, and technology-dependent tactics (e.g., calling in air support during a firefight) suspect in COIN campaigns. The controversies that emerged in Afghanistan concerning civilian deaths and injuries caused by the use of U.S. air power highlight this reality. The need to reduce the use of force often requires military forces to accept

greater risk when on patrol or in engagements with insurgents, which cuts against the ethos of maximizing force protection among military units.

Diplomats thrust into COIN contexts have to apply skills mainly developed in managing state-to-state relations through embassy-to-capital processes to navigating the different world of the internal politics of the host country, down to the local level, as part of nation-building. Development experts have to adjust to working in non-secure COIN environments, and this adjustment involves increased reliance on military forces for protection and support, which cuts against the development-policy ethos of minimizing military attachments. Mechanisms for integrating civilian and military efforts in the manner required by COIN have not been built and maintained over time, requiring the ad hoc creation of these processes—a difficult task to execute well amidst the pressing exigencies of conflict.

COIN thinking also requires a highly acute political sensibility to the political, economic, and cultural realities of the host country and its peoples. In its current manifestation, COIN doctrine does not support the imposition of solutions by foreign counterinsurgents on the host nation's government and population. The objective is to facilitate that government and population to develop their own governance capabilities to the point that the country is self-sufficient against internal or external threats. Foreign counterinsurgents have to build flexibility and compromise into how they apply their own political principles and material power. In this context, both civilian and military assets become deeply intertwined with domestic politics, from the host nation's capital down to the local level. The end result is the need for foreign counterinsurgents to accept limits on the reach of their political principles and the impact of their military power within the host country—a difficult proposition to accept when foreign counterinsurgent forces are expending blood and treasure in the process.

The notion that COIN is an unusual form of armed conflict is not really controversial. Rather, in the United States, disputes have arisen whether (1) the U.S. government should engage in COIN campaigns at all, and (2) the U.S. approach to COIN requires radical adjustments in civilian and military terms to ensure that the next COIN campaign fought by the United States avoids the mistakes and problems experienced in Iraq and Afghanistan.

These perspectives reveal some level of consensus that the U.S. performance in the Iraqi and Afghan COIN campaigns leaves much to be desired. The bigger debate is essentially one over what kind of relationship the United States should have with COIN as a political-military endeavor. This question leads me to examine the relationship between COIN and American exceptionalism.

III. AMERICAN EXCEPTIONALISM

The controversy that erupted during the 2010 midterm elections in the United States over American exceptionalism revealed both how politically contentious and deeply held this idea is.⁸ This concept has complex origins and divisive implications.⁹ The idea has its champions and its opponents both within and beyond the United States. For some, American exceptionalism connects to their belief in the hand of providence in the existence, survival, and rise to global power of the United States. More practical adherents of this idea compare what the United States has to offer with less attractive alternatives connected with other great powers, often warning people of the dangers of a weak United States in world politics. Critics of this concept range from those who believe it is a self-stitched fig leaf for the globalization of American hypocrisy to those who find its hold on U.S. politicians and foreign policy makers to be dangerous for the principles and power of the United States itself.

For purposes of this essay, the idea of American

8. See, e.g., Karen Tumulty, *American Exceptionalism: An Old Idea and a New Political Battle*, WASH. POST, Nov. 29, 2010, <http://www.washingtonpost.com/wp-dyn/content/article/2010/11/28/AR2010112804139.html> (describing the debate in the 2010 midterm elections over whether American exceptionalism continues to inform U.S. foreign policy objectives). Partisan politics over American exceptionalism also arose in connection with President Obama's State of the Union speech on January 25, 2011. See, e.g., Paul Glastris, *American Exceptionalism Repossessed*, WASH. MONTHLY, Jan. 26, 2011, http://www.washingtonmonthly.com/archives/individual/2011_01/027708.php (characterizing the 2011 State of the Union address as an affirmation of Obama's belief in American exceptionalism).

9. See generally SEYMOUR M. LIPSET, *AMERICAN EXCEPTIONALISM: A DOUBLE-EDGED SWORD* (1997); DEBORAH L. MADSEN, *AMERICAN EXCEPTIONALISM* (1998); *AMERICAN EXCEPTIONALISM AND HUMAN RIGHTS* (2005); Howard Zinn, *The Power and the Glory: Myths of American Exceptionalism*, BOS. REV., Summer 2005, available at <http://bostonreview.net/BR30.3/zinn.php> (noting that Massachusetts Bay Colony Governor John Winthrop's statement in 1630 that the Colony shall be a "city upon a hill" is generally considered the first manifestation of American exceptionalism); ANDREW BACEVICH, *THE LIMITS OF POWER: AN END TO AMERICAN EXCEPTIONALISM* (2008).

exceptionalism stands for the propositions that (1) the United States is different from other nations because of the convergence of our political principles and our material power, and (2) this convergence gives us the right and responsibility to act internationally to advance both our power and principles. In essence, Americans believe that our political beliefs, and our duty and abilities to act on those beliefs, are exceptional in world affairs. Although this essay focuses on COIN, this belief in American exceptionalism extends beyond the context of armed conflicts to encompass many aspects of U.S. foreign policy behavior.

The roots of American exceptionalism are embedded in the founding principles of the country—the self-evident truths of human equality and the inherent rights of all to self-government, life, liberty, and the pursuit of happiness. However, American exceptionalism did not have significance beyond the United States until the country grew in economic and military power. Through this power, U.S. leaders began to believe and act on the notion that America’s founding political ideals, with their universal potential, could and should reach all corners of the earth. As President Obama stated in 2009,

[W]e have a core set of values that are enshrined in our Constitution, in our body of law, in our democratic practices, in our belief in free speech and equality, that, though imperfect, are exceptional. . . . America has a continued extraordinary role in leading the world towards peace and prosperity and recognizing that leadership is incumbent, depends on, our ability to create partnerships because we can’t solve these problems alone.¹⁰

The emergence of American exceptionalism as an issue in the 2010 midterm elections has a number of sources, but the debate mainly reflects growing concerns in the country about both its principles and its power. The perception of many experts and citizens that U.S. influence and power in international relations are declining creates angst in the country about its domestic future and role as world leader. Economically, the great domestic and global recession that started in 2008 has shaken the nation’s confidence in its ability to achieve sustainable prosperity at home and play the leading role in the global economy. The worsening fiscal

10. Press Release, The White House, News Conference by President Obama at Strasbourg, France (Apr. 4, 2009), *available at* www.thewhitehouse.gov/the-press-office/news-conference-president-obama-4042009.

conditions in state and federal governments have raised the prospects of much leaner times ahead. Perhaps most sobering, Americans realize that this unnecessary calamity started in the United States with the collapse of the domestic subprime mortgage markets and its destructive ripple effects in the U.S. and global financial systems—hardly indicators of American exceptionalism in the practice of economic principles and economic power.

Politically, the country's post-9/11 experiences in the "global war on terrorism" have tested its faith in American exceptionalism, given the U.S. government's resort to policies traditionally associated with unexceptional regimes, such as enhanced interrogation techniques, secret prisons overseas, controversial foreign detention facilities, and the politically botched handling of two post-invasion contexts overseas. Militarily, the American people have seen history's most powerful military stymied and bogged down, twice, in conflicts with shadowy insurgent forces armed with militant religious beliefs, ruthless strategies and tactics, and simple military technologies, such as AK-47s and improvised explosive devices.

Concerns about direction of U.S. influence and power in the second decade of the twenty-first century do not reveal abandonment of American exceptionalism. Rather, these concerns suggest the country is going through another episode of intense reflection against a rather foreboding domestic and geopolitical backdrop. For my purposes, the emergence of this period of reflection about American exceptionalism during U.S. involvement in two large-scale COIN campaigns is important in understanding the U.S. relationship with COIN—past, present, and future.

IV. AMERICAN EXCEPTIONALISM AND COUNTERINSURGENCY IN U.S. HISTORY

In the iconography of American exceptionalism, the wars that resonate are monumental conflicts that directly, deeply, and passionately engaged American principles and material power, principally the American Revolution, World Wars I and II, and the Cold War. U.S. involvement in counterinsurgencies does not feature among the commonly cited examples of American exceptionalism in the conduct of armed conflict. At the risk of simplifying complex historical events, the main reason for this distance between American exceptionalism and U.S. participation in counterinsurgencies is that such participation has not, generally

speaking, exhibited an effective convergence of American principles and power.

In armed conflict, American exceptionalism has, in the past, been associated with wars in which the United States remained uncompromising on its principles and, ultimately, overpowering in its application of military and economic power. As the earlier description of COIN suggests, it is not the kind of armed conflict that sits easily with the attributes associated with American exceptionalism at war. U.S. struggles with COIN, past and present, reflect more than inadequate training and misaligned capabilities; these struggles indicate that, at a deeper level, the attributes of American exceptionalism—the commitment to bedrock principles and the possession of awe-inspiring power to advance them—do not work well in COIN conflicts.

A. *The Civil War and the Indian Wars*

Although the language of COIN was not used to describe these conflicts, the Civil War and the Indian wars of the nineteenth century can be viewed as counterinsurgencies fought by the U.S. government on its own soil. However, the manner in which the U.S. government fought these conflicts, and their outcomes, bears no resemblance to contemporary American COIN thinking, largely because this thinking has exclusively focused on U.S. involvement in foreign COIN operations. The Civil War was a total war, fought by conventional armies, for the very survival of the Union. The conflict's scale, intensity, and length signaled to other nations the potential power the United States could marshal, especially if it survived as a united country. However, the war's cause—the continuation of slavery—highlighted an ugly, gaping hole in the implementation of American ideals within its own body politic that had to be filled with massive bloodshed. As President Lincoln said in his Gettysburg Address, the war was about whether the American proposition that all men are created equal and dedication to government of, by, and for the people would endure or perish from the earth.

The Indian wars of the nineteenth century pitted outnumbered and outgunned indigenous peoples against surging demographic, economic, and military forces unleashed to achieve continental supremacy for the United States. Like the Civil War, the Indian wars revealed more about the emerging material power of the United States than it did about its principles of equality,

liberty, and self-government given the manner in which the U.S. government treated the native inhabitants of the continent in its march west.

B. The Philippines Campaign

At the time, U.S. involvement in fighting an insurgency in its newly acquired possession of the Philippines at the end of the nineteenth century was connected with a sense of American exceptionalism. In 1898, President McKinley asserted that American annexation of the Philippines would mean that Filipinos “shall for ages hence bless the American republic because it emancipated and redeemed their fatherland, and set them in the pathway of the world’s best civilization.”¹¹ In 1899, U.S. Secretary of War Elihu Root intertwined growing U.S. power internationally with American ideals when he said “[t]he American soldier is different from all other soldiers of all other countries since the world began. . . . [H]e is the advance guard of liberty and justice, of law and order, and of peace and happiness.”¹²

The U.S. COIN campaign in the Philippines has, however, faded in importance for American exceptionalism because, despite the rhetoric, the U.S. takeover of the Philippines reflected imperialism from a nation that traditionally had been philosophically, politically, and economically hostile to empires. The U.S. arguments about emancipating and civilizing the peoples of the Philippines were the same arguments most European imperial powers used to justify their behavior. The rather brutal means used to quell the insurgency also reflected more the behavior of other imperial powers in their colonial domains than a distinct, more principled American way of subduing an insurgency.¹³ The takeaway messages from COIN in the Philippines was the material power of the United States to impose its will on a weaker foreign people and to signal to rival powers the continued international expansion of U.S. interests and influence.

11. Quoted in Thomas Donnelly & Vance Serchuk, *U.S. Counterinsurgency in Iraq: Lessons from the Philippines War*, AM. ENTER. INST. OUTLOOK SERIES, Nov. 2003, <http://www.aei.org/outlook/19408>.

12. Quoted in ANDREW J. BACEVICH, *AMERICAN EMPIRE: THE REALITIES AND CONSEQUENCES OF U.S. DIPLOMACY* 167 (2002).

13. BRIAN M. LINN, *THE PHILIPPINE WAR 1899–1902* 327 (2000) (“[T]he Philippine War proved to be a ‘savage war of peace,’ far more savage than many Americans were willing to tolerate.”).

C. *From Vietnam to Iraq and Afghanistan*

Although the United States engaged in other counter-insurgencies and small wars between its experience in the Philippines at the turn of the century and Vietnam in the 1960s, these engagements never achieved anything close to the status of World Wars I and II in the saga of American exceptionalism. These global conflicts witnessed the United States melding its massive economic and military power with efforts to reshape the nature of domestic and international politics through application of American principles. In both conflicts, it was American power that eventually turned the tide of the wars, and it was American ideas and leadership that dominated the post-war settlements.

However, the Vietnam war—the most important U.S. COIN effort since the Philippines campaign—turned out to be a black eye for American exceptionalism, not only because the United States lost the war, but also because of how the United States lost it. Despite, by this time, being a political, economic, and military superpower, the United States did not produce an effective integrated and coordinated political-military strategy to defeat the Viet Cong insurgency and develop South Vietnam into a stable democratic country. In Vietnam, neither U.S. power nor principles prevailed, an outcome that cast long shadows on U.S. foreign relations and domestic politics. This defeat encouraged civilian and military components of the U.S. government to cast aside the painful lessons from this failed COIN campaign under the assumption that never again should the United States get embroiled in this kind of conflict. Secretary of Defense Casper Weinberger captured this mood in 1984 in enunciating the “Weinberger Doctrine,” which, among other things, emphasized that when United States decides to use military force, it will do so “wholeheartedly, and with the clear intention of winning”¹⁴—a phrase that harkens back to the American experience in World War II rather than the imbroglio of Vietnam.

From Vietnam until Iraq’s descent into sectarian violence and civil war, U.S. involvement in COIN was minimal and small-scale, never registering with the resurgence of faith in American

14. Casper W. Weinberger, U.S. Sec’y of Defense, *The Uses of Military Power*, Address Before the National Press Club, (Nov. 28, 1984), in *AIRFORCE MAG.*, Jan. 2004, at 5, available at <http://www.airforce-magazine.com/MagazineArchive/Documents/2004/January%202004/0104keeperfull.pdf>.

exceptionalism in the 1980s. More prominent in this resurgence was the shift to go on the offensive against the Soviet Union and its allies, captured in President Reagan's strategy of rolling back Soviet power by supporting anticommunist insurgencies around the world and building up U.S. economic and military power beyond anything the Soviet Union, with its decaying economy and political system, could ever hope to match.

D. No COIN Thread in American Exceptionalism

This potted history of U.S. involvement in COIN makes, for this essay's purposes, the simple point that the tradition of American exceptionalism in armed conflict has no COIN strand in it. This history provides no examples of the United States engaging in COIN in ways that constitute an effective use of economic and military power that reflect, spread, and sustain American principles in other countries and cultures. The closest candidate—the Philippines campaign—is a forgotten episode that, even in the most favorable light, creates as much discomfort as pride concerning U.S. behavior beyond its shores.

We cannot explain the lack of a COIN thread in the fabric of American exceptionalism by observing that COIN has proved difficult for all countries and regimes that have engaged seriously in this endeavor. Although true, this observation is superficial because it does not enlighten us about why the exceptional United States, historically, has not handled the exceptional challenges of COIN seemingly any better than other countries. This essay now attempts to address this problem by examining the U.S. COIN campaigns in Iraq and Afghanistan with a view to showing why the characteristics of American exceptionalism prove a poor match for the challenges COIN presents.

V. AMERICAN COUNTERINSURGENCY IN IRAQ AND AFGHANISTAN

A. Common Features

COIN experts caution that no two COIN campaigns are alike, and, certainly, the U.S.-led counterinsurgencies in Iraq and Afghanistan have unique features. However, the American experiences in these countries exhibit some common features that help illustrate why the United States has struggled with COIN over the past decade. For starters, U.S. leaders never contemplated,

even superficially, the need to engage in COIN in Iraq and Afghanistan after the respective military invasions of these countries. The United States only turned to COIN thinking in the midst of worsening security and political crises in both nations. COIN became the guiding strategy only on the cusp of massive political and military failure in Iraq and Afghanistan. Despite the sacrifices and honorable service of civilian and military personnel deployed in these theaters, this twice-played scenario is not one that showcases American exceptionalism.

In both Iraq and Afghanistan, the need to turn to COIN reflected the unwillingness or inability of the U.S. government to integrate its post-invasion political and military objectives and capabilities into a coherent strategy and effort. Shortly after routing al Qaeda and the Taliban in Afghanistan towards the end of 2001, the Bush administration essentially outsourced the task of rebuilding Afghanistan as a modern democracy to multilateral processes, especially NATO and the UN. This move was ironic given the Bush administration's general lack of enthusiasm for multilateral processes, particularly the UN. The administration proceeded to starve the U.S. and multilateral effort in Afghanistan from late 2002 and early 2003 onwards by diverting political attention and military power towards Iraq. In short, the United States did not even try American exceptionalism in Afghanistan after its invasion. Not surprisingly, Afghanistan, over time, began to disintegrate.

After the invasion of Iraq, the United States poured political and military resources into the country, seeking to make it a beacon of democracy in the Middle East—a goal dripping with the can-do confidence associated with American exceptionalism. More surprisingly, Iraq quickly began to disintegrate. The post-invasion political and military strategies and tactics were disasters, which reflected the failure of the Bush administration to think through what is needed during an occupation to embed democratic principles and politics in a foreign land while providing population-wide security and stability. To use a Texas saying, the Bush administration's approach to American exceptionalism was all hat and no cattle.

In both Iraq and Afghanistan, at the height of the crises, the United States looked to an approach—COIN—it had, politically and militarily, abandoned after the Vietnam war, which made the double shift somewhat surreal. In other words, at these perilous

moments, neither cherished U.S. political principles nor the awesome power of the American military had any attachment to COIN thinking, let alone any preparation and capabilities for COIN. The move towards COIN meant the United States was twice putting its faith in a strategy for which neither its civilian nor military personnel were trained or resourced to undertake. This very risky strategic swivel unleashed an extraordinary and, in some respects, breathtaking U.S. effort to learn and execute COIN thinking.

B. Counterinsurgency in Iraq

Iraq was ground zero of the troubled American embrace of COIN strategy, so what happened with the U.S. application of COIN principles in Iraq is of paramount importance in evaluating the U.S. relationship with COIN. Perhaps fittingly, opinions differ about the U.S. COIN efforts in Iraq. One perspective holds that the COIN strategy worked, especially through the impact of the surge of additional military forces and the change in how military commanders used their soldiers to increase population security rather than seek and destroy insurgent forces. Levels of violence in Iraq, particularly in Baghdad, dropped significantly after full deployment of the surge, creating increasingly more space for intensified Iraqi-U.S. efforts to get the Iraqi government, security forces, and political system functioning more effectively. In addition, the political and military progress, even if not steady at all times, proved sustainable, ultimately producing a climate in which the withdrawal of U.S. combat forces became not only politically desirable in both countries but also feasible in terms of on-the-ground political and military conditions in Iraq.

A different interpretation acknowledges the importance of the U.S. adoption of a COIN approach but cautions against giving too much credit to the COIN strategy. First, although the military surge played a role in bringing down violence, other developments also contributed directly to this outcome, namely (1) the so-called Sunni Awakening that involved Sunni leaders and tribal militias turning against al Qaeda in Iraq and joining with American forces to defeat it, and (2) the sometimes puzzling restraint by the powerful anti-American Shiite leader Muqtada al-Sadr in not using his Mahdi Army against U.S. and Iraqi forces during critical periods of the surge's buildup and implementation. In other words, the U.S. COIN strategy benefited from a fortunate convergence of

events rather than being the proximate cause of the reduction in violence in Iraq.

Second, skeptics caution that, despite the progress made and the ongoing reduction of the American military presence, Iraq remains a troubled, fragile, and vulnerable country in the heart of a very dangerous region of the world. In short, despite the withdrawal of U.S. combat forces, the endgame has yet to play out in Iraq, and evaluations of the American COIN effort have to take into account a longer period of time. Under this view, getting lucky with COIN and crossing our fingers as we leave Iraq is hardly cause for celebration of COIN strategy or the overall U.S. performance in Iraq. Put another way, the United States is supposed to be an exceptional nation, not a lucky one.

For my purposes, deciding which perspective is correct is not necessary. The existence of these strongly held views raises serious questions about whether the dramatic pivot into COIN operations in Iraq represents an example of COIN-based American exceptionalism. The invasion of Iraq appeared premised on faith in the ability of the United States to use its military power to remove an allegedly grave security threat and advance democratic principles in a strategic country and region in a way that would benefit world politics. However, the failure to find weapons of mass destruction and the manner in which the ill-prepared, under-resourced (especially in terms of military forces to secure post-invasion Iraq), and badly conceived U.S.-led occupation descended into sectarian violence, multiple insurgencies, and unnecessary suffering among the Iraqi people mean that the invasion, occupation, and COIN rescue are hard, collectively, to sustain as an example of American exceptionalism. As with the imperial nature of the U.S. COIN campaign in the Philippines and the “domino theory”-inspired American involvement in Vietnam, COIN campaigns cannot be evaluated in isolation from their larger political and military contexts. As COIN thinking counsels, context is critical.

This conclusion does not preclude acknowledging the extraordinary civilian and military efforts—from the commander in chief down to the strategic corporal—that produced the U.S. COIN campaign in Iraq under extremely trying, even desperate circumstances. Against the advice of his commanders in Iraq, President Bush ordered the military surge. Gen. David Petraeus shepherded a new military doctrine on COIN into reality in

unprecedented ways and at unprecedented speed. President Bush tasked Gen. Petraeus to implement the strategy in Iraq and make the surge work—which he did through the efforts of men and women working in the Green Zone, patrolling the streets of Iraqi cities, negotiating with tribal and community leaders in the provinces, and fighting insurgents and terrorists wherever necessary. American heroism lives even when U.S. policy falls short of American exceptionalism.

With U.S. combat forces leaving Iraq, the COIN campaign is essentially over, and the U.S. effort is transitioning to a predominantly civilian endeavor, featuring deployment of hundreds of additional civilian diplomats and development experts to help keep Iraq on the path to stability. If successful, this phase of U.S. involvement in Iraq could, in combination with the earlier military surge, improve historical judgments about the U.S. intervention in Iraq. Whether those judgments interpret long-term success in Iraq as an example American exceptionalism remains to be seen. Fortunately for Iraq and the United States, making that connection is less important than the continuation of the Iraqi transition from the abyss of civil war to a stable country.

C. Counterinsurgency in Afghanistan

Analyzing U.S. COIN efforts in Afghanistan against the criterion of American exceptionalism is, perhaps paradoxically, easier and harder than evaluating the Iraqi conflict. This task is harder because the Afghan surge in civilian and military capabilities is still relatively recent, which cautions against hasty conclusions. Assessing the Afghan COIN campaign is, in some ways, easier than Iraq because, as argued earlier, the United States never really tried for years and years to harness its power and principles in ways that would firmly set Afghanistan on a course for a new stable, democratic, and prosperous future. In this respect, the American experience in Afghanistan differs fundamentally from what the United States attempted in Iraq.

As important, the U.S. move into COIN in Afghanistan, which really only seriously happened when the Obama administration took office in 2009, has been marked by deep controversies about whether the United States is actually engaging in American-style COIN in Afghanistan. The shift towards COIN came after the Obama administration announced its first policy on Afghanistan in spring 2009, and key elements of that policy involved a civilian

uplift to get more civilian personnel working to stabilize Afghanistan and utilization of the additional military troops President Obama ordered early in his term be deployed to Afghanistan. As is well known, controversies raged in the Obama administration during the summer and fall of 2009 whether the United States should pursue COIN (as applied in Iraq) or should adopt another, more limited strategy, often dubbed “counterterrorism plus.”

In *Obama's War*, Bob Woodward recounts these controversies, especially the fixation on how many more troops were needed in Afghanistan (the power element) and exactly why they were needed (the principles element).¹⁵ Woodward's account portrayed President Obama as attempting to find some middle ground between the troop increases the military preferred to conduct COIN more comprehensively and troop reductions called for by the proponents of the “counterterrorism plus” strategy, chiefly Vice President Biden. Amidst this debate, Obama administration officials, perhaps realizing how bad things really were in Afghanistan, began downplaying the scope of U.S. objectives, increasingly stating that the United States was not engaging in COIN in order to democracy-build¹⁶ or nation-build in Afghanistan.¹⁷ The scaling back of the substantive mission but the scaling up of the civilian and military resources caused confusion about what exactly the United States wanted to achieve in Afghanistan and how it wanted to achieve it.

From a COIN perspective, this confusion generated many questions. The extent to which foreign counterinsurgents have to engage in nation-building depends on the level of governmental capacity that exists in the host nation. With a country such as Afghanistan, adopting a COIN approach without nation-building did not make sense because decades of war and the Taliban regime had effectively devastated governing capacity in Afghanistan. The

15. See generally BOB WOODWARD, *OBAMA'S WAR* (2010).

16. President Obama stated in February 2009 that the United States is “not going to be able to rebuild Afghanistan into a Jeffersonian democracy.” Quoted in Paul Koring, *Democracy Fades from Obama's Afghan Agenda*, *GLOBE & MAIL*, Feb. 4, 2009, <http://www.theglobeandmail.com/news/world/article969789.ece>.

17. Vice President Biden has indicated that he and President Obama agreed that “the COIN strategy was not appropriate for signing on indefinitely to a nation-building campaign.” Quoted in Marc Ambinder, *Biden, on the Afghanistan Debate, in His Own Words*, *THE ATLANTIC*, Aug. 3, 2010, <http://www.theatlantic.com/politics/archive/2010/08/biden-on-the-afghanistan-debate-in-his-own-words/60868/>.

years wasted between the invasion of Afghanistan in 2001 and the start of the Obama administration meant that, under COIN thinking, counterinsurgents in Afghanistan would have to engage in serious nation-building activities in order to have a functioning host government with which to partner. But, according to the administration, the United States was not conducting nation-building in Afghanistan. So, what exactly were all the additional civilian and military personnel going to be doing?

The Obama administration's policy process generated another confusing issue from a COIN perspective. President Obama made clear to his civilian and military subordinates that he would not support comprehensive COIN in Afghanistan. This position appeared to affect development of Gen. Stanley McChrystal's proposed strategy, released in the fall of 2009, which envisioned a modified COIN campaign that focused resources on protecting "critical high-populations areas" (e.g., cities and towns) in Afghanistan.¹⁸ Although understandable, given the views of the Commander in Chief, leaving the majority of the Afghan population that lived in rural areas outside this strategy left many COIN experts scratching their heads. How would the U.S. and Afghan governments win the hearts and minds of the Afghan population through a strategy that left most of the population beyond the heightened security the strategy promised to create?

This question had a sharper edge when viewed in the context of the problems the United States was having with Afghan insurgents using Pakistan as a base of operations for launching attacks in Afghanistan. COIN doctrine holds that securing borders from insurgent infiltration is critical, and the Obama administration's AfPak approach recognized that the problems in Afghanistan were linked with problems in Pakistan. U.S. attempts to get Pakistan to deal with this problem proved, however, frustrating, with only partial progress made. The highest profile success story involved the use of drone aircraft for targeting and killing Taliban and al Qaeda leaders located in Pakistan's border region with Afghanistan.

From a COIN perspective, however, failure to secure the border areas effectively and protect the population from attacks launched from Pakistan meant that the drone campaign was not as

18. GENERAL STANLEY A. MCCHRISTAL, COMISAF'S INITIAL ASSESSMENT, 2-20 (Aug. 30, 2009), available at http://media.washingtonpost.com/wp-srv/politics/documents/Assessment_Redacted_092109.pdf.

significant as people claimed or wanted to believe. COIN is not about counting the number of insurgents killed or wounded by military operations; it is about protecting the population of the host nation from attack and helping that population move towards self-sufficiency in security, governance, and economic capability. But, the United States was increasing drone strikes in Pakistan, pulling back from protecting the Afghan population living in rural areas, and asserting it was not engaging in nation-building in Afghanistan.

More examples could be provided, but those described above raise the question whether the United States was engaging in COIN in Afghanistan as COIN was envisioned in the leading strategies that informed the Iraqi campaign. COIN thinking is not monolithic; it is acutely aware of the need to adjust to differences on the ground in specific circumstances. However, the examples above connect to some core COIN principles, which make the examples problematical for asserting without hesitation that the U.S. approach in Afghanistan actually reflects COIN theory and practice. Thus, on this line of enquiry, assessing COIN in Afghanistan against the criterion of American exceptionalism constitutes a rather misguided endeavor because we are not entirely sure COIN is the U.S. strategy in Afghanistan.

The counterargument is that the administration's strategy contains sufficient elements that link with COIN concepts to make the strategy COIN-worthy. Taking this approach creates, however, difficulties with seeing American exceptionalism in the COIN approach being utilized. As mentioned above, one theme in the evolution of the Obama administration's Afghan strategy has been the consistent ratcheting down of expectations about what the United States can achieve in Afghanistan. This trajectory includes not only the assertions that the United States is not engaging in nation-building but also indications that the Obama administration no longer expects to leave behind a functioning democracy committed to the rule of law.¹⁹

Thus, the application of increased U.S. material power—the civilian and military surges—will support more minimal policy

19. Quil Lawrence, *For Obama, A Mixed Report Card from Afghanistan*, NPR, Dec. 10, 2010, <http://www.npr.org/2010/12/10/131967485/for-obama-a-mixed-report-card-from-afghanistan> ("It is not lost on Afghans that Washington isn't talking much about democracy-building, women's rights or combating Afghanistan's leviathan illegal narcotics trade.").

goals that do not, at all, accord with the role of American principles in American exceptionalism. So, even if the United States is performing COIN in Afghanistan, it is not doing so in a manner that reflects American exceptionalism. To many both in and outside the United States, what is happening in Afghanistan reflects ever more transparently a search for the best available, most politically expedient exit strategy.

VI. THE RULE OF LAW IN COUNTERINSURGENCY

Looking more closely at the rule of law in COIN thinking and recent U.S. experiences helps illuminate the gap between American exceptionalism, as an idea, and the realities of COIN as practiced in Iraq and Afghanistan. In American political thinking, the rule of law is a philosophy of governance central to self-government and the exercise of individual liberty. This philosophy travels with the United States in its foreign policy activities with the rest of the world, and it forms a central part of what American exceptionalism means.

In COIN doctrine and thinking developed to guide the United States, the rule of law is similarly a critical objective. Each strand of effort made by counterinsurgents—security, governance, humanitarian assistance, providing basic services, and economic development—requires legal rules, processes, and institutions that ensure that the rule of law, not the rule of men, prevails in rebuilding or strengthening the host nation. COIN doctrine emphasizes, for example, that the rule of law “is a powerful tool for counterinsurgents” and that security—the linchpin of the entire effort—“under the rule of law is essential.”²⁰

Given the stature of the rule of law within American exceptionalism and COIN thinking, how the rule of law has fared in the COIN campaigns in Iraq and Afghanistan provides a barometer for the relationship between American exceptionalism and COIN. In keeping with the general American belief in the rule of law and the COIN doctrine’s emphasis on the rule of law, the U.S. COIN campaigns in Iraq and Afghanistan have included rule-of-law components, sometimes called “rule-of-law operations.” However, these operations have sparked controversies about the meaning of the rule of law, revealed a serious lack of rule-of-law capabilities in the U.S. government, and produced generally poor

20. COUNTERINSURGENCY FIELD MANUAL, *supra* note 1, at 39, 42.

results. These problems have produced a scaling back of rule-of-law ambitions, especially in Afghanistan, which raises questions about the U.S. commitment to the rule of law and the COIN doctrine's emphasis on the rule of law.

Initial post-invasion plans for Iraq and Afghanistan included rule-of-law components, but efforts to advance the rule of law ran into multiple difficulties. In Iraq, military and civilian lawyers tasked with working on the rule of law were often deployed with no background in Iraqi law, the civil law system that formed the basis of Iraqi law or Islamic law. They also often did not have Arabic language abilities or translated copies of Iraqi laws. Legal challenges military lawyers had prepared to handle—an expected humanitarian crisis resulting from the invasion—did not occur, and no one had prepared civilian or military legal experts for the possibility of engaging in COIN-centric rule-of-law activities.²¹ The worsening security situation made it difficult for work with Iraqi judges, prosecutors, and lawyers to proceed, which eventually shifted attention to securing courthouses, protecting key Iraqi legal personnel, and prosecuting high-value insurgents and their supporters—epitomized by the establishment of the fortified Iraqi Central Criminal Court.

Efforts to improve the rule of law in Iraq also suffered from U.S. actions, most notoriously the failure to find weapons of mass destruction (which undermined the main international legal justification for the invasion), the failure to secure Iraq after the invasion in keeping with its international legal obligations as an occupying power, the abuse U.S. military personnel meted out to Iraqi detainees at the Abu Ghraib prison, the imperious behavior of the Coalition Provisional Authority (e.g., the disastrous disbanding of the Iraqi armed forces), and the perception that U.S. security contractors (e.g., Blackwater) operated in Iraq without accountability under Iraqi or U.S. law. As Iraq descended into sectarian violence and civil war, the rule of law as an objective became increasingly marginalized in the struggle to reestablish security in Iraq.

None of the accepted explanations concerning the COIN-led

21. The first serious effort to prepare guidance for military lawyers working on rule-of-law operations in Iraq and Afghanistan appeared in 2007. See CTR. FOR LAW AND MILITARY OPERATIONS & JOINT FORCE JUDGE ADVOCATE, *RULE OF LAW HANDBOOK: A PRACTITIONER'S GUIDE FOR JUDGE ADVOCATES 1* (2007), http://www.loc.gov/rr/frd/Military_Law/pdf/rule-of-law_07-2007.pdf.

turnaround in the security situation hinge on the achievement of rule-of-law improvements in Iraq. In fact, the U.S. military's embrace of the Sunni Awakening raised concerns that partnering with militia groups would undermine a key tenet of the rule of law—that the state “monopolizes the use of force in the resolution of disputes[.]”²² The military surge and cooperation with disaffected Sunni tribes helped bring more security back to Iraq, but whether it was security under the rule of law as envisioned in COIN doctrine was questionable.

The problems experienced in rule-of-law operations in Iraq raised conceptual controversies about what the rule of law should mean in contexts such as Iraq. In these environments, should foreign counterinsurgents opt for a minimalist vision of the rule of law, which focuses on the existence and operation of stable legal institutions (e.g., courts, police, and prisons) but does not insist that the laws and practices applied follow any particular substantive content? Or, should the rule of law be more expansive, meaning that the content of laws and the behavior of legal institutions have to reflect key political principles, such as democracy, separation of church and state, equality of men and women, and the protection of fundamental human rights?²³

This debate reflected doubt about the ability of U.S. counterinsurgent efforts to deliver the type of substantive rule of law traditionally associated with American exceptionalism. It also highlighted the messiness of COIN, especially the need for counterinsurgents to be flexible in light of local circumstances and compromise politically and culturally to produce a workable way forward.²⁴ However, this calculating approach contrasts with the rule-of-law behavior of the United States in the great events of American exceptionalism, particularly the successful imposition of democracy and human rights on the defeated German and

22. THE JUDGE ADVOCATE GENERAL'S LEGAL CTR. AND SCH., U.S. ARMY & CTR. FOR L. AND MIL. OPERATIONS, *RULE OF LAW HANDBOOK: A PRACTITIONER'S GUIDE FOR JUDGE ADVOCATES 7* (2009), http://www.loc.gov/rr/frd/Military_Law/pdf/rule-of-law_2009.pdf.

23. For discussion on the scope of the meaning of the rule of law in the context of military interventions, see JANE STROMSETH, DAVID WIPPMAN, & ROSA BROOKS, *CAN MIGHT MAKE RIGHTS? BUILDING THE RULE OF LAW AFTER MILITARY INTERVENTIONS* 56–84 (2006).

24. Sarah Sewall, “A Radical Field Manual,” in *COUNTERINSURGENCY FIELD MANUAL*, *supra* note 1, at xxxix (“[The counterinsurgency Field Manual] asks Americans to define their aims in the world and accept the compromises they require. COIN will not effectively support a revolutionary grand strategy.”).

Japanese nations after World War II and the triumph of the American version of the rule of law in the Cold War.

In Afghanistan, the multilateral efforts to reconstitute the Afghan government after the toppling of the Taliban regime in 2001 involved dividing responsibilities among the participating countries, and Italy was assigned the task of improving the Afghan justice system, which decades of war and Taliban rule had devastated. By the time the United States turns to COIN thinking in 2009 to rescue the situation in Afghanistan, the Afghan justice system was still in shambles in just about every respect, especially in the pervasiveness of corruption that had, by this time, penetrated every aspect of Afghan governance. Efforts by the Italians, the Americans, the UN, and others had made little, if any, sustainable progress in the years after the defeat of the Taliban. Positive-impact rule-of-law activities during this period, and in the wake of the civilian uplift that started in 2009, could be considered tactical successes, but, as COIN thinking stresses, tactical wins do not necessarily add up to strategic progress in the overall campaign.

As COIN emerged in Afghan policy, experts identified the lack of faith of the Afghan people in the formal justice system as one reason why they sometimes tolerated the return of the Taliban, who would institute swift justice in areas under their control. In addition, rule-of-law efforts began to try to understand the predominant use of informal justice mechanisms in Afghanistan's rural areas—mechanisms entrenched in these communities that, despite their attributes, are far from the U.S. conception of the rule of law in how these mechanisms operate. The search for ways to coordinate improvements to the formal Afghan justice system with the informal justice system represented a COIN-influenced move to a more minimalist rule-of-law strategy—that is, create stable institutions that will survive U.S. withdrawal and the likely ongoing weaknesses of the Afghan central government.

Setting the rule-of-law bar lower is consistent with the general lowering of expectations underway in the Obama administration concerning U.S. involvement in Afghanistan. Building the rule of law, as reflected in the idea of American exceptionalism, is difficult when the United States is not (1) engaged in nation-building in Afghanistan—a country effectively without a functioning justice system—and (2) attempting to protect the population in rural areas through better security, which ensures formal Afghan justice institutions will not be able to take root and operate safely where

most Afghan people live.

This overview of rule-of-law efforts in Iraq and Afghanistan does not capture the full texture of these activities and the sincerity and skill with which they have been undertaken. However, American exceptionalism has always been about more than American intentions; it is a claim about the ability to deliver on advancing political principles, such as the rule of law, in other countries and regions of the world. In Iraq and Afghanistan, we have more questions than answers about the relationship of the rule of law and COIN. In particular, we might wonder, as some COIN practitioners have, whether the emphasis placed on the rule of law in COIN is realistic or, rather, reflects political correctness in American COIN thinking that deserves reevaluation in light of the Iraqi and Afghan experiences. Such a reevaluation would, however, call into question whether COIN and American exceptionalism are compatible.

VII. THE UNITED STATES AND COUNTERINSURGENCY IN THE FUTURE

One of the questions hanging over the U.S. involvement in COIN campaigns in Iraq and Afghanistan is whether, after these experiences, the United States will repeat its post-Vietnam aversion to preparing for and participating in this kind of armed conflict. At the moment, with Iraq, at least in some circles, considered a qualified COIN success and with Afghanistan not yet in the endgame, predicting the future U.S. relationship with COIN is difficult. My sense is that neither the civilian nor military components of the U.S. government will rapidly abandon COIN thinking after these two conflicts are effectively for history to pick over. The commitment the United States has made to COIN in the first decade of the twenty-first century goes far beyond anything tried in the Vietnam War, which means COIN doctrine and lessons learned will survive longer in civilian and military establishments.

This COIN echo from Iraq and Afghanistan does not mean, however, that the United States will engage in large-scale COIN again for a long time. More likely, the United States will make every effort to avoid the mistakes that led it into COIN in Iraq and Afghanistan. For the foreseeable future, mounting constraints on U.S. power, particularly the anemic economic recovery and the massive fiscal crisis, will curtail the willingness and ability of the United States to entertain foreign interventions of any significant scale. As a result, the practical application of COIN thinking

developed in Iraq and Afghanistan will probably come in advising foreign governments struggling with incipient or actual insurgencies rather than in engaging in COIN with massive U.S. military and civilian footprints in foreign countries. The United States has long engaged in such advising roles, as illustrated by the assistance the United States has provided Colombia in its COIN campaign against rebel forces.

In these circumstances, indirect participation in small wars will probably not rouse American exceptionalism significantly as a domestic or foreign policy factor. In that sense, COIN and American exceptionalism will part company, an outcome supported by the historical failures of the United States to conduct COIN campaigns in ways that reflect the claims of American exceptionalism. Barring some unexpected existential threat to the United States that requires a COIN response, the trajectory will be for COIN thinking to fade in civilian and military circles, with aspects of COIN doctrine and insights translated into other operational contexts, such as civilian and military involvement in preventive diplomacy, counterterrorism, conflict prevention and resolution, post-conflict development work, and humanitarian disaster response.

At the heart of U.S. troubles with direct civilian and military American participation in COIN is a disconnect between what COIN requires and how the United States traditionally perceives American exceptionalism at war—establishment of American-inspired universal political principles through the application of overwhelming American military and economic power. We have struggled at COIN not because it is difficult (the Cold War was difficult) and not because we were unprepared for COIN (America was not prepared for World War II). Rather, the nature of COIN forces the United States to think and act on its principles and power very differently than we did in the iconic conflicts that help define the belief in American exceptionalism. Our travails in Iraq and Afghanistan require us to think not only more deeply about COIN as a form of armed conflict but also about American exceptionalism in twenty-first century warfare.

VIII. CONCLUSION

The assertion that the United States has not been able to align its principles and its power in waging COIN in Iraq and Afghanistan in a way that supports the claim of American

exceptionalism might anger adherents and critics of this belief. Critics will dismiss this analysis on the premise that American exceptionalism is a delusional myth that American actions in Iraq and Afghanistan expose as pervasive and pernicious. Those who defend American exceptionalism might construe my argument as an attack on the men and women who have shouldered the dangerous burdens of COIN in serving their country. Neither criticism hits the mark.

My analysis takes the claim of American exceptionalism seriously and analyzes why U.S. COIN efforts in Iraq and Afghanistan have not reflected what this belief maintains about the principles and power of the United States. More deeply, the analysis raises troubling questions about whether the exceptional nature of COIN as a form of armed conflict involves the worst possible context in which to try to demonstrate American exceptionalism. These questions are important as the United States evaluates what it has learned from the Iraqi and Afghan experiences, and they go deeper into American interests and values than more generic conclusions that these experiences teach us how hard COIN is and how badly prepared we were, twice, to wage this form of armed conflict.

The image often associated with American exceptionalism is the city upon a hill, or, in Ronald Reagan's formulation, the shining city on a hill—a beacon of peace, prosperity, and hope crafted through the ingenuity of self-government and individual liberty. The image often associated with COIN in the American mind is quagmire—a precarious context that swallows blood and treasure without signs of progress. To engage in COIN, Americans have to leave the city on a hill—get outside the wire in COIN terms—and operate in environments that have, historically, been unforgiving to fusing American principles and power effectively in foreign lands. Iraq and Afghanistan teach the same lesson in different ways.

In the future, the United States might be expected, tempted, or forced to go outside the wire again, and the United States will need more clarity of purpose and skill in applying power than it has exhibited in past COIN campaigns. We know enough to understand that pledging allegiance to American exceptionalism is not sufficient to handle the challenges of COIN. What we have not yet figured out is how to prevail in COIN in ways that support the belief that American principles and power are, when effectively combined, something to behold.