



CHARLES UNIVERSITY

**Anatomy of Insurgency: Tracing the History of
'Insurgency' in Military Doctrine**

16/07/2018

2275515C

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**Presented in partial fulfilment of the requirement for
the Degree of MSc International Security, Intelligence
and Strategic Studies (SECINTEL)**

Word Count: 23637

Supervisor UofG: Cian O'Driscoll

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CHARLES UNIVERSITY

**MSc International Security, Intelligence and Strategic Studies
2017-2019**

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Abstract

This dissertation examines the authors and conflicts which inspired and influenced modern perceptions of 'insurgency' and 'counterinsurgency'. We trace this process through the lineage of Western counterinsurgency proposed by US Field Manual 3-24, examining three authors' experiences of insurgency which have been crucial in the formation of *FM 3-24's* doctrine of counterinsurgency: T.E. Lawrence's theory of insurgency drawn from the Arab Revolt (1917); David Galula's doctrine of counterinsurgency, from the French-Algerian War (1954-1962), and Robert Thompson's doctrine of counterinsurgency, from the British Malay Emergency (1948-1960). These three authors have had a substantial influence upon modern doctrine and are key examples of historical 'solutions' to insurgency. As such, each author presents, assumes, and promulgates a perspective of insurgency, which has proven influential to modern discourse. In tracing this history, we trace the imposition of Western structures of political, moral, and military power upon a marginalised ulterior, and the effort made by these structures to subdue and control this ulterior. Reliance upon these accounts by modern doctrine has encouraged the development of a dichotomy between insurgency and counterinsurgency, in which insurgency is integrally subversive, uncivilised, and illegitimate, and counterinsurgency is integrally legitimate. These assumptions underly our discussions of insurgency and produce a counterinsurgency that is not necessarily a meaningful reaction to a phenomenon, so much as a product of Western perspectives on the resistance of those designated 'other', predominantly the peoples and populations of the global south. The failures of modern counterinsurgency underline the attitudes upon which contemporary attitudes towards insurgency are based: entrenched in the subjugation of populations considered to be morally and politically inferior, tied to a legacy of failing empire, and producing a separate, transgressive and difficult form of conflict. As long as the West continues to understand insurgency only through its own dubious history of the subjugation of foreign populations, it will remain mired in this complex, distasteful, and, crucially, self-created, 'problem'.

Introduction

Despite the enormous amount of manpower, money and expertise levelled at effecting regime change in the Middle-East, coalition forces have failed to install a single secure and stable government capable of international recognition in any of the current conflict zones. There have been a number of tactical, strategic and political restructurings which have attempted to understand and respond to the problem at the heart of these conflicts: insurgency. Yet, 'insurgency' remains a cipher, a confused nomenclature which invites moral and political consternation, not dissimilar to the perennial debate about the difference between a terrorist and a freedom fighter, or between a revolution or a rebellion.¹ Indeed, buried in the recent restructurings, and the various forms of counterinsurgency which they have produced, is, in the words of Dominic Tierney, a historic 'distaste', for the moral and political complexity of insurgency.² Tierney suggests that this distaste is deeply embedded in the West's approach to insurgency and counterinsurgency, and that it may sit at the root of the failure of modern counterinsurgency. In attempting to understand this historic distaste, it is valuable to consider how the problem of 'insurgency' is perceived, and what is assumed about insurgency, within the attempts by Western agents to construct and formalise the approach of Western militaries to 'insurgency': the doctrine of insurgency and counterinsurgency.

The most recent, and most relevant, of these doctrinal 'solutions' is *FM 3-24*, the US military counterinsurgency (COIN³) manual, written and released by General David Petraeus and General John Nagl in 2006.⁴ *FM 3-24* defines insurgency as, 'An organized movement aimed at the overthrow of a constituted government through use of subversion and armed conflict.'⁵ The manual conceives of insurgency as a distinct and separate form of warfare, perceived as possessing a historically recognisable and integral character. *FM 3-24* draws upon histories of primarily British and French counterinsurgent campaigns to substantiate a

¹ Anil Athale, *Counterinsurgency and Quest for Peace*, Vij Books India, 2012. p.19-22

² Dominic Tierney, *The Right Way to Lose a War: America in an Age of Unwinnable Conflicts*. Little and Brown Company, 2015. p67

³ Referred to as COIN hereafter only in reference to the specific counterinsurgency doctrine offered by *FM 3-24*

⁴ This coincided with Petraeus' instatement as head of US Central Command (USCENTCOM). Petraeus' role in USCENTCOM encompassed counterinsurgency efforts across the Middle East and North African Region, but with a particular focus on the two most substantial operational deployments: Iraq and Afghanistan.

US Gov, David Petraeus Biography, *CENTCOM*. Available at: <http://www.centcom.mil/ABOUT-US/LEADERSHIP/Bio-Article-View/Article/904777/david-howell-petraeus/>

⁵ U.S. Department of the Army. *FM 3-24. Insurgencies and Countering Insurgencies*. Washington, DC: Marine Corps Warfighting, Publication No. 3-33.5, 2014. p. 1-2

'population-centric' model of counterinsurgency, in which the counterinsurgent should seek the 'consent' of the population.⁶ As such it emphasises a 'low-intensity' form of warfare, in which effort should be made to avoid brutal or excessively kinetic operations.⁷ *FM 3-24* has been incorporated extensively into US counterinsurgency efforts, as well as inspiring similar reconstructions within allied nations.⁸ *FM 3-24*'s perception of insurgency resonates with many other practitioners and scholars, who describe insurgency as 'more difficult' than 'conventional warfare', and as a deeply problematic form of conflict, with complex military and moral dimensions.⁹ Yet, the manual's inception, construction, and historical lineage has produced deep and divisive critical debate about the merits of counterinsurgency, and how to understand the meaning of 'insurgency' to which it ostensibly stands in opposition.

Douglas Porch, in his book, *Counterinsurgency: Exposing the Myths of the New Way of War*, attacked *FM 3-24*'s historical lineage, asserting that *FM 3-24* is a 'dubious promise' of 'dangerous myths', drawing from an incomplete history of Britain and France's brutal subjugation of the colonies.¹⁰ Porch believes that the 'COINdinitas', such as Nagl and Petraeus, fail to recognise that the historical legacy upon which COIN rests is a political relic of colonialism, purposefully constructed to disguise racist and short sighted governance of the colonial periphery, which not only vindicated brutal practises against suspected insurgents, but also proved unsuccessful.¹¹ Porch argues that counterinsurgency is not a separate form of warfare, or 'low-intensity', but rather part of a long tradition of often excessive and brutal imperialist governance.¹² At the heart of this is Porch's view that an insurgency, 'is a contingent event in which doctrine, operations, and tactics must support a viable policy and strategy, not the other way around.'¹³ Thus, in Porch's view, the solution of 'counterinsurgency' is simply a name given to racist and brutal colonialism, and the 'insurgency' to which it responds, is a product of this colonialism. As such, COIN is not a silver bullet, but rather a 'strategy of tactics', an overconstructed response to a problem of an

⁶ Christopher Paul, Colin P. Clarke, Beth Grill & Molly Dunigan. 'Moving Beyond Population-Centric vs. Enemy-Centric Counterinsurgency', *Small Wars & Insurgencies*, 27:6, 2016, p1019-1042. p1022

⁷ Ibid.

⁸ UK Army, 'Foreword'. *British Army Field Manual Volume 1 Part 10, Countering Insurgency*, 2009

⁹ Robert M. Cassidy, 'Winning the War of the Flea: Lessons from Guerrilla Warfare,' *Military Review* 83.5, 2003. p41

¹⁰ Douglas Porch. *Counterinsurgency: Exposing the Myths of the New Way of War*. Cambridge University Press, 2013. See also, Douglas Porch. 'The dangerous myths and dubious promise of COIN', *Small Wars & Insurgencies*, 22:02, 2011, p239-257,

¹¹ Porch. 2013. p28-29.

¹² Porch. 2011. p251-255

¹³ Porch. 2011. p253

integrally political character.¹⁴ In essence, Porch conceives of insurgency as a problem which has been produced and reproduced by the writings of colonialist military officers with imperialist ambitions, and, more recently, elevated by *FM 3-24's* dubious historiography.

Though Porch's thesis is a powerful and damning critique of *FM 3-24's* lineage, his perception of insurgency has been criticised for its polemic perspective, and of producing a dubious and selective history of his own.¹⁵ Sibylle Scheipers, in a response to Porch, locates counterinsurgency within the 'broader history of irregular warfare', arguing that Porch's views about the treatment of indigenous populations are limited, and fail to recognise that the marginalisation of insurgents may be understood through the broader marginalisation of irregular warriors, itself a product of a long and complicated process within both European and colonial militaries.¹⁶ Scheipers argues that this process is not deterministic, but rather the result of tangential military, political, and legal developments. Though Scheipers believes that Porch is 'right in assuming that the distinction between regular and irregular warfare is both socially constructed and interwoven with questions of military and political power', she identifies that a more holistic reading of insurgency would recognise the 'intersectionality of irregularity and race'.¹⁷ This intersectionality would recognise that insurgents are discriminated against for both their race *and* their irregularity. Thus, Scheipers advocates for, simultaneously, a broader and more specific consideration of insurgency, which recognises the power of both military marginalisation and racial discrimination, in a manner which was not consciously designed, but rather produced by a variety of pressures and influences.

Porch and Scheipers both engage with the issue at the heart of the history of 'insurgency': the extent to which our ideas about the modes of conflict and expressions of resistance of foreign populations have been shaped by the Western - or dominant - perspective. This conflicted, and often contradictory, history reveals the process by which 'insurgency' has been conditioned by Western perspectives and Western agency. The intersections of race, irregularity, and legitimacy within this history demonstrate that the term 'insurgency' has been subject to a hegemonic influence, and does not describe a distinct

¹⁴ Porch. 2013. p318-346, and, Gian Gentile. 'A Strategy of Tactics: Population-centric COIN and the Army.' *Parameters*, Army War College, Autumn, 2009.

¹⁵ David H. Ucko. 'Critics gone wild: Counterinsurgency as the root of all evil', *Small Wars & Insurgencies*, 25:1, 2014, p161-179.. p163-170

¹⁶ Sibylle Scheipers, 'Counterinsurgency or irregular warfare? Historiography and the study of 'small wars', *Small Wars & Insurgencies*, 25:5-6, 2014, p879-899. p880.

¹⁷ Scheipers, 2014. p883, p884.

and discrete form of warfare, so much as a discourse of Western dominance. In this light, the question is not, what *is* insurgency, as if it were an immutable and ahistorical phenomenon, but rather, how does the categorisation ‘insurgency’ *function*? This question, of how ‘insurgency’ has been applied within the history of Western conflict, is a more valuable avenue for inquiry as it puts aside dubious declarations of an integral definition of insurgency, and instead assesses the term’s use, and how this use has been shaped by the context of its application. This dissertation argues that *FM 3-24*’s conflicted lineage is an ingress by which to trace the manner in which the categorisation of ‘insurgency’ has been produced by the intentional and unintentional, explicit and implicit, invocations and applications of Western agents in their dominance of the foreign ulterior, and the resistance of the ‘other’.

This dissertation will seek to reconsider the authors and conflicts which inspired and influenced modern perceptions of insurgency and counterinsurgency, as expressed and substantiated by *FM 3-24*. This dissertation will consider three authors’ experiences of insurgency, which have been codified and incorporated into *FM 3-24*’s doctrine of counterinsurgency: T.E. Lawrence’s experiences of insurgency during the Arab Revolt (1917); David Galula’s doctrine of counterinsurgency, in relation to the French-Algerian War (1954-1962), and Robert Thompson’s doctrine of counterinsurgency, in relation to the British Malay Emergency (1948-1960).¹⁸ These three authors have all had a substantial influence upon modern doctrine and are key examples of historical ‘solutions’ to insurgency. As such, each author presents, assumes, and promulgates a perspective of insurgency, which has proven particularly influential to modern discourse – as reflected in *FM 3-24*. In tracing this history, we trace the relationship between Western structures of political, moral, and military power, upon a marginalised ulterior, and the effort made by these structures to subdue and control this ulterior. As such, this dissertation does not seek to ‘solve’ the problem of insurgency, but rather, to understand why it is problematic, and how it became so.¹⁹

This dissertation ‘problematizes’ insurgency: it identifies and confronts constructions of insurgency within the military doctrine of counterinsurgency. The object of this problematisation is not to suggest that there is an integral and essential understanding of

¹⁸ T E Lawrence. *Seven Pillars of Wisdom: The Complete 1922 Text*. Fordingbridge, Hampshire: J. and N. Wilson, 2004.

David Galula, *Counterinsurgency Warfare: Theory and Practice*. Westport, CT: Praeger, 2006.

Robert Thompson. *Defeating Communist Insurgency: The Lessons of Malaya and Vietnam*. FA Praeger 1966

¹⁹ Ian Hacking. *Historical Ontology*. London: Harper University Press, 2002. p71

‘insurgency’, but rather to show that current understandings are a product of social and political forces which are not necessarily ‘true’ simply because they have been normalised within modern discourse. Problematisation, for the purposes of this dissertation, focuses on confronting the constructions and perceptions which exist within a concept, as Ian Hacking argues, ‘to invoke the history of a concept is not to uncover its elements, but to investigate the principles that cause it to be useful—or problematic.’²⁰ Thus, how counterinsurgency doctrine developed, how it became ‘useful’, is a product of the perceptions of insurgency which writers and practitioners held particular to the specific context of its creation. Considering how these perceptions of insurgency may be problematic will help to understand how modern counterinsurgency doctrine developed, both in strength and weakness. This may not solve the ‘problem’ of insurgency, but it may, ‘show why these matters are problematic, whereas before we knew only that they were problematic.’²¹ Indeed, no study into the ‘problem’ of insurgency will cure the distaste that Western militaries have for these kind of operations, but problematisation may encourage reflection upon the origins of current practise, and the assumptions which underlie this practise.

This dissertation applies a genealogical approach, arguing that the concept of ‘insurgency’ should not be understood as deterministic, but rather a ‘result of the marriage of chance occurrence, fortuitous connections, and reinterpretations, [by which] the purposes and forms of moral structures often change in such a way that they come to embody values different from those that animated their origins.’²² In essence, this approach suggests that the perception of insurgency expressed in *FM 3-24*, as a military separate, morally dubious, and subversive form of conflict, is a product of non-deterministic processes which may, under different conditions, have produced a different conception of ‘insurgency’. These processes can be understood as a ‘discourse’, taken here to mean the often conflicted history of practise of categorisation and demarcation which shapes notions of what is correct and what is incorrect, permitted or transgressive.²³ This conception of discourse draws upon Michel Foucault’s proposition that definition and categorisation do not simply shape ‘truth’ in a declarative process but are part of a relationship between ‘practise’ and ‘knowledge’, wherein

²⁰ Hacking, 2002. p68-69

²¹ Ibid, p71

²² Richard M. Price, *A Genealogy of the Chemical Weapons Taboo*, Cornell University Press, 2007, p86.

²³ Michel Foucault. *Discipline and Punish: The Birth of the Prison*. NY: Vintage Books, 1979. p199

practise influences the manner in which knowledge is conditioned and produced.²⁴ This prioritising structure may be understood as a form of disciplinary power, as it sets the boundaries in which insurgency can be spoken of, what 'is' and 'is not' an insurgency.²⁵ Thus, perceptions of insurgency which emphasise its immorality, its transgressive nature, or its difference from regular conflict, are a product of moral and political institutions, primarily situated within the discourse of Western dominance, which have produced and empowered counterinsurgency at the expense of insurgency, a form of resistance most commonly ascribed to the global south, the colonial periphery, or the foreign interior.

FM 3-24 offers a historical lineage to substantiate its perceptions of insurgency, and it is this lineage that offers a guide to tracing how these perceptions were formed. Following this supposed lineage, we identify critical junctures within the discourse in which certain notions of insurgency have been prioritised, whether by individual agents or by institutions. It is these junctures which we seek to interrogate when we examine the history of a subject from a genealogical perspective, and which are the basis of this dissertation's case study selection. This dissertation explores the prioritisation of dominant 'truths' and the relegation of non-dominant truths through a series of case studies. Each case study will apply a different but complementary theoretical concept, so as to better identify and analyse the methods by which 'insurgency' has been shaped and conditioned by the discourse of the conflict, and the hegemony which Western influence has enjoyed during these wars. It is by approaching each case study from a separate critical perspective that we are able to recognise the consistencies in the manner in which insurgency has been marginalised, and the inconsistencies within the discourse of Western dominance which has facilitated this marginalisation.

Case Study Selection

The 'critical junctures' of the genealogical approach, given that we are dealing with military history, are primarily conflicts. Yet these conflicts are not simply historical events, and the way they are processed by modern practitioners is not simply through a list of battles or statistics, instead they are incorporated into modern military practise and perception by the

²⁴ Paul Rabinow. 'Introduction', *The Foucault Reader*. Edited by Paul Rabinow. Pantheon Books, New York, 1984. p9 - 10

²⁵ *ibid.* p16

first-hand accounts of soldiers/scholars. Consider, David Kilcullen, a key figure in modern counterinsurgency, in the first lines of his 'Twenty-Eight Articles: Fundamentals of Company-Level Counterinsurgency', states:

*Your company has just been warned for deployment on counterinsurgency operations in Iraq or Afghanistan. You have read David Galula, T.E. Lawrence and Robert Thompson. You have studied FM 3-24 and now understand the history, philosophy and theory of counterinsurgency.*²⁶

Kilcullen establishes a common knowledge with the reader through reference to the authors of 'Classical Counterinsurgency', as it is understood in Western insurgency theory.²⁷ Kilcullen then explicitly connects these examples to modern US Counterinsurgency doctrine *FM 3-24*, and establishes this continuity as grounds for understanding the 'history, philosophy and theory of counterinsurgency'.²⁸ This establishes an implicit authority: *FM 3-24*, is the 'history, philosophy and theory of counterinsurgency', and it receives this authority by relationship with the writers and texts of historical counterinsurgency. Thus, it is this lineage that we seek to deconstruct when we problematise notions and understandings of insurgency, and it is the texts and authors that substantiate this lineage that form the critical junctures of our approach.

From *FM 3-24*'s perceived historical lineage, this dissertation has selected three authors and texts: Colonel T.E. Lawrence's *The Seven Pillars of Wisdom*, Colonel David Galula's *Counterinsurgency Warfare: Theory and Practice*, and Sir Robert Thompson's *Defeating Communist Insurgency: Experiences in Malaysia and Vietnam*.²⁹ Each of these authors offer a different perspective of insurgency, and each of these perspectives were influential in the formation of modern doctrine. This dissertation approaches each case study from the perspective of a different theoretical concept: Orientalism, Governmentality, and Exceptionalism, respectively. Each of these concepts consider the problem of the relationship between the West and the East, the state and the individual, and the state and the law, from a different perspective, and so offer an avenue by which to open up the problem of insurgency

²⁶ David Kilcullen, 'Twenty-Eight Articles': Fundamentals of Company-level Counterinsurgency', *Military Review*, 2006, p103-108. p103

²⁷ David Kilcullen, 'Counter-insurgency Redux', *Survival*, 48:4, 2006, p111-130.

²⁸ Kilcullen, 'Twenty-Eight Articles', 2006. p103

²⁹ Lawrence, 2004.

Galula, 2006.

Thompson, 1966

from a simple dichotomy of regularity and irregularity, or empire and colony. Thus, each author's perspective of insurgency can be interrogated in a manner appropriate to its conception, and the formulation of 'insurgency' as a category of conflict can more accurately and usefully traced.

Case Study One: Orientalism: T.E. Lawrence's The Seven Pillars of Wisdom and 27 Articles of Insurgency Warfare

T.E. Lawrence's accounts of the Arab Revolt (1917), *The Seven Pillars of Wisdom* and *The Twenty Seven Articles of Insurgency Warfare*, exemplify the notion of the soldier-anthropologist, and in *FM 3-24* are often used as an example of successful integration between Western strategic purpose and Middle-Eastern socio/military traditions.³⁰ Lawrence's accounts, unlike Galula's or Thompson's, are from the perspective of the insurgent, and, so recognise that the West's participation with insurgency is not necessarily directly oppressive, but is nonetheless structured by Western control..

This chapter is primarily an exploration of how 'insurgency' was conceived in relation with Orientalist conceptions of West and East, regular and irregular, moral and amoral. Orientalism, as understood by Edward Said, is a product of the process of 'othering' by which certain aspects of a discourse are labelled deviant or non-orthodox, and so marginalised, whilst the 'normal' or the 'self' is placed at the centre of perceptions.³¹ Said recognised a process of 'othering' between the West and the East in which the West was essentially civilised, regular and moral, and the East was essentially uncivilised, irregular and immoral.³² 'Orientalism' encompasses the assumption of the normality and superiority of Western social, cultural and political structures, and was used as a tool by which to aid the subjugation of other ethnicities and societies.³³ This subjugation carries with it the marginalisation of other processes of war fighting, and so, leads to the perception that those modes of struggle are deviant.

³⁰ US Army, *Field Manual 3-24, Counterinsurgency*, Washington, DC: Department of the Army, 2006.

³¹ Alison Mountz. 'The Other'. *Key Concepts in Political Geography*. SAGE, 2016. p328-333

³² Edward W. Said, *Orientalism*. New York: Pantheon Books, 1978. p10-42

³³ Said, 1978. P24-30

This dissertation's examination of Lawrence explores how insurgency is construed as something 'other': a product of Arab culture, integral to the Arab character, which finds meaning through the lens of Western agency. This process facilitates and empowers the military, political, and moral marginalisation of insurgents, and elevates the control and governance of Western agents and institutions.

Case Study Two: Governmentality: David Galula's Counterinsurgency Warfare: Theory and Practice

David Galula's *Counterinsurgency Warfare: Theory and Practice*, drawn from his experiences in the French-Algerian War (1954-1962), and French Indochina (1946-1954), was explicitly referred to by co-author of *FM 3-24* John Nagl, as a direct inspiration for his and Petraeus' principles of counterinsurgency.³⁴ Galula's writings were particularly influential in forming the basis of *FM 3-24's* assumption that there is an essential difference between conventional warfare and insurgency/counterinsurgency, and the manner in which counterinsurgency should be performed.

Case Study 1 argued that Orientalism allowed the prioritisation of Western agency over the East, resulting in the concordant prioritisation of conventional warfare over insurgency, wherein the irregular and indigenous is made to work for the advantage of the regular and the West. In this case study we explore how it is not simply that 'conventional' warfare is prioritised over insurgency, but that counterinsurgency is prioritised over insurgency, functioning as the discourse of Western agency. This manifests in an essential separation between conventional warfare and insurgency/counterinsurgency, and the empowerment of the counterinsurgency over the insurgency. This empowerment is expressed in a form of population control, 'population-centric counterinsurgency', understood in this case study through Foucault's concept of Governmentality.

Galula's proposition of 'population-centric' counterinsurgency aims to combat insurgency by control and coercion of the population, excising the insurgency from the neutral masses. This excision took the shape of repressive and immoral measures, including

³⁴ See 'Introduction', by John Nagl in, Galula, 2006.

torture and mass incarceration, and was empowered by the establishment of the insurgent as a politically transgressive, racially other, and militarily irregular. This legal and physical excision, empowered by moral estrangement, constitutes a form of 'Governmentality', Foucault's term for the system of legal and physical constraint, formed by a moral, social and political rationality particular to the period. Foucault argued that power and governance were structurally related and understood this structure as a legitimatisation of the art of exerting power, deciding and categorising who may wield power, and thus selecting what forms of struggle are legitimate.³⁵ Thus, governance is,

*defined as a right manner of disposing things so as to lead not to the form of the common good, as the jurists' texts would have said, but to an end which is 'convenient' for each of the things that are to be governed.*³⁶

Population-centric counterinsurgency aims to produce a 'convenient' end, the defeat of the insurgency, and in order to do this, employs and reproduces perceptions of insurgency as integrally transgressive, subversive and 'other'. These perceptions are fuelled by the racial, political, and military attitudes particular to the context of the French's occupation of colonial Algeria. In the words of Alex Marshall, the system that the French enacted was 'a perfectly rational policy for a regime interested only in perpetuating imperial dominance, in constraining and directing the natural development of local social forces, and in creating a socialised and compliant sub-class of colonial subjects.'³⁷ In this perspective, counterinsurgency allows Western agents to delineate and control the social, political and legal environment of the insurgent. This delineation and control is expressed through the application of torture, indefinite confinement, and extra-judicial executions, designed to repress and subjugate, and is empowered by marginalisation and delegitimization of the insurgent, as both a racial inferior and an unlawful combatant.

³⁵ Colin Gordon, 'Introduction', *The Foucault Effect: Studies in Governmentality*. The University of Chicago Press, Chicago. 1991. p2-4

³⁶ Gordon, p95

³⁷ Alex Marshall. 'Imperial nostalgia, the liberal lie, and the perils of postmodern counterinsurgency'. *Small Wars & Insurgencies*, 21:2, 2010, Pp. 234-235. p250

Case Study Three: State of Exception: Robert Thompson's Defeating Communist Insurgency: Lessons from Malaya and Vietnam

Robert Thompson's principles for counterinsurgency, based upon his experiences of the British Malay Emergency (1948-1960), and Vietnam (1959-1975), *Defeating Communist Insurgency: Experiences in Malaysia and Vietnam*, are particularly germane to this discussion as they reflect a conflict identified as a 'success' of Classical Counterinsurgency.³⁸ Thompson's principles and approach to counterinsurgency became the basis for the supposedly superior 'British Way of Counterinsurgency'; a perceived superiority reflected in Brigadier Nigel Aylwin-Foster's essay in 2005, criticising the US' 'heavy-handed' counterinsurgency practise and citing the British 'low-intensity' peace-orientated counterinsurgency.³⁹ Though this 'myth' of the British way of counterinsurgency has been undermined by modern scholarship, it still proved a significant influence upon modern perceptions of insurgency, and the formulation of *FM 3-24*.⁴⁰

This case study approaches Thompson's writings, and the Malay Emergency, through the concept of 'state of exception'. 'State of exception' describes, in the view of Carl Schmitt, the necessary moment which a sovereign power must allow for the superseding of the rule of law in the name of the public good, in which a sufficiently powerful threat justifies a powerful and extra-legal response.⁴¹ This concept is mirrored in the Emergency Regulations passed by the British colonial government in Malaya, which legitimated extra-legal measures against the ethnic-Chinese insurgency, such as deportation, imprisonment and execution.⁴² Yet key to this conflict is that this 'state of exception' is woven into the history of the British colonial government's dominance of the region, and their oppression of the ethnic-Chinese, against both the Chinese Nationalist movements, and the later Chinese Communist movement. Accordingly, this case study incorporates Giorgio Agamben's recognition that the 'state of exception' is not simply the peak of political antagonism between the sovereign power of the state and a supposedly existential threat, but instead,

³⁸ Thompson, 1966.

³⁹ Brigadier Nigel Aylwin-Foster, 'Changing the Army for Counterinsurgency Operations', *Military Review*, November-December, 2005. p30

⁴⁰ David Martin Jones & M.L.R. Smith. 'Myth and the small war tradition: Reassessing the discourse of British counter-insurgency', *Small Wars & Insurgencies*, 24:3, 436-464, 2013.

⁴¹ Giorgio Agamben, *State of Exception*. University of Chicago Press, 2005. pp. 52-55.

⁴² , Karl Hack. 'Everyone lived in fear: Malaya and the British way of counterinsurgency', *Small Wars & Insurgencies*, 23:4-5, 2012, p671-699, p681

If the law employs the exception – that is the suspension of law itself – as its original means of referring to an encompassing life, then a theory of the state of exception is the preliminary condition for any definition of the relation that binds and, at the state time, abandons the living being to law.⁴³

The 'state of exception' is thus not the exception, but the norm, it is the basic condition written into the state's legal processes, that at a certain point the sovereign power may circumvent legality. This is useful to understanding the relationship between the state and 'insurgency' in Malaya, as the historical repression of the ethnic-Chinese populations' political agency - through the legal suspension of judicial processes - precedes the nomenclature of 'insurgency'. Instead of a moment of exception, this is a process, gradually written into the discourse of insurgency and counterinsurgency through the process of the conflict, and by the application of increasingly brutal and pervasive counterinsurgency measures by the British colonial government, against the ethnic-Chinese insurgency. Thus, the 'state of exception' and 'insurgency', are not the discrete expression of the limits of legality, or governance, but rather a product of processes written into the conflict between the British colonial governance and the 'threat' of Chinese political agency.

Conclusion

These case studies, each approaching insurgency from a different theoretical position, trace the imposition of Western narratives and agency upon an exterior which has deemed to be subdueable. Through recourse to rationalisations predicated upon race, morality and political legitimacy, the power of the West to control and subjugate the peoples and the territories of the global south has been validated, and its methods elevated to a form of warfare: counterinsurgency. These rationalisations are contained within and supported by the notion of 'insurgency', a term which serves as a categorisation by which the resistance of the foreign population may be marginalised, and its participants, the insurgents, dehumanised. Thus, the moral perception, political status, and racial identity of the insurgents are intertwined under the label of 'insurgent', informing a counterinsurgency that is

⁴³ Giorgio Agamben, 2005. pp. 52–55.

predicated not only upon a colonial ethnocentrism, but also upon the convenient rationalities which have historically facilitated the subjugation of foreign populations by Western states, and which continue to underwrite Western attitudes towards foreign intervention.

By approaching these case studies through separate but supporting theoretical concepts, we are able to note and trace the relationship between insurgency and counterinsurgency, a relationship structured around the empowerment of Western agency and governance. Case Study 1, through Lawrence's writings explores how racial, military, and moral attitudes are intertwined in the presentation of insurgency's essential nature, and how these attitudes are shaped by an Orientalism that facilitates the domination of the Arabic people's moral and political capacity for independent conflict. Case Study 2 explores how Galula's construction of insurgency as separate form of subversive conflict, governed by distinct rules, is a product of a system which delineates and marginalises the moral and legal status of insurgents through racial and political discrimination. Case Study 3 builds on the relationship between governance, insurgency, and race, identified in the previous case studies in order to recognise 'insurgency' as an expression of a threat which must be countered by extra-legal measures, a nomenclature which facilitates the subjugation of the resistance of the 'other' by the governance of Western agents. Taken together these case studies demonstrate that counterinsurgency and insurgency are linked, as each are constructed in relation to one another, not in a simple dichotomy of action and reaction, but as part of a complex legal, political, and military process, which facilitates Western agency at the expense of the 'other'. Thus, both the 'problem' and 'solution' to insurgency are bound together as part of the relationship between perception and practise, how what is 'known' of a subject, is used to govern that subject.⁴⁴

By re-contextualising these accounts this dissertation demonstrates that the Western perception of insurgency as military separate, morally estranged, and transgressive, is not integral, nor is it a purposeful or malicious construction, but rather a product of a non-deterministic process of history which has favoured and empowered Western counterinsurgency and agency, consequentially marginalising insurgency. By this process insurgency has become separated - morally, politically and militarily - from normal modes of

⁴⁴ Colin Gordon (ed.). *Power/Knowledge: Selected Interviews and Other Writings 1972–1977 Michel Foucault*. New York, NY: Pantheon Books, 1980. p132

conflict, and so come to be seen as a separate and difficult 'problem', requiring special skills and governance. This process is part of the relationship these writings have had with the conflicts of insurgency, and the influence these writings have had upon modern practitioners. Reliance upon these accounts by modern doctrine has encouraged the development of a dichotomy between insurgency and counterinsurgency, in which insurgency is integrally subversive, uncivilised, and illegitimate, and counterinsurgency is legitimate. These assumptions underly our discussions of insurgency and produce a counterinsurgency that is not necessarily a meaningful reaction to a phenomenon, so much as a reaction to Western perspectives of that phenomenon. Insurgency and counterinsurgency are not related simply as a set of tactics which oppose one another within a given conflict, but also a relationship of morality to immorality, legitimacy to transgression, or the 'self' and the 'other'.⁴⁵ Accordingly, when we approach the problem of how insurgency is presented, we are also approaching how counterinsurgency has been centred within the discourse as an opposing or negating force. As we trace the lineage of conflicts, we trace the assumptions which 'insurgency' and 'counterinsurgency' articulate, and the distasteful meanings which cower behind these rationalisations.

⁴⁵ Vivien Burr, *An Introduction to Social Constructionism*. Routledge, London. 1995. p.72-74

Chapter 1: Orientalism: T.E. Lawrence's *The Seven Pillars of Wisdom* and *27 Articles of Insurgency Warfare*

This chapter will discuss how T.E. Lawrence's *The Seven Pillars of Wisdom*, and his associated writings, *27 Articles of Insurgency Warfare*, produce and reflect a perception of insurgency as militarily, morally, and racially estranged from the 'regular' warfare of the West.⁴⁶ In Lawrence's writings, and in the context in which Lawrence wrote, 'insurgency' functioned as a nomenclature by which to 'other' the agency of the Arab peoples, facilitating the British military's control of the Arab Revolt. Though Lawrence's writings are not a doctrine of counterinsurgency, Lawrence's perceptions of insurgency, and experiences as soldier-anthropologist, are often used as the basis for 'correct' interaction between Western agents and insurgency, particularly by modern practitioners looking for a successful foundation for counterinsurgency. However, this use of Lawrence in counterinsurgency discourse is deeply problematic, as it fails to recognise the extent to which 'insurgency' is not an essential and positively identifiable phenomenon, but rather a label which is defined by its function. In the Arab Revolt, this function was to facilitate the British state's delineation of the political, moral, and military capability of the 'Arab'. As such, though Lawrence does not write an explicit doctrine of counterinsurgency, his perception of insurgency is an important nexus by which to problematise the discourse surrounding insurgency and counterinsurgency.

This chapter will argue that T.E. Lawrence's perspective of insurgency is a product of a convoluted and contentious relationship between the West and the Middle-East, shaped by Orientalism and manifesting its assumptions. These perspectives ultimately sanction the imposition of Western agency upon a subdueable Middle-East, through the production of reductive and simplistic caricatures of its people, and the estrangement of their political and military agency. Section One will discuss Lawrence's writings, and their relevance to modern counterinsurgency doctrine, exploring the how Lawrence's writings on insurgency have been used to substantiate modern counterinsurgency, particularly the notion that insurgency is integrally the product of non-Western peoples, and possessed of a separate racial and military character. Section Two will argue that Lawrence's account of the Arab Revolt emphasises 'the

⁴⁶ T E Lawrence. *Seven Pillars of Wisdom*. Black House Publishing, London, 2013

Arab', and the Arab's style of warfare, as integrally separate from Western modes of conduct and warfare. In doing so Lawrence ties insurgency to the supposedly integral character of the Arab fighter as an irregular, presenting the 'Arab' as a loss-averse skirmisher and ambusher, whose racial characteristics predispose him towards insurgency. This presentation of the Revolt draws upon a tradition of Orientalist 'anthropology' which marginalises ethnic and individual differences in favour of convenient, or 'useful', generalisations. Section Three will argue that the presentation of the Revolt as integrally Arab functioned as a method by which to mask the extent to which British political coercion, funds and conventional forces were essential to the success of the insurgency. After the success of Arab Revolt, the label of 'insurgency' evolved to sanction Western control and the marginalisation of the cause of Arab Nationalism, an evolution predicated upon the same Orientalist assumptions which underwrote insurgency's separation from regular conflict. As such, the perception of insurgency as military separate, best practised by indigenous peoples, functions both as a method by which to mask Western control, but also as a nomenclature by which to deny the legitimacy of indigenous resistance and political agency, when convenient to Western interests.

T.E. Lawrence's Principles of Insurgency in Modern Practice: Amoral, Foreign, Estranged

T.E. Lawrence occupies a special position within Western military perceptions of insurgency. In 2004, during the invasion of Iraq, *The Seven Pillars of Wisdom* was placed second in a list of most recommended books by US officers and was required reading amongst military personnel throughout both the Iraq and Afghanistan wars.⁴⁷ The influence of Lawrence's philosophical and strategic approach to insurgency reaches to the highest level of modern US thought; the co-author of *FM 3-24*, General John Nagl, named his book on counterinsurgency after a quotation from Lawrence, *Learning to Eat Soup With a Knife*, and draws heavily upon Lawrence in his depictions of insurgent warfare.⁴⁸ Lawrence's precepts for insurgency warfare have been particularly influential to units in 'mentoring' or advisory

⁴⁷ Inside the Pentagon, 'To Understand Insurgency In Iraq: Read Something Old, Something New', Inside Washington Publishers, 2004. Available at:

<https://www.globalsecurity.org/military/library/report/2004/reading-list.htm>

⁴⁸ David Martin Jones & M.L.R. Smith. 'Grammar but No Logic: Technique is Not Enough – A Response to Nagl and Burton', *The Journal of Strategic Studies*, 33:3, 2010, 437-446. p442

roles with local forces in Afghanistan and Iraq. Major Niel Smith explicitly identified Lawrence's special influence, remarking, 'T.E. Lawrence has in some ways become the patron saint of the US Army advisory effort in Afghanistan and Iraq.'⁴⁹ Lawrence's appeal rests primarily upon two major works, the first, and most substantial of which, is Lawrence's account of the Arab Revolt and his part in it, *The Seven Pillars of Wisdom*, written after the war, and the second, Lawrence's, *27 Articles of Insurgency Warfare*, his principles of insurgency, written during the war, in 1917.⁵⁰ Though not an explicit doctrine for counterinsurgency, these works produce and reflect a conception of 'insurgency' critical to this dissertation's argument, as such, this section approaches Lawrence's writings through how his perception of 'insurgency' has been interpreted and incorporated into modern discourse.

Seven Pillars is dense, philosophical, and often reads more as a novel than an account of military experience. In contrast, the principles offered by *27 Articles* are relatively succinct, clear, and, crucially, present the possibility that Western agents may achieve significant success in 'handling' Arab forces, if the agent comports himself correctly.⁵¹ As such, *27 Articles* is more often quoted than *Seven Pillars*.⁵² Of particular note is Article 15:

15. Do not try to do too much with your own hands. Better the Arabs do it tolerably than that you do it perfectly. It is their war, and you are to help them, not to win it for them. Actually, also, under the very odd conditions of Arabia, your practical work will not be as good as, perhaps, you think it is.⁵³

and Article 22:

22. Do not try to trade on what you know of fighting. The Hejaz confounds ordinary tactics. Learn the Bedu principles of war as thoroughly and as quickly as you can, for till you know them your advice will be no good to the Sherif. Unnumbered generations of tribal raids have taught them more about some parts of the business than we will ever know. In familiar conditions they fight well, but strange events cause

⁴⁹ Alasdair Soussi, 'Lawrence of Arabia, guiding US Army in Iraq and Afghanistan', The Christian Science Monitor, 2010. Available at: <https://www.csmonitor.com/World/2010/0619/Lawrence-of-Arabia-guiding-US-Army-in-Iraq-and-Afghanistan>

⁵⁰ T.E. Lawrence, 'The 27 Articles of T.E. Lawrence', The Arab Bulletin, 1917. Source: https://www.benning.army.mil/magazine/2007/2007_6/07_pf.pdf

⁵¹ Ibid, p1

⁵² Robert L. Bateman, 'Lawrence And His Message', Small Wars Journal, 2016.

⁵³ Lawrence, 1917. p11

panic. Keep your unit small. Their raiding parties are usually from one hundred to two hundred men, and if you take a crowd they only get confused. Also their sheikhs, while admirable company commanders, are too 'set' to learn to handle the equivalents of battalions or regiments. Don't attempt unusual things, unless they appeal to the sporting instinct Bedu have so strongly, unless success is obvious. If the objective is a good one (booty) they will attack like fiends, they are splendid scouts, their mobility gives you the advantage that will win this local war, they make proper use of their knowledge of the country (don't take tribesmen to places they do not know), and the gazelle-hunters, who form a proportion of the better men, are great shots at visible targets. A sheikh from one tribe cannot give orders to men from another; a Sherif is necessary to command a mixed tribal force. If there is plunder in prospect, and the odds are at all equal, you will win. Do not waste Bedu attacking trenches (they will not stand casualties) or in trying to defend a position, for they cannot sit still without slacking. The more unorthodox and Arab your proceedings, the more likely you are to have the Turks cold, for they lack initiative and expect you to. Don't play for safety.⁵⁴

The bold here is my own, but reflects the sentences most frequently quoted in a modern context.⁵⁵ Read literally, these two highlighted statements endorse two interconnected conceptions of insurgency. First, that the efforts of indigenous forces are central to the success of insurgency, and that Western forces should perform as little as possible. Second, that insurgency is integrally separate from 'ordinary' or conventional conflict, and that indigenous forces are innately gifted at the practise of insurgency. Taken together, these perceptions emphasise insurgency's innate difference from conventional conflict, and indigenous forces' innate difference from Western forces. This emphasis is reflected in modern practitioners' use of Lawrence, as it is precisely the excerpts bolded above which are most utilised. These excerpts are often employed out of context of both the *Articles* complete text, and of a more holistic perspective of Lawrence's involvement in the Arab Revolt.

Consider, John Hulsman, advisor to the Bush Administration, in an Introduction to a 2017 edition of Lawrence's *27 Articles*, recounts quoting the highlighted section of Article 15

⁵⁴ Lawrence, 1917. p12

⁵⁵ Modern practitioners' excision of much of the language of Lawrence's Articles 15 and 22, is perhaps a reflection of how Lawrence's language is stylistically archaic, but, also, as will be discussed in the following section, evidence of where Lawrence's more dubious ontogenetic assumptions about insurgency become apparent. Consider Robert L. Bateman, 'Lawrence And His Message', *Small Wars Journal*, 2016. for a discussion on how Lawrence's is often selectively quoted by modern scholars.

at a high-level policy meeting during the preparation for the Iraq war, to general opprobrium from the gathered staff.⁵⁶ Hulsman argues that the invasion of Iraq, and the consequent counterinsurgency operations neglected Lawrence's principles. In short, that the aforementioned policymakers were too obsessed with the conventional means of war, and with Western political structures, and needed to engage with Iraq's 'unique history, politics, culture, ethnology, sociology, economic status, or religious orientation' in order to succeed.⁵⁷ Indeed, Hulsman relates all failed nation building to neglect of Lawrence's principles, presenting Lawrence as a forgotten prophet of a different conception of conflict, in which Western political goals and efforts were complementary and supporting to the goals of the indigenous forces, and so asserts Lawrence as a champion of a 'very different philosophy' of warfare.⁵⁸ Hulsman is not alone in this conception of Lawrence, Lieutenant Evan Musing - a USMC Cavalry officer - in accordance with the vision of *FM 3-24*, argues that Lawrence proposes a vision of Western aided counterinsurgency in which indigenous forces are central to the political process, as well as the practical effort of the war.⁵⁹ Musing argues that failures in Iraq and Afghanistan stem from how US and coalition forces interact with local forces, as Western conventional forces too often form the bulk of counterinsurgency efforts, and fail to allow Afghan fighters to fight 'the way they want'.⁶⁰ In both these perspectives - the former by a chief policy maker, the latter by a frontline cavalry officer - Lawrence is summoned as evidence, and to emphasise the difference between insurgency and conventional warfare. For Hulsman this concerns deprioritising counterinsurgency operations' Western political agenda, and for Musing this concerns allowing indigenous forces to fight in a manner supposed integral to their character. Both Hulsman and Musing endorse the narrative that Lawrence's conception of insurgency was a 'very different philosophy' to conventional methods, that Western political goals should be de-prioritized, and that success in counterinsurgency requires letting indigenous forces fight 'the way they want'.⁶¹

⁵⁶ John Hulsman, 'Introduction', T.E. Lawrence, *27 Articles*, Simon and Schuster, 2017. P1-2

⁵⁷ Ibid, P2-4

⁵⁸ Ibid, p4

⁵⁹ Evan Musing, 'Reading Lawrence in Afghanistan: The Seven Pillars of Counter-COIN Wisdom,' *Small Wars Journal*, 2014. Available at: <http://smallwarsjournal.com/jrnl/art/reading-lawrence-in-afghanistan-the-seven-pillars-of-counter-coin-wisdom>

⁶⁰ Ibid.

⁶¹ Hulsman, 'Introduction', in, Lawrence, 2017. p4. Musing, 2014.

Hulsman and Munsing's interpretations of Lawrence are echoed in *FM 3-24*, the US' current manual on counterinsurgency, which quotes Article 15 under a section titled, 'The Host Nation Doing Something Tolerably Is Normally Better than Us Doing It Well'.⁶² This conception isn't immediately problematic; however, it is predicated upon a problematic root. The following section will argue that this conception of insurgency - as something integrally separate from conventional warfare, which is successful only when indigenous forces are at the centre of the strategy - should not be accepted uncritically, as 'insurgency' in Lawrence's writings is not the recognition of a discrete and ahistorical form of warfare, but a reflection and manifestation of Orientalist attitudes about the Arab peoples' capacity for moral, military, and political independence. Indeed, Lawrence's conception of the 'Arab' as integrally predisposed to insurgency-warfare stems directly from an Orientalist-inspired ethnography predicated upon fallacious racial essentialism, and is not an integral aspect of indigenous forces, but rather functioned as a legitimisation of the British state's control of the insurgency during the Arab Revolt.

'Afghan Right': Orientalism in T.E. Lawrence's perceptions of Insurgency

The problem with Lawrence's perspective of insurgency, and how it has been parsed by modern practitioners, is best approached through the notion that indigenous forces, particularly Arab and Afghan, are innately predisposed to insurgency-warfare. Major David Park refers to this as 'Afghan Right', and, even when criticising its assumption by *FM 3-24* at a strategic and organisational level, Park accepts it *a priori* at a tactical and warfighting level.⁶³ Park employs Lawrence's Article 15 and Article 22 in his arguments, and, like Hulsman and Munsing, neglects the full quotation in favour of the excerpts highlighted previously.⁶⁴ This notion of 'Afghan Right' is problematic not just because it substitutes 'The Arab' in Lawrence's principles for 'The Afghan' with little reflection, but because it is underwritten by a system of racial categorisations which is in turn a result of Western imperialist attitudes towards indigenous peoples.⁶⁵ The following section will argue that 'Afghan', or 'insurgent', 'right',

⁶² US Army, *FM 3-24*, 2006. p1-27 - 1-28

⁶³ David Park, 'Identifying The Center of Gravity of Afghan Mentoring', *Military Review*, November-December 2010, 43-50.

⁶⁴ *Ibid*, p44.

⁶⁵ This dissertation does not have the space to fully explore the problems with 'military anthropology', as it is often referred to, however, it is well explored in, Frances S Hasso, "' Culture Knowledge", And the Violence of Imperialism: Revisiting *The Arab Mind.*' *The MIT Electronic*

betrays a perspective of insurgency which is a product of Orientalist attitudes towards the Middle-East. This narrative functions by instating a divide between the Western participants of conventional conflict, and the Middle-Eastern participants of insurgency. This narrative legitimates Western agents' right and obligation to control and delineate Middle-Eastern insurgents in the pursuit of Western political goals.

Edward Said, in his book *Orientalism*, contends that Lawrence's conception of the 'Arab' is a product of his role as an emissary of the West, that Lawrence's 'Arab' has,

*an aura of apartness, definiteness, and collective self-consistency such as to wipe out any traces of individual Arabs with narratable life histories. What appealed to Lawrence's imagination was the clarity of the Arab, both as an image and as a supposed philosophy.*⁶⁶

Said here identifies the separation of 'Arabness' from the West and highlights how Lawrence's conception of the 'Arab' as a uniform entity negates individual Arabs' capability to be anything other than a product of Lawrence's romantic perceptions of Middle-Eastern culture. This is attributed to the broader process of Orientalist knowledge which aimed to categorise and reduce the Middle-Eastern peoples to easily understood 'ontogenetic' categories.⁶⁷ Thus, for Lawrence the 'Arab' is refined, 'down to his quintessential attributes' to an entity which, 'accumulates no existential or even semantical thickness', and thus, 'if he has a sense of the injustices of political tyranny, then those experiences are necessarily subordinate to the sheer, unadorned, and persistent fact of being an Arab.'⁶⁸ Consider this excerpt from Lawrence's letters:

*The Arab appealed to my imagination... They think for the moment... in part it is a mental and moral fatigue, a race trained out, and to avoid difficulties they have to jettison so much that we think is honourable and grave.*⁶⁹

Lawrence focuses on the 'Arab' as morally estranged from the 'we' of Europe: that which 'we' think of as 'honourable' and 'grave', 'they' think of as 'difficult'. Thus, Lawrence's 'Arab' - and

Journal Of Middle East Studies, Spring 2007, MIT Press. p24-43. Hasso here explores the difficulty in applying cultural knowledge rooted in imperialist practises to modern anthropology.

⁶⁶ Edward Said, *Orientalism*, Vintage Books, New York, 1979. p229

⁶⁷ Said, 1979. p231

⁶⁸ Ibid, p230

⁶⁹ T.E. Lawrence. *The Letters of T. E. Lawrence of Arabia*, ed. David Garnett. 1938, London: Spring Books, 1964. p244

the 'Arab right', 'Afghan right', and 'insurgent right' which are predicated upon it – is a manifestation of a circumscribed perspective which marginalises the individual Arab in favour of the broad category of 'Arab', which is unchanging and morally estranged. These reductive racial categories are not only anthropologically and scientifically spurious, but also a gloss of military experience. Efraim Karsh and Inari Karsh, in 'Myth in the Desert', gather accounts from other British military officers who assert that Lawrence's insurgents,

*continually incur unnecessary risks by their stupid conduct, such as singing and shouting within hearing of the enemy, and approaching enemy positions (as the party did on the railway line) up the middle of the broad wadis that could be overlooked for miles by any outpost on the top of a hill.*⁷⁰

Indeed, according to these accounts Lawrence's forces were very poor at the practise of operations, they,

*often flatly refuse to make alterations when one points out that they are doing something in the wrong way. In addition to the tactical errors the parties make in approaching the line ... (they) have neglected to tie on their charge in spite of specially cut twine being given them, have been found to throw away some of their explosives so as to have less to do, to put several slabs on one rail and to light only a portion of the charges they fix.*⁷¹

In these accounts, contemporaries of Lawrence assert that Lawrence's forces were generally poor at their two most crucial tasks: silent assaults and railway demolition. These accounts stand in stark contrast to Lawrence's conception of the 'Arab' insurgency as a 'thing intangible, invulnerable... like a vapour'.⁷² This is not to contrarily assert that 'Arabs' are integrally poor at insurgency warfare, but rather to demonstrate that racial categories fail to encompass the entirety of a culture's modes of expression, and that they are more a manifestation of the author's perspective than a valuable and factual account. Indeed, this effort to erase Lawrence's racial essentialism with a contrary racial essentialism serves to

⁷⁰ Arab Bulletin, No.45, 23 March 1917, pp.127-8. from, Efraim Karsh & Inari Karsh. 'Myth in the Desert, or not the Great Arab Revolt', Middle Eastern Studies, 33:2, 1997, p267-312. p297

⁷¹ Bimbashi Garland, 'General Report on Demolition Work with Sharif Abdullah', 14 Aug. 1917, FO 686/6, pp.17-19, and 17 Aug. 1917, FO 686/6, pp.20-21, from, Karsh & Karsh, 1997. p297-298

⁷² Lawrence. 2013. p204

underline how closely military relegation or elevation is tied to racial relegation or elevation within insurgency and counterinsurgency discourse.

Lawrence's principles of insurgency are predicated upon his perceptions, perceptions which, when codified within his account of insurgency, manifest these dichotomies of Arab/European, moral/amoral, and regular/irregular, as integral to understanding insurgency. In *The Seven Pillars of Wisdom*, Lawrence conveys the separateness of insurgency by linking the lack of moral restraints, 'There were many humiliating material limits, but no moral impossibilities; so that the scope of our diathetical activities was unbounded,' as part of the necessary tools for success on the 'Arab Front', 'On it we should mainly depend for the means of victory on the Arab front: and the novelty of it was our advantage.'⁷³ This 'novelty' was the new 'art of war' which Lawrence presented in sharp distinction to the 'regular officer, with the tradition of forty generations of service behind him', to whom, 'the antique arms were the most honoured.'⁷⁴ Lawrence clearly conceives of a sharp military and moral difference between the prosecution of his form of warfare to that of the regular. And thus, the Arab front, and the insurgency, is conceived of something separate, and apart. Consequentially, from the perspective of insurgency-warfare, the notion of the 'Arab' as possessed of a separate and integral moral and military character, different from the European, is a dichotomy which Lawrence embraces along with the distinction between 'Arab' insurgency-warfare, and European conventional-warfare. Douglas Porch argues that this relationship, between military, morality, and race, is a part of the Orientalist 'martial races' discourse, in which 'cultural knowledge' of a particular ethnicity's perceived morality and capability for warfare, 'becomes a cover for imperial paranoia, racial stereotypes and distrust of the other'.⁷⁵ Porch argues that the discourse of the 'other' underwrites the character of Western imperialism's interactions with indigenous populations, functioning as a way to 'justify their exploitation and manipulation'.⁷⁶ Whilst Lawrence's dichotomy between 'Arab' and European, insurgent and regular, elevates the 'natural' strengths of the 'Arab', it also functions as a mandate by which Western control is legitimated, and within which Lawrence may function as a, in Said's words, 'white expert'.⁷⁷

⁷³ Ibid, p207

⁷⁴ Lawrence, 2013, p207

⁷⁵ Porch, 2013, p37

⁷⁶ Porch, 2013, p36

⁷⁷ Said, *Orientalism*. p231

The perspective of 'The Arab' as a natural insurgent, and so a natural tool for Western agency, is elaborately expressed in *Seven Pillars*:

*Arabs could be swung on an idea as on a cord; for the unpledged allegiance of their minds made them obedient servants. None of them would escape the bond till success had come, and with it responsibility and duty and engagement. Then the idea was gone and the work ended-in ruins. Without a creed they could be taken to the four corners of the world (but not to heaven) by being shown the riches of the earth and the pleasures of it.*⁷⁸

Lawrence's conception of 'the Arab', almost child-like in his estrangement from both intellectual and moral integrity, is here presented as a mandate for Lawrence's control. Indeed, Said identified Lawrence as an 'agent of empire', which, taken literally, denotes Lawrence's function as a British 'handler' of the Arab Revolt.⁷⁹ Lawrence's role as a 'handler' of the 'Arab', constitutes the employment of the discourse of Orientalism in the pursuit of more perfect domination of the Middle-East by the Western powers, and so Orientalist agents such as Lawrence did not simply produce and enforce perspectives of the Middle-East, but endeavoured to make these perspectives 'effective', wherein cultural knowledge becomes the basis for how a culture is governed.⁸⁰

This 'effectiveness' is the basis of the following section, arguing that Lawrence's perceptions of insurgency are shaped not only by Orientalist perceptions of the 'Arab', but also as a product of necessity in the British state's prosecution of the First World War. This necessity led to the framing of the Arab Revolt as an act of natural Arab insurrection against Turkish rule, in which the impact of British support was minimised, so as to legitimate British 'liberation' of the region. Though Lawrence's *Articles*, stripped of context, assert that the efforts of indigenous forces are central to the success of insurgency, and that Western forces should perform as little as possible, in truth, the Arab Revolt relied upon substantial Western effort, and was primarily employed as a façade of legitimacy for Britain's own agenda. Lawrence's involvement in the Revolt was structured by the British state, sustained by British funds, and succeeded as part of a general plan for conventional dominance of the Middle-

⁷⁸ T E Lawrence. 2013, p52

⁷⁹ Said, 1979. p223-224

⁸⁰ Ibid. p223-224

Eastern region. Indeed, the Revolt culminated not in the success of Arab Nationalism, but in British and French control of the Middle-East. As such, 'insurgency' serves as the nomenclature in which the relegation and delegitimization of the Arab people's capacity for independent resistance is articulated, but also suborned.

Western Agency and the 'Arab Façade'

In *The Seven Pillars of Wisdom*, Lawrence characterises the Arab Revolt of 1917 as a 'wave', a righteous expression of Arab Nationalism, which he 'raised and rolled... til it reached its crest, and toppled over and fell at Damascus', and that this was an idea whose time had come, 'the new Asia which time was inexorably bringing upon us.'⁸¹ Yet, there was very little inevitable about the Arab Revolt. Rather it was a product of political machinations between the great powers, the Hashemite family, and the British Cabinet. Furthermore, the Revolt took place within the context of one of the greatest clashes of conventional forces in history, the First World War, and would not have succeeded were it not for this greater context. The Revolt was just one confrontation within the Middle-Eastern theatre, in which huge numbers of regular personnel were engaged in conflict. This is not to diminish the success of Lawrence's operations, but to recognise that 'insurgency' is not a discrete and reducible form of warfare, and instead, a terminology which has had a historical function. In the context of the Arab Revolt, identifying the Arab fighters as 'insurgents' allowed the British state to absolve itself of its involvement and interference in the internal rule of the Turkish Empire, and, when the Revolt had served its purpose, to dismiss the cause of Arab Nationalism.

Contrary to Lawrence's presentation of the Arab Revolt as a natural 'crest', an expression of Arab Nationalism's nascence, the Revolt was largely an exercise in British manoeuvring for the collapse of the Ottoman Empire, and resumption of the 'great game' with Russia for the 'Great Loot' of the Middle-East.⁸² Indeed, this manoeuvring began early in the course of the First World War, in 1914, when British War Minister Lord Kitchener began covert communication with Hussein ibn Ali, of the Hashemite line, the Ottoman's Emir of

⁸¹ Lawrence. 2013. p376

⁸² Scott Anderson, *Lawrence in Arabia: War, Deceit, Imperial Folly and the Making of the Modern Middle East*. Toronto: McClelland & Stewart, 2013. p152.

Mecca.⁸³ Kitchener, looking ahead to the future of the Middle-East, aimed to leverage Hussein's support against Russia's potential designs for the region, intending to legitimise British rule by using Hussein as a puppet Caliph.⁸⁴ This correspondence was secret by necessity, as British interference at the heart of the Muslim religion could conceivably destabilise British control of India.⁸⁵ Thus, Hussein was set as the potential figurehead for Britain's covert control of the Middle-East, and the Arab Revolt as the method by which the Ottoman Empire would be de-stabilised.

Lawrence alludes to these covert machinations in the introduction to *Seven Pillars*, 'Lord Kitchener...believed that a rebellion of Arabs against Turks would enable England, while fighting Germany, simultaneously to defeat her ally Turkey.'⁸⁶ This is not to suggest that Hussein was a credulous subject. Indeed, Hussein deceived the British over the course of a number of years into believing that he had far more control over the hearts and minds of the Arab and Muslim population than he did, and, rather than being motivated by nationalist sentiments, Hussein knew that the Ottoman government intend to remove him, and so must revolt before he was deposed.⁸⁷ Thus, when it came time for the Revolt, in the summer of 1916, the promised rallying of Arabs and Muslims did not occur, and the Revolt was, in the words of David Fromkin, 'a dud'.⁸⁸ Hussein delivered only a handful of tribesmen, when the British expected a large scale mobilisation of regular troops, and a swell of popular support.⁸⁹ Consequentially, as Fromkin asserts, 'The Arab Revolt was supposed to rescue Britain, but instead Britain had to rescue it'. This rescue was largely in the hands of the Arab Bureau, the collection of Orientalists and Intelligence Officers to which Lawrence belonged.⁹⁰

The rescuing of the Arab Revolt took the form of military advisors such as Lawrence, but also arms, money, and transport. In the words of General Archibald Murray, of the British army in Cairo, when addressing the deputy-commander of the Arab Bureau, 'From the experience of the war, and the experience of recent campaigns, it is absolutely clear that you start and you grow. You start with a brigade, that brigade wants artillery, then aeroplanes and

⁸³ David Fromkin. 'The Importance of T.E. Lawrence.', *The New Criterion*, Vol. 10, iss 1, p86-98. New York, Sep, 1991. p89

⁸⁴ Ibid, p89-90

⁸⁵ Ibid, p89

⁸⁶ Lawrence. 2013. p37

⁸⁷ Fromkin. 1991, p90

⁸⁸ Ibid.

⁸⁹ Ibid.

⁹⁰ Anderson, 2013 p150

camels.⁹¹ Though delivered as an invective and a chastisement, Murray here summarises the extent to which the British military were employed in supporting and sustaining the activities of the Arab Revolt. In its infancy, the Arab Revolt was more effort to the British than it was worth. The nomadic insurgency would not have been sustainable at all if it were not for the sheer amount of British currency that was supplied to feed them and their families, in a cost that was often considered disproportionate to its gain.⁹²

Yet, ultimately, the Arab Revolt was successful at occupying the attention of the Turkish forces, of encouraging the Ottoman Empire to devote disproportionate resources to maintaining control, and, in doing so, opened the space necessary for the British to commit to a conventional front in Palestine.⁹³ By mid-1917, the British, trading on the reported success of the Arab Revolt, devoted fifty thousand troops to a Palestinian offensive.⁹⁴ These material successes should not be overlooked, as they demonstrate the efficacy of the irregular fighter, as part of a greater strategy for combined conventional/irregular action. Sibylle Scheiper identifies Lawrence as a key thinker in the reconsideration of the 'strategic role of irregular auxiliaries', but notes that Lawrence 'optimism', about the 'strategic potential' of insurgency, may have had a disproportionate impact upon scholarship.⁹⁵ Crucially, the insurgency's successes were not independent of conventional action, or the Western political agenda. Rather than simple material successes, the Arab Revolt was useful to the British primarily due to the legitimacy it brought to their agenda, the culmination of a convoluted process set in motion by Kitchener in his original correspondence with Hussein ibn Ali.

Lawrence built a narrative around the Arab Revolt, both romantic and political, and it was this narrative that brought the greatest gain to British designs for the Middle-East. David Fromkin argues that,

*Lawrence's real achievement in his two years with the Arabians in the World War was to invent a role for the Emir Hussein's small band, a role so visible, that commanded so much attention and proved so easy to exaggerate, that, when the war was over, Britain could make claims on Hussein's behalf.*⁹⁶

⁹¹ Ibid, p152.

⁹² Karsh & Karsh. 1997, p296

⁹³ Ibid, p292

⁹⁴ Anderson, 2013, p160

⁹⁵ Scheipers. 2014. p888-889

⁹⁶ Fromkin. 1991, p90

It is in this light that Arab Revolt should be understood, not as a separate Arab insurgency which the British merely aided in, but a conflict which was predicated upon Western involvement, and aimed at Western goals. Lawrence's conception of the insurgency as a 'separate' and distinct conflict, eventually presented in *Seven Pillars* couched in the romantic language of fallacious racial categories, was a manifestation of necessity. The insurgency did not have the numbers to be anything other than a guerrilla force, and it was key that this conflict should be seen to be a product of Arab agency, not British coercion. Scott Anderson claims that this necessity produced much of the secrecy and confusion around the British's relationship with the Arab Revolt, arguing that Britain maintained its distance from the ultimate goal of the Revolt so as to ensure, once the Ottoman Empire had fallen, they could support any successful stakeholder in the inevitable scramble for the Middle-East.⁹⁷ Thus, Lawrence's presentation of the insurgency as militarily and morally separate from British norms and modes of conflict, is not simply an expression of a division between West-and East, but also a product of the Britain's complex relationship with the Revolt.

Just as Lawrence's Orientalist conceptions of the 'Arab' empowered his control over the Arabic insurgents, so did Orientalism underwrite Britain's relationship with the cause of Arab Nationalism. In short, self-determination for the Arabic peoples was not considered a priority. Indeed, notions of the 'Arab' as a military and moral stranger set the basis for the 'Arab' as a moral and intellectual inferior, incapable of self-governance. Johnathon Schneer, in his book *The Balfour Declaration*, quotes Sir Percy Cox, a key figure in the British Army's political manoeuvrings in the Middle-East, who asserts that, 'nothing in the nature of a plebiscite could be arranged. It was quite unsuited to Arab thought and habits and could only excite the liveliest misgivings.'⁹⁸ Here the 'natural' characteristics of the 'Arab' are turned against him and used to substantiate the view that Arabic self-rule would be disastrous. In this same meeting, of the British 'Eastern Committee', the chair of the War Cabinet, Lord Curzon, proposed, 'We should construct a State with an 'Arab Façade,' ruled and administered under British guidance and controlled by a native Mohammedan and as far as possible an Arab staff.'⁹⁹ Indeed, Curzon goes on to suggest that the 'Mohammedan' need not necessarily be the Sharif Hussein, but simply any native who will help provide legitimacy to the British

⁹⁷ Anderson, 2013, p103

⁹⁸ Johnathon Schneer, *The Balfour Declaration: The Origins of the Arab-Israeli Conflict*, Bloomsbury, London, 2010. p84

⁹⁹ Schneer, 2010, p84

‘façade’, underlining the disposability of the Arabic leadership, but the importance of the narrative that the insurgency provided the British.¹⁰⁰

These proposals were the basis for Britain’s settlement of the Middle-East, and are underwritten by the perspective of the ‘Arab’ as a moral stranger, child-like in his habits and maturity.¹⁰¹ Ultimately, the French and British divided the Middle-East between their spheres of influence, first in the ‘infamous’ Sykes-Picout agreement, and then finally in the post war settlement, in which Hussein ibn Ali and his sons were put aside in favour of the interests of the British and French states.¹⁰² Lawrence claimed to be sickened by the ‘old men’ who ‘betrayed’ his vision for a unified Arab nation, and yet, was complicit in its betrayal – some critics have claimed consciously, others unconsciously.¹⁰³ Whatever the truth of Lawrence’s material complicity, his actions and his perspectives of insurgency manifest the same Orientalist perspectives which Lord Curzon and Sir Cox expressed in their agenda for the future of the Middle-East. As such, Lawrence’s perspective of insurgency, and his experiences of the Arab Revolt, are deeply tied to the same structure which employed the Arab Revolt to legitimise British dominance of the morally estranged, and militarily separate, ‘Arab’.

T.E. Lawrence, in one of *Seven Pillars’* stylistic swings from the indulgent to the modest, described the Arab Revolt as ‘a sideshow of a sideshow’.¹⁰⁴ It is this characterisation of the conflict that should be kept in mind when considering the British state’s support for the Arab Revolt, and so, in understanding T.E. Lawrence’s perceptions of insurgency. British support for the Arab Revolt was part of a much larger agenda, encompassing the First World War against the Central Powers, French ambitions for the Levant, and potential clashes with Russia over the future of the Middle-East. Lawrence’s depictions of insurgency, legitimising his agency over that of the ‘Arab’, are a reflection in British Empire’s own dominance of the Middle-East, and delineation of the future of the region, serving as a taxonomy by which to both legitimate and belie this control. Self-determination for the Arabic peoples was not a

¹⁰⁰ Ibid, p84

¹⁰¹ Ibid, p83-86

¹⁰² Ibid, p86-99

¹⁰³ Lawrence’s often contradictory perspective of the ‘betrayal’ of Arab Nationalism is well covered by a number of authors. This chapter has declined to pursue a biography of Lawrence’s psychology, in favour of a broader look on the effect of his accounts, rather than his personality. However, consider, James Barr, *Setting the Desert on Fire: T.E. Lawrence and Britain’s Secret War in Arabia, 1916-18*. London, Bloomsbury Publishing, 2007., for an exploration of Lawrence’s personal divisions on the subject of Arab Nationalism.

¹⁰⁴ Lawrence, 1938. p274

primary or even secondary goal to the British state, but functioned as a narrative by which to facilitate the British state's 'liberation' of the former territories of the Ottoman Empire.

Conclusion

This chapter has argued that Lawrence's perception of insurgency, as a distinct and separate mode of warfare, is predicated upon a dubious Orientalism, a product of a discourse which sanctioned British control of the Middle-East. Lawrence's perspectives of insurgency are a manifestation of his social, political and cultural context, and so, are conditioned by Orientalist perspectives of 'the Arab' as a moral and military stranger to the norm of Europe. Equally, the Arab Revolt itself, rather than being a separate and distinct confrontation between an insurgent force and conventional force, was successful primarily in its facilitation of British conventional forces and sustained only by substantial British investment. Ultimately, Lawrence's perspective of insurgency should not be seen as the forgotten prophet of a better or more successful counterinsurgency, but rather as a tool by which Western agency was empowered over a subdueable Middle-East. The cause of Arab Nationalism, rather than a righteous expression of self-determination by an oppressed people, functioned as a façade by which the British empire legitimised its operations in the Middle-Eastern theatre. Thus, Lawrence's 'insurgency' should be recognised as an articulation of the centring of Western agency and control during the Arab Revolt, resulting in the relegation of the Middle-East's capacity for producing political independence or a civilised morality, and not as the basis for an 'afghan right', or other dubious racial essentialism within modern discourse.

The use of Lawrence's dubious 'insurgency' in modern counterinsurgency discourse is pollinated with a racial essentialism, and encourages a problematic belief that Lawrence offers a way to make counterinsurgency more successful. Insurgency is thus a nexus between the 'knowledge' of the moral, military, and political capacity of the 'other', and the manner in which this knowledge is used to control and subdue the 'other'. It is this notion of control and subjugation which we will explore in the following chapter, on David Galula's, *Counterinsurgency Warfare: Theory and Practice*. Galula's doctrine of counterinsurgency offers an avenue by which to problematise the French Army's explicit effort to control and subdue a resistant indigenous population through the production of forms of knowledge and

repressive systems of control. In problematising Galula's construction of counterinsurgency, we seek to identify how 'insurgency' functions within the discourse of the France-Algeria War.

Chapter 2: Governmentality: David Galula's Counterinsurgency Warfare: Theory and Practise

This chapter will argue that David Galula's *Counterinsurgency Warfare: Theory and Practice*, proposes a counterinsurgency which assumes and promulgates a perspective of insurgency as subversive, transgressive, and integrally separate from lawful warfare. As in the previous chapter, we seek to recognise not what insurgency is, but what function it performs in the discourse of counterinsurgency conflict. In the previous chapter, we argued that T.E. Lawrence's accounts manifest a separation between insurgency and conventional warfare. We suggested that this excision functions as a method by which to demarcate the moral, military, and racial differences between the West and East. It was this separation and excision of 'insurgency' from regular warfare within the discourse of the conflict which enabled the British state's control and co-option of the Arab insurgency. Indeed, this demarcation also facilitated the relegation of the Arab insurgents' capacity for independent political action, sanctioning the British state's control of the Arab Revolt. In this chapter, we argue that, in the context of the 1954 French-Algerian War, 'insurgency' was a label which circumvented the recognition of the Algerian insurgents as lawful combatants, and so facilitated a system by which the legal, moral, and political agency of the Algerians was circumscribed by an oppressive and brutal system of governance, dubbed 'counterinsurgency', and described within the writings of Galula. We note then the advancement of 'insurgency' from a label by which to exclude the 'other' from meaningful expression of political agency, to a label by which rights can be legally removed, and moral parity denied.

David Galula's *Counterinsurgency Warfare: Theory and Practice*, was primarily influenced by Galula's two years of experience in the France-Algeria War (1954-1962).¹⁰⁵ Published in 1964, two years after the end of the war, the manual sets out a guide to understanding insurgency, and how to prosecute a successful counterinsurgency. *Counterinsurgency Warfare* is central to both the principles offered by US counterinsurgency manual *FM 3-24*, and the lineage of conflicts on which it draws. 'Of the many books that were influential to the writing of Field Manual 3-24,' write John Nagl and David Petraeus, co-authors of *FM 3-24*, 'perhaps none was as important as David Galula's *Counterinsurgency*

¹⁰⁵ Galula, 2006.

*Warfare.*¹⁰⁶ As John Nagl notes, Galula's principles of counterinsurgency are lucid and clearly presented, but, crucial to this discussion, they convey two key and interconnected conceptions of insurgency warfare: first that insurgency warfare is a distinct and definable form of conflict which is separate from conventional conflict, to which counterinsurgency functions as a necessary response to insurgency; and second, that counterinsurgency should be 'population centric', and should aim to excise the insurgency from the 'neutral' population by the application of special measures.¹⁰⁷ Given the primacy given to Galula's perspective of insurgency within modern discourse, it is crucial that it be considered critically, not just as a potentially dubious history, but also for what use the categorisation of 'insurgency' was put to within the conflict. By identifying this use, we are able to understand how 'insurgency' has been produced by its historical context, and by what processes.

In this chapter we will explore David Galula's theories of counterinsurgency and insurgency, through the concept of Governmentality. Governmentality, as originally proposed by Micheal Foucault, is here understood as:

*Any more or less calculated and rational activity, undertaken by a multiplicity of authorities and agencies, employing a variety of techniques and forms of knowledge, that seeks to shape conduct by working through desires, aspirations, interests and beliefs for definite but shifting ends and with diverse set of relatively unpredictable consequences, effects and outcomes.*¹⁰⁸

This definition, by Mitchell Dean, is particularly effective, as it recognises that systems of governance possess an internal rationality, that these systems employ 'knowledge' of the target population in pursuit of their control, but that these systems of governance produce effects which cannot easily be calculated, or readily predicted. In order to assess these systems, we should consider this internal rationality and contextualise it, so as to understand what 'use' these forms of knowledge are put to, and so, how this system functions. Considering counterinsurgency as a system of Governmentality allows us to recognise that its 'rules' are not ahistorical, and its perspective of its adversary, 'insurgency' has a function within this system: it is a form of knowledge by which to facilitate governance. This chapter

¹⁰⁶ See 'Foreword', by John Nagl in, Galula, 2006.

¹⁰⁷ Nagl, in Galula, 2006, pvii

¹⁰⁸ Mitchell Dean. *Governmentality: Power and Rule in Modern Society*. Sage Publications, 2010. p.266-267

will argue that David Galula's conception of counterinsurgency presents the resistance of the target population as an 'insurgency', a threat which must be excised. When considered within the context of the France-Algerian War, this construction facilitated the dehumanisation and moral relegation of the insurgency, primarily manifested in, and reflected by, the permissive racial and military attitudes towards the torture and execution of Algerian Arabs insurgents.

Section One of this chapter will outline Galula's conception of the essential dichotomy between insurgency and conventional warfare, in which the former is a transgressive mode of conflict which ignores and subverts the 'rules' of conflict. This section argues that this perspective of insurgency should be understood as a method of 'knowledge', an attempt to rationalise insurgency in a manner which establishes the counterinsurgent's legal and moral superiority. This section will compare Galula's perspective of insurgency to the legal relegation of the Front de Libération Nationale (FLN) during the Algerian War, noting how what is 'known' of the insurgency is used to facilitate the refusal to grant it legal recognition. Section Two examines Galula's 'knowledge' of insurgency, and analyses how this knowledge helps contribute to a system of counterinsurgency by Governmentality: in which the target population is the subject of a pervasive and coercive form of governance, by which the resistant elements are marked and 'excised'. Section Three explores the manner in which insurgency was 'excised' during the Algerian War through the systemic use of torture. The use of torture in the French state's operations against the Algerian insurgents was empowered by the system of counterinsurgency-Governmentality, in which torture is incorporated as a necessary and useful tool against an amoral, subversive, and ultimately, less than human enemy.

David Galula's Theory of Counterinsurgency and Perception of Insurgency: Subversive, Transgressive and Separate

Colonel David Galula was an officer in the French Army from 1939 – 1962, fighting in WW2 and working as a military attaché in China - where he studied the Indochina War. For the purposes of this discussion, Galula's most significant experience was during the Algerian

War of (1954-1962).¹⁰⁹ Galula crafted his approach to counterinsurgency against the insurgency of the Front de Libération Nationale (FLN), during his two years of active service in Algeria. The open conflict of French Algerian War began in November 1954, when FLN guerrillas attacked military and civilian targets across Algeria.¹¹⁰ The French Army withdrew from Algeria in 1962 after the conflict became deeply unpopular in France. The French public's opposition to the conflict was spurred by allegations of torture and extra-judicial killing, and the political impact from the conflict was enough to cause the collapse of the government of the Fourth French Republic.¹¹¹ David Galula wrote two works significant to this discussion, his doctrine of counterinsurgency, *Counterinsurgency Warfare: Theory and Practice*, and the specific account of his experiences in Algeria, *Pacification in Algeria*, both written shortly after the conflict, and in the wake of Algeria's independence.¹¹²

In *Counterinsurgency Warfare: Theory and Practice*, Galula argues that conventional warfare is predicated upon shared 'laws' - the 'ABC's of warfare' - and that, in conventional warfare, 'the same laws and principle hold equally true for both contending sides'.¹¹³ However, insurgency warfare,

*...represents an exceptional case not only because, as we suspect, it has its special rules, different from those of the conventional war, but also because most of the rules applicable to one side do not work for the other.*¹¹⁴

In this conception, conventional warfare is defined by the moral parity of its combatants, and insurgency warfare is defined by the integral difference in capability and principles between its combatants. In insurgency warfare, Galula argues, the combatants occupy the same temporal and spatial dimensions, but do not abide by the same rules, laws, and principles, and possess substantially different capabilities.¹¹⁵ In this manner Galula presents the maxims of conflict within a positivist framing: these modes of conflict are distinct entities governed by clear and recognisable rules.¹¹⁶ Indeed, Galula encourages the reader to see the formation of insurgency warfare as ahistorical: as an unchanging and essential phenomenon which may

¹⁰⁹ 'Foreword to the New Edition', in, David Galula. *Pacification in Algeria*. RAND Corp, 2006. First published in 1963.

¹¹⁰ James S. Corum. *Bad Strategies: How Major Powers Fail in Counterinsurgency*. Zenith Press, 2008. p.58-60

¹¹¹ John Cairns. 'Algeria: The Last Ordeal.' *International Journal*, 17:2,1962. P.88

¹¹² Galula, 1964.

¹¹³ Nagl, in, Galula, 2006. pXiii

¹¹⁴ Ibid.

¹¹⁵ Galula, 2006, p.1-3

¹¹⁶ Alex Marshall critiques the positivist lineage of classical counterinsurgency in, Marshall. 2010. p234-235

be combatted according to the rules of its nature. However, contrary to Galula's conception of insurgency as an essential phenomenon, his conception of insurgency draws deeply upon the context of its creation.

Galula contends that insurgency warfare should be treated as a distinct entity from conventional warfare, and any response to insurgency should recognise that this conflict poses a different legal and moral character to regular 'war'. This notion reflects the French government's conception of the Algerian War, which was initially conceived as 'domestic operations', integrally separate to regular warfare, and so governed by different legal proscriptions.¹¹⁷ The French government granted the French Army special powers to perform these kind of operations, including suspension of regular legal processes, and command over the internal situation within Algeria. This 'state of emergency' was passed in April 1955, and was, 'based on the logic that exceptional circumstances required exceptional laws, this legislation gave the army the new legal apparatus to prosecute the war against the FLN.'¹¹⁸ In this manner, Algeria was established as a distinct legal space, in which the French army could apply all necessary measures, and so fight the insurgency in a manner deemed appropriate to its character.

Galula conceives of insurgency's integral character as a product of the 'special rules' of its nature.¹¹⁹ In Galula's conception the incumbent government, has, 'virtually everything—diplomatic recognition; legitimate power in the executive, legislative, and judicial branches; control of the administration and police... He is in while the insurgent, being out, has none or few of these assets.'¹²⁰ Whereas the insurgent holds no territory, but uses 'subversion or open violence', to achieve his aims, and possesses 'formidable strength' in the 'field of intangibles'.¹²¹ The insurgent is 'fluid', and difficult to attack, the incumbent is 'fixed' and vulnerable.¹²² Insurgency is 'cheap', but counterinsurgency is 'expensive'.¹²³ Thus the relationship between the incumbent and the insurgent is framed by an asymmetry which, though should favour the incumbent, actually offers the insurgent substantial advantage.¹²⁴

¹¹⁷ Raphaëlle Branche. 'The French in Algeria: Can There Be Prisoners of War in a "Domestic" Operation?'. *Prisoners in War*, edited by Sibylle Scheipers, 173–186. Oxford University Press, 2010. p175

¹¹⁸ Martin Evans. *Algeria: France's Undeclared War*. OUP, 2012. p131

¹¹⁹ Nagl, in, Galula, 2006. pxiii

¹²⁰ Galula, 1964. p3-4

¹²¹ Ibid.

¹²² Ibid. Pp.7-8

¹²³ Ibid. Pp.6-7

¹²⁴ Ibid. P. 4

Crucially, Galula asserts that the insurgent has the 'strategic initiative by default', as 'the insurgent alone can initiate the conflict', and so possesses the capacity to build its power, and strike at the most opportune moment, whereas the incumbent government is forced to wait.¹²⁵ Though Galula qualifies that the insurgent is 'not...necessarily the first to use force', the insurgency is here presented as the *de facto* instigator of the conflict - the aggressor by default.¹²⁶ This reflects the FLN initial attack on military and civil targets in November 1954, ostensibly instigating the conflict. Although the FLN might conceive of the conflict beginning with France's colonialization of Algeria, this perspective is passed over in favour of defining insurgency by the initial act of the insurgent, rather than the occupation of the incumbent.¹²⁷ Thus, everything the incumbent government must do to combat the insurgency is presented as a result of the insurgency's instigation of the conflict. This constructs insurgency as integrally transgressive, as an attack on an established power. In Galula's conception the insurgency is not only integrally transgressive, but also subversive, 'the insurgent, having no responsibility, is free to use every trick if necessary, he can lie, cheat, exaggerate. He is not obligated to prove; he is judged by what he promises, not what he does.'¹²⁸ Thus, the insurgency is both transgressive and amoral, refusing to abide by either the principles of regular conflict, or indeed the principles of common morality. This presentation of insurgency's integral character manifests attitudes and assumptions about the legal status of insurgents which were employed against the FLN in Algeria.

The French government's framing of the conflict as a domestic emergency constituted a refusal to recognise the FLN as a lawful belligerent, instead characterising the military response as a reaction to criminal rebellion.¹²⁹ This process was the result of a series of legislations, beginning with implementation of a state of emergency 1955. As the French government lost control of both the political and military situation, and engaged in brutal reprisals against indigenous Algerian villages, this state of emergency legislation proved emblematic of the French government's deteriorating relationship with the insurgency.¹³⁰ In

¹²⁵ Ibid. P.3

¹²⁶ Ibid.

¹²⁷ The FLN built a successful propaganda strategy out of raising this very point, identifying French as a force of imperial aggression. See, Corum, 2008. p65, and, Evans, 2012. p335.

¹²⁸ Galula, 2006, p.9

¹²⁹ Evans, 2012. p140

¹³⁰ Ibid, p131

March 1956, as the situation escalated in a series of reciprocal massacres and reprisals, the French government passed the 'Special Powers Act', granting,

virtual carte blanche to stop the terrorist violence which had spread across Algeria since 1 November 1954. As article five of the special powers explicitly stated, the government now had the legal right to take any measure deemed necessary for the 're-establishment of order'.¹³¹

Martin Evans here identifies the key aspect of the French government's legislation, it refused to recognise the FLN as lawful combatants, and it established the legality of any measure deemed appropriate to restore order. Sibylle Scheipers argues that this refusal to recognise FLN guerrillas as legal combatants was crucial for the development of the French approach to the war. Scheipers argues,

Clearly France did not intend to apply the Geneva Conventions, as this would have meant acknowledging that this was a war of an international character, which would have effectively granted Algeria the status of an independent state. ... The solution was to declare the war in Algeria a 'domestic emergency', governed by emergency laws and operationally conducted as 'police operations'.¹³²

The Algerian conflict was established as a separate conflict, governed by its own 'special rules'. These special rules constituted that the insurgents, as subversive, transgressive, and amoral combatants, were not to be granted the same legal rights as a combatant in a regular war.¹³³

In this manner, Galula's conception of insurgency is an expression of the essential assumptions upon which the French army's counterinsurgency was facilitated, and, as such, reflects the context from which it was derived. Galula's integral 'knowledge' of insurgency, and his solution, population-centric counterinsurgency, can be understood together as a system of Governmentality, a system of pervasive and delimiting control by which the resistance of the population is categorised and excised.

¹³¹ Ibid, p14

¹³² Scheipers, 2014, p892

¹³³ Only in 1958, under international and domestic pressure, did the French government reverse their policy, and begin to treat FLN fighters as lawful combatants, and so subject to the protections of prisoners of war. See, Emily Crawford. *The Treatment of Combatants and Insurgents Under the Law of Armed Conflict*. Oxford University Press, 2010. p98

In the previous section we argued that Galula presents ‘insurgency’ as a form of knowledge about a phenomenon which is integrally subversive and transgressive, and that this perspective is not ahistorical, but should be understood in relation to French government’s refusal to recognise the FLN as lawful combatants. In this section we will argue that this ‘knowledge’ of insurgency forms part of a system of Governmentality, a form of control designed to recognise and categorise resistance, manifested in Galula’s proposed solution to the ‘special’ problem of insurgency, population-centric counterinsurgency.¹³⁴ Under this system, resistance to the governance of the counterinsurgent is categorised as ‘insurgency’, and, as such, a threat which must be excised by force. By considering counterinsurgency as Governmentality, we are better able to recognise how racial, political, and moral ‘knowledge’ of both Algerian Arabs and insurgents, is used to sanction the use of force against those considered resistant, or dangerously ‘other’. Thus, ‘insurgency’ functions as a method by which to classify and demarcate elements of the population requiring forceful, and often excessive, removal.

David Galula population-centric counterinsurgency is framed by the perception that the incumbent government’s response is necessitated by threat of the insurgency, and so must pursue special measures in order to fight the insurgency on its own terms.¹³⁵ Just as Galula’s conception of insurgency’s integral character was formed by the context of its conception, so too is Galula’s conception of counterinsurgency. Galula opens his consideration of how to structure counterinsurgency operations by questioning how insurgencies have previously achieved success:

What makes it possible for the guerrillas to survive and to expand? The complicity of the population. This is the key to guerrilla warfare, indeed to the insurgency, and it has been expressed in the formula of the fish swimming in the water.¹³⁶

Here Galula explicitly engages with Mao Zedong’s famous assertion, ‘the people are the sea in which the revolutionary swims’, or alternatives.¹³⁷ Mao proposed that the insurgency

¹³⁴ Dean, 2010. p.266-267

¹³⁵ Nagl, in, Galula, 2006. pXiii

¹³⁶ Galula, 2006. p.34-35

¹³⁷ Here the quotation is presented as paraphrased by modern English speakers, the original quotation is ‘[the population] may be likened to water and the [guerrilla] to the fish who inhabit it. How may it be said that these two cannot exist together? It is only undisciplined troops

should hide within the population and should not alienate the population from the cause. Galula takes Mao's notion of 'the people', and presents it terms of support for the insurgency, against, and 'neutral' population: 'In any situation, whatever the cause, there will be an active minority for the cause, a neutral majority, and an active minority against the cause.'¹³⁸ Galula's explicit engagement with Mao recognises the context of the period, in which Communist-inspired insurgency movements were inspiring colonial uprisings, and so Galula frames his theory of counterinsurgency as a response to this ideological approach.¹³⁹

Galula's recognition of the political character of insurgency and counterinsurgency, echoed frequently throughout his writings, wherein politics is conceived as '*an active instrument of operation*'.¹⁴⁰ Galula conceives of counterinsurgency as an extension of a political contest between two ideologies, and paraphrases Clausewitz in his conception of this contest, claiming that 'Insurgency is the pursuit of the policy of a party, inside a country, by every means.'¹⁴¹ Yet this notion of the pursuit of war, by a state, inside a state, by the use of all available political apparatus, is perhaps more similar to Foucault's inversion of Clausewitz dictum, 'politics is war by other means'.¹⁴² In counterinsurgency, the 'war-like force relations' of the political apparatus of the state are employed against the population in a manner aimed at excising the resistant element: the insurgency.¹⁴³

Galula divides the population into the categories of 'friendly-minority', 'neutral-population', and 'insurgency', a separation which constitutes a classification of 'ally', 'potential threat', and 'threat'. These divisions, in the words of Marcus Kienscherf, 'seek to make distinctions within the targeted population between those that can be won over through various non-lethal ways and those hard liners that need to be taken out by force.'¹⁴⁴ All those who are 'insurgents' are a 'threat', and so must be eliminated, whereas those who support the counterinsurgency should be rewarded and protected.¹⁴⁵ Kienscherf argues that

who make the people their enemies and who, like the fish out of its native element, cannot live,' and may be found in, Mao Zedong, *On Guerrilla Warfare* (1937)

Translation, 'Mao Tse-chung on Guerrilla Warfare', U.S. Marine Corps, Department of the Navy, Washington D.C. (1989). p93

¹³⁸ Galula, 2006, p53

¹³⁹ Ibid, p.51-55

¹⁴⁰ Emphasis from source, Galula. 2006. p5

¹⁴¹ Galula. 2006. p1

¹⁴² Foucault. 1986. p168

¹⁴³ Markus Kienscherf. 'Plugging Cultural Knowledge into the U.S. Military Machine: The Neo-Orientalist Logic of Counterinsurgency.' *Topia: Canadian Journal of Cultural Studies*, 23:24, 2010. P.126

¹⁴⁴ Kienscherf. 2010. p130

¹⁴⁵ In the Algerian War, the Algerians of French origin, the *pied noirs*, formed militias of their own in order to resist the independence process, and protect their relatively privileged status. These *harkis* militias worked alongside the French Army and were responsible for many massacres of Algerian Arabs. Corum, 2010, p262.

population-centric counterinsurgency's categorisations are predicated upon the threat that the insurgency poses to the normative values of the counterinsurgent.¹⁴⁶ Within this normative structure the worth of certain lives are prioritised over others, a prioritisation which is driven by the intersection of attitudes about the moral and political capability of the resistant section of the population. Whilst Galula's language sanitises this estrangement, this practise has a very real historical context: the French government's assumption of the Algerian Arabs' lack of moral or political capacity for independence.

James S. Corum writes that the Algerians of French origin would commonly state that, 'the Moslems did not want political power but only wished to be ruled justly.'¹⁴⁷ In essence, the Arabs were seen as not capable or desiring of independence, and so the insurgency was seen as an aberration, a deviation from what was 'known' of the Arab peoples.¹⁴⁸ The French initially assumed that the Algerian insurgency was fostered by the support and example of the Egyptian Arab Nationalists, that the Algerian insurgency had little support within the population, as the Algerians were deemed incapable of the kind of agency necessary to produce resistance.¹⁴⁹ Though these assumptions proved erroneous, they shaped in the manner in which the 'Algerian Arab' was thought of, and so, delegitimized the FLN's cause by identifying it as a minor aberration in an otherwise 'tame' people.¹⁵⁰ There is thus an intersection between racial bias, irregular status, and marginalisation of political agency, fostered by the notion that some lives are capable of less, and so worth less. Consider, Judith Butler argues that there is a link between the relegation of the value of certain lives, and the division of individuals into normative categories:

*Lives are divided into those representing certain kinds of states and those representing threats ... so that war can then be righteously waged on behalf of some lives, while the destruction of other lives can be righteously defended.*¹⁵¹

¹⁴⁶Kienscherf, 2010. p128

¹⁴⁷ Corum, 2014. p54

¹⁴⁸ Indeed, the Arabs were often seen as less than human. 'the Arabs belonged to a different race, one inferior to my own... "they don't have the same needs we do" I was always being told.'

Alistair Home. *A Savage War of Peace*. Macmillan, 1977. p353

¹⁴⁹ Corum, 2014. p57

¹⁵⁰ Home, 1977. p352

¹⁵¹ Judith Butler. *Frames of War: When Is Life Grievable?* Verso, 2009. p53

The insurgents are therefore not legitimate opponents, but instead a threat to peace, and Western civilisation.¹⁵² The European Algerians, and the ‘tame’ Algerian Arabs, must thus be defended against the subversive force of the insurgency.

The normative case for the defence of the European Algerians and ostensibly neutral Algerians is predicated upon the presentation of the insurgency as illegitimate, an anomaly in an otherwise ‘neutral’ and biddable population. It is this notion that lives can be divided into valuable or not valuable, by the application of normative notions of what is moral or amoral, correct or incorrect, normal or ‘other’, empowers the divisions of counterinsurgency.¹⁵³ How these divisions are achieved is as important as the fact of their invocation, as Galula argues for the implementation of a pervasive system of bureaucracy and regulation, designed to identify insurgents or collaborators.

In his ‘Third Step’ of counterinsurgency operations titled, ‘Contact With And Control Of The Population’, Galula offers three objectives:

- 1. To re-establish the counterinsurgent’s authority over the population.*
- 2. To isolate the population as much as possible, by physical means, from the guerrillas.*
- 3. To gather the necessary intelligence leading to the next step—elimination of the insurgent political cells.¹⁵⁴*

Here Galula advocates separating the insurgency from the population by physical means such as curfews, road blocks, food control, but also by acts of governance such as a census, designed to identify potential guerrillas and encourage local communities to reveal the insurgents amongst them.¹⁵⁵ These measures were common during the Algerian War, and Galula, amongst others, employed all of them in the effort to destroy the insurgency.¹⁵⁶ In particular, census taking and curfew imposition are considered ideal methods by which to indicate insurgents: the insurgents reveal themselves either by obvious non-compliance, or by absences within the records of non-insurgents.¹⁵⁷

¹⁵² Alistair Horne identifies this in his ‘Preface to the 1977 Edition’, writing that soldiers fighting the Algerians were ‘assured [they were] defending a bastion of Western civilisation’. Horne, 1977. pi

¹⁵³ Kienscherf, 2010. p.126-130

¹⁵⁴ Galula, 2006. p81

¹⁵⁵ Galula, 2006. p.81-90

¹⁵⁶ Porch, 2013. p.323-328

¹⁵⁷ Galula, 2006.p84

To support this form of bureaucracy, Galula conceives of information operations as inseparable from the business of governance, as it is not simply that information should be collected, but also the flow of information should be controlled. As often as possible the counterinsurgent's forces should be involved in the every-day life of the population so as to, 'multiply opportunities for individual contacts between the population and the counterinsurgent personnel, every one of whom must participate in intelligence collection.'¹⁵⁸ As much as possible, counterinsurgency should aim to be the bureaucracy, and to use this bureaucracy against the insurgency. In Galula's words:

*No citizen, even in a primitive country, can withstand for long the pressure from an uncooperative bureaucracy; insurgency conditions naturally increase the number of regulations that have to be complied with in daily life.*¹⁵⁹

Thus, even against the 'primitive' population of a foreign nation, 'bureaucracy can be a powerful weapon in the hand of the counterinsurgent'.¹⁶⁰ In this manner the insurgent is forced to either accept the bureaucracy of the counterinsurgency or reject it and make themselves an obvious target. This forms the basis of a pervasive system of governance, where in the act of gathering and controlling information is used as a method of control, and a weapon against the insurgency. Kienscherf identifies this as a form of 'counterinsurgency-Governmentality', and argues that within this 'field of Governmentality' the counterinsurgent:

*assumes the function of an executive decision as to what constitutes a state of exception, or to be more precise, as to whom or what constitutes a threat to the free development of society's vital processes*¹⁶¹

In this conception counterinsurgency works by employing all the non-coercive powers of the state against the population, vetting them for evidence of 'insurgency'. Those who are identified by this system as 'insurgents' are considered morally and politically 'other' and so marked for use of force.¹⁶² The counterinsurgent's right to carry out this process is enabled

¹⁵⁸ Ibid.

¹⁵⁹ Ibid.

¹⁶⁰ Ibid.

¹⁶¹ Kienscherf, 2010. p128

¹⁶² Celeste Ward Gventer sums this up neatly in the observation that, 'the burden of proof falls on the indigenous population to prove that they are not supporters of the insurgency.'

Celeste Ward Gventer. 'Keep the change: Counterinsurgency, Iraq, and historical understanding', *Small Wars & Insurgencies*, 25:1, 2014. p249

by the process of forcing individuals to either overtly resist the system of bureaucracy and so be marked for excision, or to accede to its strictures, and so accept its legitimacy.¹⁶³

Galula's assumption of the counterinsurgent's moral, legal, and political right to impose such a system reflects the Algerian War, in which the French Army had *carte blanche* to re-enforce control.¹⁶⁴ In Algeria, this process was fostered and empowered by the legal demarcation of Algeria as a 'state of emergency', and the cultural and social assumptions which shaped the French government's attitude towards Algerian Arabs. Crucially, in Algeria, this system of governance did not just employ non-violent forms of coercion, but also brutal measures: torture, summary execution, and extra-judicial confinement on a massive and near-industrial scale.¹⁶⁵ These brutal practises were often justified by the argument that defeating an enemy as amoral and barbaric as the FLN required extreme measures.¹⁶⁶

In the following section we will consider the French military's use of torture to gain intelligence. These brutal practises were justified and sanctioned by a process of marginalisation, fostered by systemic racism and dehumanisation. We will argue that Galula's conception of insurgency as transgressive, subversive, and amoral, is predicated upon this same systemic dehumanisation and delegitimization, and as such, is inexorably tied to the system by which it was produced.

Identifying and Destroying 'the Other': Torture in the Algerian War

The Algerian War was marked by torture, mass incarceration, summary execution, and reprisal massacres. In particular, the French Army's use of torture in gathering information from Algerians resulted in a deep political crisis in domestic France, and has had a significant impact upon the perception of French colonial governance.¹⁶⁷ The use of torture has a long history within France's governance of the colonies, and its use was explicitly and implicitly

¹⁶³ Nicholas Mirzoeff discusses the notion of legitimacy through Governmentality in, Nicholas Mirzoeff, *The Right to Look: Counterhistory of Visuality*. Duke University Press, 2011. p302

¹⁶⁴ Evans, 2012. p14

¹⁶⁵ James McDougall. *A History of Algeria*. Cambridge University Press, 2017. p215.

¹⁶⁶ Quoted from General Marcel Bigeard who, though he had previously denied the use of torture in the Algerian War, admitted in 2000 that it was common method, and a 'necessary evil' against 'savages'. Quoted in, 'La presse en parle trop', L'Humanité, 12 May 2000. Archived at: Wayback Machine, 24 June 2005: <https://web.archive.org/web/20050624162750/http://www.humanite.presse.fr/journal/2000-12-05/2000-12-05-235797>

¹⁶⁷ McDougall, 2017. p.216-220

justified by the racial attitudes common to France's rule of the colonies.¹⁶⁸ Many scholars have critically approached the use of torture in the Algerian War, conceiving of it as a product of a rationality of dehumanisation, in which the Algerian is a valid target for torture as his life is already forfeit for his participation in the insurgency.¹⁶⁹ The French government's use of torture sits at an intersection of racial, legal and moral estrangement, in which the life and bodily integrity of the insurgent's is forfeit by virtue of being an indigenous insurgent. In this section we seek to explore the French government's racial, legal, and moral justification for torture in relation to Galula's conception of information operations in counterinsurgency. This section seeks to highlight how perceptions of insurgency are produced through counterinsurgency's identification and destruction of its 'enemy'.

David Galula conceives of information operations as essential to the success of counterinsurgency. Local information, parsed through 'cultural knowledge', forms the basis of a broad system of intelligence collection.¹⁷⁰ This concept of operations has proven particularly alluring to modern practitioners, largely because it offers a 'cleaner' excision of the insurgency, with ostensibly less potential for collateral damage.¹⁷¹ However, in Algeria, this information was often supplied by the use of torture and mass punishment, and this 'cultural knowledge' was often product of an Orientalist scholarship which encouraged the perception of the Algerian Arab as primitive or uncivilised.¹⁷² Yet, David Galula's works are largely silent on the subject of torture, except a small mention in *Pacification in Algeria*, wherein he derides the French left-wing's campaign against the use of torture, stating that these, ' "tortures" ', were, 'in my view 90 percent nonsense and 10 percent truth.'¹⁷³ Comparatively, the use of torture by the FLN is presented as a simple fact.¹⁷⁴ Galula's silence on this matter is noteworthy, given the evidence that the use of torture was widespread throughout the Algerian campaign. Indeed, Colonel Roger Trinquier, a contemporary of Galula's and another source of *FM 3-24's* model of counterinsurgency, is candid about his

¹⁶⁸ Franz Fanon, himself a subject of torture by the French Army during the war, explicitly connected the racial and colonialist aspects of French governance with the use of torture in, *A Dying Colonialism*. Grove Press, 1965. Originally published 1959.

¹⁶⁹ Alex Adams provides an excellent summation of these perspective:

The apparatus of colonial rationality set about measuring and documenting this barbarism in order to justify its own supremacy.

Alex Adams. *Political Torture in Popular Culture: The Role of Representations in the Post-9/11 Torture Debate*. Routledge, 2016. p70-71

¹⁷⁰ Galula, 2006. p82-85

¹⁷¹ Nagl. in Galula, 2006. pviii

¹⁷² Adams 2016. p70

¹⁷³ Galula, 1963. p184

¹⁷⁴ Ibid, p182

advocacy for the use of torture as a method of intelligence collection.¹⁷⁵ Trinquier argues that torture is a crucial part of information collection, that torture is the necessary and justified response to insurgency.¹⁷⁶ Writing in the immediate aftermath of the war, and believing, like many at the time, that the war could have been won if not for public pressure, Galula's omission of a consideration of torture constitutes a willingness to sanitise counterinsurgency, to negate the consequences of turning the armed forces inward to the 'pacification' of the internal state of a colony.¹⁷⁷

Nicholas Bancel writes that, 'Torture in Algeria was engraved in the colonial act, it is the "normal" illustration of an abnormal system'.¹⁷⁸ Indeed, torture is the expression of a systemic disregard for the value of Algerian and insurgent lives, not an aberration in an otherwise successful campaign. Indeed, the success of this campaign required the reestablishment of colonial power dynamics, and so, the re-subjugation of the Algerian Arab. In the previous section we presented the practise of population-centric counterinsurgency as a form of Governmentality: in which certain lives are relegated, and others elevated, through a system of repressive governance. Once this system was imposed, and the population socially and physically constrained, the counterinsurgency imposed Western social and political structures upon the population so as to 'build (or rebuild) a political machine from the population upward', to quote Galula.¹⁷⁹ Alex Marshall argues that this imposition was predicated upon remaking 'the Arab mind', and that the most recalcitrant of individuals would be subject to:

*infamous 're-indoctrination centres'. These were designed to 'disintegrate the individual'... to thereby reconvert the delusional FLN insurgents and sympathisers back into loyal French citizens.*¹⁸⁰

This system worked to render submissive those who could be re-socialised and to destroy those who could not. Torture thus functioned not only as a weapon of information collection

¹⁷⁵ Porch, 2011. p240

¹⁷⁶ Roger Trinquier. *Modern Warfare: A French View of Counterinsurgency*. Praeger Security International, 2006. Originally published 1963. p18-19

¹⁷⁷ Porch, 2013. p188

¹⁷⁸ Nicolas Bancel, Pascal Blanchard and Sandrine Lemair. 'Torture In Algeria: Past Acts That Haunt France.' *Le Monde Diplomatique*, 2001. Available: <https://mondediplo.com/2001/06/10torture>

¹⁷⁹ Galula, 2006. p65

¹⁸⁰ Marshall, 2010. p249

and punishment, but also as part of a process which was intended to make the territory governable again.

Douglas Porch identifies torture as a primarily an expression of racial marginalisation, conditioned by decades of French repression of Algeria.¹⁸¹ Scheipers, on the other hand, identifies it as part of a history of estrangement of irregular soldiers:

*[torture] was the epitome of France's denial of prisoner-of-war status, and thereby political legitimacy to the ALN fighters. In short, torture was the symbol of France's continued claim to colonial authority over Algeria.*¹⁸²

Within both these perspectives is the function that these relegations shared, the facilitation of the imposition of Western modes of governance and legitimacy upon a resistant population. Galula's counterinsurgency sanitises this process, but also provides it with a structure, the French were not simply torturing for the sake of information, but also to enforce an acknowledgement of the legitimacy of the French rule. In the words of Nicholas Mirzoeff,

*It is legitimate to use torturing force on the recalcitrant body of the person designated as an insurgent because the counterinsurgency is the legitimation and the insurgency must acknowledge it to be so.*¹⁸³

Counterinsurgency thus functions as part of a 'graded use of force as a technique of legitimation'.¹⁸⁴ It is not simply a weapon, but also an expression of the counterinsurgency's power over the insurgency, and the resistant population. The counterinsurgency's capacity for this pervasive system of governance, so complete that it extends to the bodily integrity of the insurgent, functions as a demonstration of the incumbent government's power and legitimacy.

Though Galula is noticeably silent on the subject of torture, his scheme of operations, and the context from which they were derived, sanction extreme measures against those deemed to be 'insurgent'. Galula's presentation of the insurgency possessing a singular and integral character - subversive, transgressive, separate – empowers this marginalisation. The

¹⁸¹ Porch, 2013. p377

¹⁸² Scheipers, 2014. p892.

¹⁸³ Nicholas Mirzoeff. *The Right to Look: Counterhistory of Visuality*. Duke University Press, 2012. p302

¹⁸⁴ Ibid.

use of torture against the insurgents reflects the French state's refusal to acknowledge the legitimacy of dissent, and its determined project to destroy this transgression. Galula's theories of counterinsurgency therefore are both a product and a reflection of a system of Governmentality which enabled the sanitisation of torture, and which drew upon a racial and military context in which torture was not only permitted, but encouraged, by the dehumanisation of the Arab, and the delegitimization of insurgency.

Conclusion

In this chapter we have argued that David Galula's presentation of insurgency as integrally transgressive and subversive is an articulation of the racial and military estrangement of the resistance of Algerian Arabs during the Algerian War. In Galula's conception of population-counterinsurgency, insurgency is presented as a 'threat' which must be excised by the extraction and control of information about the population. This excision, and the brutal manner in which it is carried out, is sanctioned by the racial, legal, and political marginalisation of insurgency as a legitimate form of conflict. Galula's theories of counterinsurgency advocate a pervasive bureaucracy, constructing a system in which insurgency is integrally illegitimate, and counterinsurgency integrally legitimate – no matter how brutal its measures. Conceiving of insurgency and counterinsurgency in terms of Governmentality highlights how the imposition of Western agency and structures of governance upon the ungoverned 'other' has been rationalisation and coded to sanitise the incumbent's domination. The notion that insurgency possesses an integral character underwrites this system of Governmentality, as it establishes insurgency as something distinct and 'other': something which poses an integral threat to the normative security of the incumbent government, and by which special and excessive measures are legitimated. In the France-Algeria War, these special measures manifested in pervasive and brutal population control and the legal delegitimization of Algerian insurgents, measures structured by the use of 'emergency powers' legislation.

The following chapter continues this dissertation's argument that insurgency should be assessed by its function, a function which has, more often than not, resulted in the military, moral, and legal delegitimization of resistance to Western control of the 'ungoverned spaces'

of the 'global south.'¹⁸⁵ This chapter will explore the relationship between 'insurgency' as a categorisation, and the invocation of a 'state of emergency' by the incumbent government, through Robert Thompson's *Defeating Communist Insurgency: Lessons From Malaya and Vietnam*. We will argue that, in The Malayan Emergency, 'insurgency' functions as an invocation by which to suspend the regular legal and judicial processes of state, and that this invocation belies the historical relationship of extra-legal violence and control by the British colonial government against the ethnic-Chinese.

¹⁸⁵ Kiensherf, 2010. p126

Chapter 3: State of Exception: Robert Thompson's Defeating Communist Insurgency: Lessons From Malaya and Vietnam

This chapter will discuss Robert Thompson's *Defeating Communist Insurgency: Lessons From Malaya and Vietnam*, exploring how Thompson's conception of insurgency as political struggle, furthered through criminality, may be understood as a product of complex military, social, and historical influences, which intersected during the Malay Emergency (1948-1960).¹⁸⁶ This chapter will argue that Thompson's construction of insurgency functions as a legitimization of the state's use of extra-legal force against resistant elements of the population.

In the previous two chapters we highlighted how perspectives of 'insurgency' often form the basis for the imposition of Western systems of control and governance upon an ostensibly subdueable 'other'. T.E. Lawrence and David Galula's perspectives of insurgency were predicated upon circumstances particular to their theories' conception, and the context of the wars they were fighting. Both perspectives manifested a separation between insurgency and conventional warfare, a separation which justified treating insurgency as if it possessed an integrally different character to regular conflict: military, politically, morally, and, often racially. This chapter will argue that Robert Thompson presents insurgency as an inherently political phenomenon which can only be countered by applied political will. Insurgency thus functions as the state's justification for the suspension of the regular processes of legality, and the wielding of naked authoritative power as fact: often referred to as a 'state of exception'. In Malaya, the circumvention of traditional legal and social norms through the invocation of a state of exception, allowed the mass deportation, confinement, and resettlement of the ethnic Chinese. These measures were validated by the conception of insurgency as an existential political and criminal threat, which could only be opposed through direct political action upon the human-geography of the country. This perspective of insurgency evolved as the result of a history of conflict between the British colonial administration of Malaya and the ethnic Chinese, culminating in the insurgency of 1948.

¹⁸⁶ Thompson. 1966.

During the Malay Emergency, British counterinsurgency focused on removing the ethnic Chinese from the Malay population, and avoided large scale conventional operations, instead emphasising 'minimum force' efforts in policing and civil governance. Indeed, Thompson's work condemns the American practise of counterinsurgency in Vietnam, lamenting the American's over reliance upon conventional fire power, and military governance.¹⁸⁷ As a result, Thompson's theories of counterinsurgency have often been championed as a comprehensive, consent-based, 'low-intensity' solution to insurgency by modern practitioners, particularly the authors of *FM 3-24*.¹⁸⁸ Many scholars refer to the so-called British way of counterinsurgency, characterised by strong policing, minimal force, 'hearts and minds', and the political character of the insurgency.¹⁸⁹ However, the perspective that the practise of counterinsurgency in Malaya – and British counterinsurgency in general - was any more 'nice' than other post-colonial small wars has been challenged in modern scholarship, demonstrating that it was as much a coercive campaign focused on forcing acceptance, as 'hearts and minds'.¹⁹⁰ Furthermore, David Martin Jones & M.L.R. Smith exposed the conception of a discrete, successful, and 'low-intensity' history of British counterinsurgency, as a convenient myth.¹⁹¹ This chapter does not seek to debunk these 'myths' but instead to draw out how 'insurgency' functions within Thompson's principles of counterinsurgency, and within the context of the Malay Emergency.

Section One will outline Robert Thompson's principles of counterinsurgency, and by considering these principles in the context of the Malayan Emergency, argue that Thompson primarily conceives insurgency as a 'political' threat, carried out through criminal action, which may only be successfully countered on a 'political' level. Section Two addresses the notion of the 'political' in Thompson's construction of insurgency, arguing that it may be understood through Carl Schmitt and Giorgio Agamben's notion of the 'state of exception' the process by which the state circumvents legality in order to directly wield sovereign power. Section Three will argue the Malayan Emergency demonstrates that political antagonism should not be understood through a single instance of 'exception' but as a long process of repression, in which 'insurgency' functions as a categorisation by which the state's violence is

¹⁸⁷ Jones & Smith. 2013. p441

¹⁸⁸ Robert Thompson, 'Civic Action in Low-Intensity Warfare,' in *Proceedings of the Low Intensity Warfare Conference*. Department of Defence, 1986. p74

¹⁸⁹ Warren Chin. 'Why Did it All Go Wrong? Reassessing British Counterinsurgency in Iraq.' *Strategic Studies Quarterly*, 2008. p119-135

¹⁹⁰ Paul Dixon, 'Hearts and Minds?' British Counter-Insurgency from Malaya to Iraq,' *Journal of Strategic Studies*, 32, 2009. p368

¹⁹¹ Jones & Smith. 2013.

legitimated. Thus, insurgency, as understood through Thompson's writings in the context of the Malayan Emergency, is a self-edifying process of legitimation, where in the state's extra-legal violence is legitimated by the articulation of an exceptional threat.

*Sir Robert Thompson's Principles of Counterinsurgency and Perspective of Insurgency:
Political, Criminal, Unlawful*

Sir Robert Thompson was a British civil servant, administrator, and governor, who, by the end of his career, had amassed twenty-eight years of experience, working for the British director of operations during the 1952 Malay Emergency, and later held the position of Secretary of Defence for Malaya.¹⁹² His most significant work, *Defeating Communist Insurgency: Lessons From Malaya and Vietnam*, outlines his perspectives of insurgency and counterinsurgency, and his experiences of both the Malay Emergency, and the US-Vietnam War, in which he served as an advisor.¹⁹³ Sir Robert Thompson's approach to counterinsurgency is centred around his 'principles' of counterinsurgency; which, in the words of Colonel David Bebest, are an 'exercise in post-event rationalisation rather than a basis of policy at the time'.¹⁹⁴ That is to say, Thompson's suggested theoretical approach to counterinsurgency is a *post-hoc* distillation of his experience and perspective, not an explicit presentation of the doctrine the British colonial government applied in Malaya.

As may be inferred from the title, *Defeating Communist Insurgency: Lessons From Malaya and Vietnam*, is structured around opposition to communist-inspired Revolutionary War, specifically Maoist strategies of guerrilla warfare. Thompson's writings reference Mao Zedong's notion that the population is essential to the success of the insurgency, and reflect the Communist-inspired national liberation movements which were destabilising former European colonies.¹⁹⁵ In his work, Thompson discusses the 'guerrilla stage' of insurgency, referencing Mao's notion that Revolutionary Warfare would begin as guerrilla warfare, but should ultimately aim towards matching the incumbent government on a conventional

¹⁹² See 'Obituary: Sir Robert Thompson', *The Times*, 20 May 1992.

¹⁹³ *Ibid.*

¹⁹⁴ David Benest, 'British Leaders and Irregular Warfare', *The Defence Academy Journal*, 2007, p9

¹⁹⁵ A 'Top Secret' joint memorandum submitted to the Cabinet Defence Committee by the Minister of Defence and the Secretary of State for War located the Emergency in a wider context, arguing that strong armed action 'against the guerrilla in Malaya is a vital step in the "cold war" against communism in the Far East. The Malayan campaign is not isolated and must be considered in relation to the Far East theatre as a whole.' From, Phillip Deery. 'The Terminology of Terrorism: Malaya, 1948-52', *Journal of Southeast Asian Studies*, 34 (2), pp 231-247. Cambridge, 2003. p242

footing.¹⁹⁶ In Malaya, the Malayan Communist Party (MCP) insurgency never reached, or came near to reaching, any such conventional stage of operations, and as such, Thompson's principles reflect a campaign against a purely guerrilla insurgency, but one which, at its peak, enjoyed substantial support from the population.¹⁹⁷ This population was deeply ethnically stratified, the population of 5.3 million was roughly 49% Malay, 38% Chinese, 11% Indian, and 1% aboriginal and European – the latter of which were predominantly governors, plantation owners, and officers.¹⁹⁸ However, the MCP was no less than 90% Chinese throughout the entire course of the insurgency.¹⁹⁹ As such, Thompson's perspective of insurgency was composed in a context in which the internal state of the country was deeply ethnically stratified, the insurgency constituted almost entirely of a single ethnic group, and the external context was marked by a clash of political ideologies, expressed through and empowered by resistance movements across the post-colonial world.

Robert Thompson's principles present insurgency as a subversive, criminal threat of a deeply political origin, the nature of which mandates a strong and decisive response from the counterinsurgent. The principles are as follows:

- 1. The government must have a clear political aim: to establish and maintain a free, independent and united country which is politically and economically stable and viable.*
- 2. The government must function in accordance with the law.*
- 3. The government must have an overall plan.*
- 4. The government must give priority to defeating the political subversion, not the guerrillas.*
- 5. In the guerrilla phase of an insurgency, a government must secure its base areas first.²⁰⁰*

¹⁹⁶ Mao's theories suggested that the insurgency should move in certain stages, beginning in a rural campaign of support and consolidation, moving into a guerrilla warfare phase of attacks by small irregular forces against the incumbents most isolated units, and culminating in a conventional confrontation with the enemy once the incumbent has been sufficiently weakened. Mao Zedong, *On Guerrilla Warfare*, 1937. Translation, 'Mao Tse-chung on Guerrilla Warfare', U.S. Marine Corps, Department of the Navy, Washington D.C. 1989. p.90-95

¹⁹⁷ Contemporary estimation and evaluation of the insurgency's reliance upon guerrilla methods, from, General Sir Robert Lockhart, *Federal Government Press Statement*, Part Two, Lockhart Papers (27 October 1952)

Success and support for the MCP from, Anthony Short, *The Communist Insurrection in Malaya, 1948–1960*. London: Frederick Muller, 1975. p211

¹⁹⁸ Richard L. Clutterbuck, *Riot and Revolution in Singapore and Malaya, 1945-1963*. Faber, 1973. p.35–37

¹⁹⁹ Short, 1975, p19

²⁰⁰ From Nagl, 2002, quoting, Thompson, 1966. p.50-60

Principle One, the government's 'clear political aim', Thompson presents as not only as possessing a definite objective, but as possessing the *political will* necessary to achieve that objective.²⁰¹ This 'aim' is framed in the strongest terms, one of ultimate victory, as negotiations with the insurgents, in Thompson's view, represent a weakening of this political will.²⁰² This objective requires the destruction of the insurgency, in both a physical sense, but also a political sense.²⁰³ Insurgency is thus framed as an existential threat of an entirely inimical character to the government, with which there can be no fruitful negotiation. In Malaya, the British government did not pursue negotiations with the MCP in good faith, believing that, as historian Karl Hack describes, 'any terms the Communists would accept would convert the MCP from enemies at bay, to a Trojan Horse within Malayan politics'.²⁰⁴ Thus, the insurgency could not be negotiated with, as the ideology which empowered it would be even more subversive in peace than in war. Indeed, membership in any communist group was illegal, and so negotiations would only legitimate an ideology the British believed to be integrally seditious.²⁰⁵

Principle Two, 'the government must function in accordance with the law', addresses the notion of legality directly.²⁰⁶ Under this principle it is adherence to the law that separates the government from the insurgency.²⁰⁷ Thompson conceives working within the law as the basis for the government's legitimacy, as such, the insurgents should be treated as criminals, and, their crimes should be 'spotlighted'.²⁰⁸ As noted, participation in any communist or Chinese nationalist organisation was illegal, criminalising these ideologies regardless of the actions partaken by the insurgents. The colonial government passed a number of Emergency Regulations, legitimating the mass deportation, confinement, and punishment without trial of any individuals deemed to be participating in the insurgency.²⁰⁹ The conflict itself was deemed an 'emergency' and not a war, to mitigate the insurance premiums which would be paid on Malayan rubber and tin estates in the event of an official war, and to avoid having to

²⁰¹ Thompson, 1966. p146

²⁰² *Ibid.*

²⁰³ *Ibid.*, p69

²⁰⁴ Karl Hack. 'Negotiating with the Malayan Communist Party, 1948–89', *The Journal of Imperial and Commonwealth History*, 39:4, 2011, p610.

²⁰⁵ Hack notes, 'Guy Madoc, the then Director of Intelligence in Malaya, later said that the British had feared communists "returning like maggots to a pile of bread".' Hack, 2011. p610

²⁰⁶ Nagl, 2002. p29

²⁰⁷ Thompson, 1966. p52

²⁰⁸ *Ibid.*

²⁰⁹ Nagl, 2002. p.62-64

recognise the insurgents as legitimate combatants.²¹⁰ Indeed, the colonial government passed the legislation necessary to ensure that any action it took was 'legal', even if, as in the case of the killing of 24 unarmed Chinese villagers at Batang Kali in 1948, this legislation was passed *after* the offense.²¹¹ Thus, the British government pursued the simultaneous consolidation of political power and legal power, as well as physical control over the location and movement of the ethnic Chinese population.

Principle Three, argues that, in defeating the subversion of the insurgency, the counterinsurgency must utilise all the political, social, economic, administrative, and police measures of the state.²¹² During the final, and supposedly the most successful, stage of the counterinsurgency in Malaya, these measures were commanded and controlled by a single 'supremo', General Templer.²¹³ Templer, in the words of Gian Gentile, functioned as 'dictator of sorts', commanding all of the state's apparatus in the destruction of an intractable political enemy.²¹⁴ This consolidation under the will and strategy of a single individual was seen as a necessary step in opposing the political nature of insurgency.²¹⁵ Indeed, as Thompson asserts in Principle Four, the political is the centre of gravity of the insurgency, and so the counterinsurgent should seek to destroy the enemy on a political level, by cutting them off from the population from which they draw their support. The government should target the political subversion of the population as, in Thompson's words, 'if the guerrillas can be isolated from the population, i.e. the "little fishes" removed from "the water", then their eventual destruction becomes automatic.'²¹⁶ Thus, defeating the physical manifestation of the insurgency is not important, but defeating the insurgency's interaction with the population is.

Both the Briggs Plan of 1950, and British High Commissioner General Templer's 1952-1954 operations, focused on the physical removal of the ethnic Chinese from the areas where the insurgency was believed to operate.²¹⁷ Physical destruction of insurgents was de-prioritised, and control over the physical, social, and political movement of the population

²¹⁰ Deery, 2003. p.234-239

²¹¹ 'The colonial state gave retrospective legal cover to this on 22 January 1949, by Emergency Regulation 27A', in, Karl Hack. 'Everyone lived in fear: Malaya and the British way of counterinsurgency', *Small Wars & Insurgencies*, 23:4-5, 2012, p681

²¹² Thompson, 1966. P.55

²¹³ Short, 1975. p80

²¹⁴ Gian Gentile. *Wrong Turn: America's Deadly Embrace of Counterinsurgency*. The New Press, 2013. p49

²¹⁵ Short, 1975. p.80-82

²¹⁶ Thompson, 1966. P.56

²¹⁷ David French. *The British Way in Counterinsurgency 1945-1967*. Oxford University Press, 2011. p.122-177

was emphasised. This prioritisation is recognised in Principle Five, ‘a government must secure its base areas first’. Thompson argues that the insurgency operates through terrorist attacks, assassinations, and destruction of key economic infrastructure, with the design to, ‘cause panic in the population and to dislocate the economy.’²¹⁸ In Thompson’s conception, the insurgency aimed,

*to gain control over the population, starting in the rural areas, and to destroy the government's authority. Its military aim is to neutralize the government's armed force, and render them powerless to save the country.*²¹⁹

In this light, the very existence of the insurgency is a threat to the government, as it represents a challenge to the government’s authority. To counter this threat, the government must strengthen the visible and invisible manifestations of its authority, and protect them against the insurgency’s subversion.²²⁰ In Thompson’s conception the insurgency’s military aim is secondary, as it is preoccupied with ‘neutralising’ the government’s forces, whilst true battle takes place in the political sphere. The essence of insurgency is thus political, not military, because insurgency aims to destroy ‘the links between the government and the people’.²²¹ Securing these ‘bases’ was not military action so much as a political action, a process of both coercion and enticement: courting support from the English-speaking Chinese, whilst separating the greater Chinese population from the insurgents through forced resettlement into ‘New Villages’ – which, in their inception, were often little better than concentration camps.²²²

Taken together, Thompson’s principles present insurgency as not so much a military challenge as a political challenge, one which can only be countered by securing and consolidating the government’s power over every aspect of the state. Thompson asserts an inimical and existential dichotomy between the legitimacy and political ideology of the insurgency, and that of the government. This conception reflects the forced estrangement, de-legitimation, and excision of the MCP – and the Communist ideology - from the greater population of Malaya. This process was achieved by the circumvention of the regular legal,

²¹⁸ Thompson, 1966. p29

²¹⁹ Ibid.

²²⁰ Ibid, p110

²²¹ Ibid, p24

²²² Hack, 2012, p684, 685-686

judicial, and political processes, through the enactment of Emergency Regulations. In order to understand how 'insurgency' thus functions in relationship with the suspension of regular legal processes, we need to examine in more detail the concept of the 'political', and how insurgency is structured as a political, extra-legal, problem.

In the next section we will explore the concept of the 'political', and how prioritisation of the 'political' empowers the state's process of counterinsurgency, through Carl Schmitt and Giorgio Agamben's concept the 'state of exception'.

Deconstructing the Political: 'State of Exception' and the End of Law

In this section we will deconstruct Thompson's notion of the 'political' nature of insurgency, and how this may be related to the colonial government's circumvention of normal legal and judicial processes during the Malay Emergency. We will argue that 'insurgency' often functions as a nomenclature by which to justify the state's employment of extreme and extra-legal methods against sections of the population deemed to be its enemy. In Malay, this justified the extra-judicial confinement, execution, and banishment of insurgents, and the mass relocation and internment of the ethnic-Chinese population. In order to examine the processes which enabled these measures, we should problematise what is meant by the 'political' and how that functions within the state's invocation of an extra-legal 'state of exception'.

Robert Thompson conceives of the political as the highest level of confrontation between the incumbent and the insurgent, and so, the one which should receive the most attention.²²³ This conception of the primacy of the political, and its impact upon conflict, echoes Carl Schmitt:

*The political is the most intense and extreme antagonism, and every concrete antagonism becomes that much more political the closer it approaches the most extreme point, that of the friend-enemy grouping. In its entirety the state as an organized political entity decides for itself the friend-enemy distinction.*²²⁴

²²³ Thompson, 1966. P.57

²²⁴ Carl Schmitt, *The Concept of the Political: Expanded Edition* (1929), Reprinted by University of Chicago Press, 2008. p29

In this perspective, the political is the culmination of the state's antagonism for its enemy, an antagonism which grows in extremity as it reaches its zenith. In Malaya, by 1950, the British government elevated the actions of the MCP from 'banditry' to 'insurgency', in order to emphasise the political threat that the insurgents posed, and the importance of Communist ideology to this insurrection.²²⁵ This elevation of the problem to a political issue facilitated the justification of emergency regulations, which Thompson was instrumental in drafting and passing. These included: deportation of dissidents, sanctioning collective punishment, forced relocation of individuals or whole villages, and the more general declaration that the conflict in Malaya was a civil emergency, requiring the suspension of the regular legal and judicial processes of the state.²²⁶ These powers circumvented the traditional judicial process of the Malayan state, and sought to divide the predominately ethnic-Chinese insurgents from the basis of their support, the ethnic-Chinese population, by banishing political dissidents and relocating whole ethnic-Chinese communities into the 'protection' of 'New Villages'.²²⁷

These population/spatial control policies were tied to the declaration of the 'state of emergency' in Malaya, an invocation which may be understood through Giorgio Agamben's 'state of exception'. Agamben identifies the 'state of exception' as 'the point at which law provides for its own suspension, it is the legal suspension of the distinction between legality and illegality ... marking the very limits of the law.'²²⁸ The legislation in which it is officially specified that the law may be circumvented or by-passed, marks, 'the political point at which the judicial stops and a sovereign unaccountability begins; it is where the dam of individual liberties breaks and a society is flooded with the sovereign power of the state.'²²⁹ Consider the language of the legislation that provided for the 1948 Proclamation of Emergency in Malaya:

The High Commissioner in Council, whenever it appears to him that an occasion of emergency or public danger has arisen, or that any action has been taken or is immediately threatened by any persons or any body of persons of such a nature or on so extensive a scale as to be calculated, by interfering with the supply and distribution of food, water, fuel, or light, or with the means of locomotion, to deprive the

²²⁵ Deery, 2003. p244

²²⁶ Deery, 2003. p.240-245. French, 2012. p.744-761

²²⁷ Nagl, 2006. p75

²²⁸ Giorgio Agamben, from Leland De la Durantaye, *Giorgio Agamben: A Critical Introduction*. Stanford University Press, 2009, p338

²²⁹ Ibid.

*community, or any substantial portion of the community, of the essentials of life, may, by proclamation, declare that a state of emergency exists.*²³⁰

This language allows a great deal of discernment on behalf of the High Commissioner, as the threat does not need to be a physical threat against the entirety of the population, but simply a ‘extensive’ threat to a ‘substantial portion of the community’. For as long as the Emergency continued the High Commissioner could make ‘any regulations whatsoever’ which he considered to be ‘in the public interest’.²³¹ This legislation utilises the invocation of the public good as a justification for more extreme and extra-legal legislation. Indeed, the invocation of ‘state of emergency’ marks the point at which state may break with legality, and employ its power unchecked by normal processes. The identification of the insurgency as an existential ‘political’ threat justifies this break in legality, and so, is the moment at which the state may act as it sees fit, and impose its control directly upon the population, without recourse to judicial checks.

In the case of Malaya, the ‘sovereign power’ may be understood a number of different ways, however, following Schmitt’s maxim, ‘he who decides on the exception’, the sovereign is the individual who decides when the state must employ its full political power, and put aside legality.²³² By 1952, High Commissioner General Templer - ‘supremo’ and ‘dictator of sorts’ - embodied the subordination of the legal power to the ‘actual’ power.²³³ Indeed, Templer often personified the state’s power of distinction and capacity for extreme measures: once a ‘New Village’ was labelled ‘bad’, Hack writes that,

*Templer would be called in to berate inmates, after which they would suffer draconian restrictions as inducements to supply information. Restrictions included reduced rations... almost total curfew, shop opening times minimised and compulsory renovation of public facilities.*²³⁴

Thompson’s Third and Fourth Principle assume and promulgate this perception of the role of the sovereign power. Thompson advocates the consolidation of all the powers of the state into a single plan to counter the insurgency and secure the source of the government’s ‘base’

²³⁰ Imtiaz Omar. *Rights, Emergencies, and Judicial Review*. Martinus Nijhoff Publishers, 1996. p74

²³¹ Ibid.

²³² Carl Schmitt, *Political Theology, Four Chapters on the Concept of Sovereignty* (1922). George Schwab (trans.), Chicago University of Chicago Press, 2005. p5

²³³ Gentile, 2013, p49. and Schmitt, 2005, p.5-8

²³⁴ Hack, K. 2012, p689

support in the population. This conception of counterinsurgency is validation for the wielding of sovereign power as fact, defending the 'friendly' population against the antagonism of the 'enemy'.

Throughout the colonial government's campaign, abuse of power, or breaking of the law, was justified by the identification that those killed were the 'enemy' and the power used was necessary. Sir Charles Hamilton Boucher, a senior army officer in colonial Malaya argued that:

it must be widely understood that those who have consorted with or assisted bandits were enemies of the state and ran the risk of incurring military action in the same way as those who were killed at Batang Kali.²³⁵

Thus, the killing of civilians, and the excesses of the campaign, are justified by recourse to the essential antagonism which underwrites the use of emergency powers. Indeed, collective punishment and forced relocation of civilians was considered legitimate as, 'an occupying power must have powers to take stern measures against passive resistance.'²³⁶ Thompson's notion that insurgency is a criminal action supports this reading, as the criminalisation of insurgency indicates that the insurgents were considered to be both politically inimical, and unlawful, thus requiring both the full political and civil powers of the state. This criminalisation allows the use of police powers against the insurgency, and their support in the population. In Malaya this included the burning down of buildings, special monitoring of individuals for dissidence, and the employment of the predominately ethnic-Malayan police force against the ethnic-Chinese insurgents.²³⁷ Thus both the 'political' and 'criminal' characterisations of insurgency function as methods by which to validate the break in legality, and the imposition of sovereign power by the state.

In this conception, the assertion that your enemy is an 'insurgency' functions as a method by which to facilitate extreme measures, invoke the 'state of exception', and consolidate legal, political, and social power. That is to say, 'the exceptional event or situation

²³⁵ *Malayan Monitor. Volume 1 (1948-1956)*. London, UK: Putera – A Malay Confederation comprising the Malay Nationalist Party, PETA (Malay Youth Organization), AWAS (Progressive Malaya women's organization, Malay Peasants Union, several Malay groups) P.5, from, Christi Siver, 'The Other Forgotten War: Understanding atrocities during the Malayan Emergency', *American Political Science Association*, 2009.

²³⁶ 'Minute re Geneva and Malaya, reprisals, July 1949,' Geneva Conventions 1949-Questions of Principle arising at Diplomatic Conference Geneva, WO 32/13613, National Archives in Kew, United Kingdom, Siver, 2009.

²³⁷ Short, 1975. P154. Clutterbuck, 1973. p35–37

dictates an exceptional response', and so the fear of the enemy forms the basis for a dictatorial style of governance, in which individual agency is suborned by political decisiveness.²³⁸ In Malaya, the insurgency was cast as an existential threat by a foreign force, utilising a subversive and criminal process of control; a characterisation made possible by the ethnic-divisions within the state, and the wider geopolitical clash between the predominantly Capitalist nations and the nascent Communist movements.²³⁹

Yet embodying the 'state of exception' into a single sovereign figure, and a single political moment, absolves the systemic nature of the friend-enemy antagonism which underwrites the conflict in Malaya. Though the notion of a single and excessive moment of exception is tempting, it does not fully account for the historical processes by which this 'moment' was reached. In the next section we will further problematise the British state's governance of the colonies, and the manner in which 'insurgency' relates to the invocation of exception, by considering the history of British governance before the insurgency, and the marginalisation and repression of ethnic-Chinese as an intrinsic element of the governance of Malaya.

Historicising Emergency: Relegation and Marginalisation in pre-conflict Malaya

This section will argue that the 'state of exception' should not be seen as a moment, but as a process, written into the rationality of the state, mandating 'exceptional' powers against those sections of the population deemed to be dissident. This repression is not a discrete instance in which the state crosses a threshold, after which it requires extra-legal powers to deal with an extreme threat, but rather a historical process in which the dissident element of the population is relegated, and its political agency subdued, often through extra-legal repression. In Malaya this can be observed in the British colonial government's history of resistance to the growth and political power of the ethnic-Chinese population. The ethnic-Chinese population was marked as a potential threat before the advent of the insurgency in 1948, and the British government employed extra-legal powers against this 'threat' long before the emergency was officially declared.

²³⁸ Neal, 2006, p34. Huysmans, p170

²³⁹ Deery, 2003, p234, 239-240

In Malaya, though the insurgency ostensibly began in 1948, it followed a long history of struggle between the ethnic-Chinese population, the ethnic-Malay population, and the British colonial governance. In 1877, the British Empire instituted a 'Chinese Protectorate' to guide the governance of the Chinese population in the East-Asian theatre, and to curtail the influence of Chinese nationalist movements.²⁴⁰ This Protectorate came to govern much of the political, civil, and social life of the Chinese populations in British colonies, instituting controls upon, "'women and girls", labour, health, censorship and immigration'.²⁴¹ Modes of Chinese political expression, schools, and societies were heavily controlled, and the punishment for transgression included dissolution of the group and banishment.²⁴² Historians Ching Fatt Yong and R.B. McKenna write that there was no defence allowed, or burden of proof required, the colonial Registrar, 'only needed to state that it was illegal'.²⁴³ The ethnic-Chinese were regarded as a separate class, looked down upon by the British and Malay, and the Chinese did not wish to be governed by the Malay.²⁴⁴

The British encouraged ethnic divisions within Malaya, separating and relegating the ethnic-Chinese from the Malay population. This relegation may be observed in the system of councils, through which the ethnic-Chinese were encouraged to seek representation:

*What the councils did not do, as far as the Chinese were concerned, nor were they intended to, as far as the British were concerned, was to provide an avenue for political participation in Malayan affairs. As institutions they were designed to secure the passage of necessary legislation, on most occasions without dissent, and to ensure the orderly economic and social management of a multi-racial population to the ultimate advantage of a government in London.*²⁴⁵

The Chinese were thus discouraged from seeking civil or political representation or engagement within colonial Malaya. But, as Chinese nationalism rose in influence and power, the British Government grew apprehensive, seeing this ideology as a threat. As a result, banishment became a common punishment, and legislation was passed to ensure that the

²⁴⁰ Ching Fatt Yong and R.B. McKenna. *The Kuomintang Movement in British Malaya, 1912-1949*, NUS Press, 1990. p48

²⁴¹ Ibid.

²⁴² Ibid, p54-55

²⁴³ Ibid.

²⁴⁴ Nagl, 2002. p60

²⁴⁵ Yong, C. and McKenna, R.B. 1990, p46

British were able to retain control over the ability to expel dissidents without trial.²⁴⁶ Though banishment was primarily used for supposedly 'criminal' actions, from 1911, 'criminality became increasingly and often inaccurately defined in political terms.'²⁴⁷ The Chinese nationalist party, the Kuomintang (KMT), was made, 'illegal by definition, without a ban', and, 'increasingly political "subversion" by nationalist activists became the reason for banishment, together with the membership of "dangerous" societies'.²⁴⁸ Ultimately, as the KMT declined in power, and the Chinese Communist party rose, these same measures were employed against the Communists, who were targeted by regulations which covered seditious publications, ordinances, and gatherings, in a process which manifested through, 'censorship of postal, press, and printed material', a policy which Yong and McKenna identify as an, 'integral part of political supervision in British colonial territories.'²⁴⁹ In short, censorship, social and spatial control, and forced excision from the population, were powers and practises written into the ontology of British colonial governance in Malay, and had a history of employment against the Chinese long before the 'insurgency' had been declared.

Thus, we observe the process of combatting 'insurgency' in Malaya as a relationship between British colonial governance and the resistance of the ethnic-Chinese population, a relationship marked by the circumvention of legal processes, the criminalisation of political 'subversion', and the identification of the ethnic-Chinese as a threat to the integrity of the Malayan state. Frank Furedi argues that, 'emergencies were as much pre-planned attempts at the political management of anti-colonial forces as belated responses to an unexpected challenge to the imperial order.'²⁵⁰ Thus, state of exception is not a single moment, but a process written into the state's very ontological existence. A.W. Brian Simpson argues that the structures which legitimated and empowered the British state's extra-legal colonial measures were not inventions of the colonial periphery, but rather that, 'legislative authorisation of emergency powers was most fully developed not in the overseas empire, but in Ireland.'²⁵¹ As such, British counterinsurgency is not an invention of the Colonies, nor a reaction to 'insurgency', so much as a further manifestation of practises already written into

²⁴⁶ Ibid, p47-48

²⁴⁷ Yong, C. and McKenna, R.B. 1990, p57

²⁴⁸ Ibid, p.55-56

²⁴⁹ Ibid.

²⁵⁰ Frank Furedi, 'Creating a Breathing Space: The Political Management of Emergencies', in Robert Holland (ed.), *Emergencies and Disorder in the European Empires after 1945*. Frank Cass, 1994, p.89-106

²⁵¹ A.W. Brian Simpson, *Human Rights and the End of Empire: Britain and the Genesis of the European Convention*. Oxford University Press, 2001, p78

the rationality of British governance.²⁵² Thus, the declaration of the insurgency in 1948 is not the point at which the ethnic-Chinese's resistance to British rule reached such an extremity as to suddenly require extra-legal sovereign power, as Schmitt may have conceived it, but rather a point in which the relationship between the judicio-political system and the resistant section of the population 'turned lethal', to paraphrase Leland de Durantaye.²⁵³ This lethality was not simply the occasional excessive use of force by the colonial forces, but also the manner in which these acts of violence were justified and structured by the campaign against the intractable political 'other', the insurgency.

Karl Hack recounts that, though the terminology for the insurgents changed from 'bandits' to 'Communist Terrorists', the British,

*had scant respect... for legality or the dead. Early in the Emergency the British displayed the bodies of dead 'bandits' outside police stations, and on mobile vehicles, for identification, reassurance, and as a warning. But images of dead communists continued to adorn propaganda leaflets right into the 'clear and hold' era. Worse, in 1952 the Daily Worker carried pictures of Royal Marines holding up the severed heads of insurgents. Templer defended the practice as necessary for identification, when jungle patrols could not bring back entire bodies.*²⁵⁴

The disrespect for the corpses of the insurgents, justified by the statement that decapitation was required for identification betrays a peculiar rationality, in which extra-legal and morally dubious practises are structured by 'necessity'. It is particularly telling that this necessity should be predicated upon identification and recognition. Prem Kumar Rajaram identifies this colonial 'rationality of necessity' to be inherently associated with, 'the categories, codes and conventions of the counting [which] transform space into a structured landscape of reproducible action.'²⁵⁵ That is to say, the colonial state's recognition, division, and separation of the ethnic-Chinese from the insurgency, and from the Malay population, 'projects onto space an imaginative geography that establishes a racial register for perceiving and adjudicating legitimate action.'²⁵⁶ This racial register empowers the declaration one section

²⁵² Hack, 2012. p.671-699

²⁵³ Durantaye, 2009. p86

²⁵⁴ Hack, 2012. p87

²⁵⁵ Prem Kumar Rajaram. 'Colonial Ordering and Racialised Landscapes', *International Relations and States of Exception: Margins, Peripheries, and Excluded Bodies*, Routledge, 2009. p85

²⁵⁶ Rajaram. p85

of the population a political 'threat', legitimates the state's use of extreme violence to resolve the perceived crisis.

Thus, it is through this legitimisation of violence which we may understand why Thompson is so concerned with the 'political' nature of insurgency. The legitimisation of brutality, a legitimisation achieved through the categorisation, and control of the population, is part of the process of what Durantaye refers to as the 'simple and circular reasoning' of state's legitimisation of its own violence.²⁵⁷ This violence is 'channelled and codified – even if this codification includes an extra-legal realm that is not, however explicitly, illegal', and through this legitimisation the state demarcates what is an appropriate use of violence and what is not.²⁵⁸ 'Insurgency' thus an articulation of who is allowed to use force, and who is subject to the spatial and political control of the state. This articulation of a 'threat' allows the separation of all those deemed to be resistant or subversive, from the rest of the population. Ultimately, those who are insurgents, and those who are deemed to be resistant, are deliberately placed outside of the normal constraints of state violence, through the enactment of the state of exception.²⁵⁹

Conclusion

This chapter has problematised Robert Thompson's principles of counterinsurgency, in the context of the Malayan Emergency, demonstrating that Thompson's conception of insurgency as a 'political' threat, carried out through criminal action, is an articulation of a point in a relationship of resistance and repression between the British state and the ethnic-Chinese population. As such, this conception of insurgency is a manifestation of an antagonism marked by racial, moral, and legal estrangement. 'Insurgency' in Malaya functioned as a categorisation by which to empower the physical separation of the ethnic-Chinese, and the estrangement of their political agency. This process was achieved by a process of extra-legal banishments, confinements and executions, in which, 200 communists were executed, 20,000 Chinese or more were deported, and 30,000 were detained, all

²⁵⁷ Durantaye. p339

²⁵⁸ *Ibid.*

²⁵⁹ Rajaram. p84

without trial.²⁶⁰ The dehumanisation required to achieve this was not the product of a single and discrete connection between the advent of insurgency in 1948, and the declaration of the state of emergency, but rather an intrinsic part of the process of governance by the British state. This process is a product of the complex relationship between the identification of exceptional threats and the enactment of exceptional measures, or, conversely, the articulation of exceptional threats as a legitimisation for the formulating of exceptional measures.²⁶¹ Ultimately, in Malaya 'insurgency' functioned as an articulation of a long-standing antagonism by the British colonial government against a racially and politically marginalised section of the population, indeed, 'insurgency' evolved into a terminology which facilitated exceptional, extra-legal, measures, and sanctioned their use, not only retrospectively, within the history of the British rule of Malaya, but also in modern discourse.

²⁶⁰ Hack, 2012. p89

²⁶¹ This paraphrases Carlo Bonura's question, 'Do exceptional threats require exceptional measures, or does the formulation of exceptional measures in response to a particular political moment require the articulation of exceptional threats?'. Carlo Bonura, 'Geopolitical articulations: Global terrorism, southern Thailand.' *International Relations and States of Exception: Margins, Peripheries, and Excluded Bodies*. Routledge, 2009. p55.

Conclusion

This dissertation has traced the history of ‘insurgency’ within a selection of Western military doctrine, drawing out the legacy of Western hegemony implicit within use of the term ‘insurgency’, recognising that its meaning rests upon the moral, political and military relegation of the resistance of those deemed foreign, deviant, or other. We have traced the ‘insurgency’ from its modern usage, in which it describes a form of war loaded with moral, political, and military problems, through the lineage imagined by *FM 3-24*, the US military’s most recent and comprehensive counterinsurgency doctrine. This lineage rests most heavily upon a small selection of authors, whose experiences have received significant scrutiny. These authors, contained within the so-called Classical Counterinsurgency canon, each represent a moment in which certain aspects of what is meant by ‘insurgency’ were emphasised, and so grew to prominence within the discourse, helping to contribute to the current understanding of insurgency, and indeed, counterinsurgency. This process has revealed that, within these texts and conflicts, ‘insurgency’ is a term promulgated by Western authors to categorise the resistance of foreign populations, ultimately in the aim to present that resistance in terms that can be combatted or controlled more readily by the measures available to Western militaries, thus helping to form and inform the ‘solution’ of counterinsurgency. Thus ‘insurgency’ and ‘counterinsurgency’ derive from rationalities of ethnocentrism which, within the conflicts and accounts we have considered, fuelled both the marginalisation of the governed population’s capacity for political resistance, and the relegation of irregular – insurgent – warfare as an immoral and transgressive form of conflict practised predominantly by barbaric or lesser races.

T.E. Lawrence’s *The Seven Pillars of Wisdom* and his *Twenty Seven Articles of Insurgency Warfare*,²⁶² offered a conception of insurgency which emphasised its irregularity, its estrangement from ‘normal’ warfare, and, its immorality. Lawrence conceived of insurgency as a form of warfare intrinsic to the ‘Arab’, springing forth as a natural expression of certain ontogenetic characteristics assumed integral to the racial persona of the ‘Arab’, amorality, estrangement from the West, and crucially, an almost child-like ability to be easily led. These assumptions were produced, conditioned, and promulgated by the Orientalist

²⁶² T E Lawrence. *Seven Pillars of Wisdom: The Complete 1922 Text*. Fordingbridge, Hampshire: J. and N. Wilson, 2004

attitudes of the European empires, and so were endemic amongst Lawrence and his peers in the Arab Bureau. We demonstrated that these assumptions are predicated upon a selective and fallacious conception of the Arab Revolt; indeed, much of the fighting on the Arab Front was carried out by regulars, Lawrence's military successes were relatively modest, and the Bedouins' aptitude for guerrilla warfare was far more varied than Lawrence's writings suggest. However, what is crucial about Lawrence's involvement in the Arab Revolt is not how successful or unsuccessful the Bedouins were at guerrilla warfare, but rather the advantage that the British state gained in labelling the Revolt an 'insurgency', and in inventing a significant role for the Revolt within the future of the region.

The moral and political separation of insurgency from regular warfare allowed the British state to deny responsibility for an ostensibly natural and spontaneous uprising against the Ottoman Empire, despite the significant influence that Lord Kitchener and the British state had in encouraging and supporting the Revolt. Indeed, the 'insurgency' functioned as a façade for the British state's plans for the future of the Middle-East region, and their attempt to outmanoeuvre the Russian Empire. Ultimately, the same supposed racial characteristics of the Arab – amorality, irregularity, 'seperateness' from the West - which facilitated the British state's tacit support for the 'Arab' insurgency, also allowed the British to disregard the cause of Arab independence and Arab nationalism in their post-war division of the Middle-East. Thus, the same Orientalist attitudes which constructed the benevolent racism of the Arab's supposed aptitude for 'insurgency', also facilitated the marginalisation of the political independence and goals of the Arabic people. 'Insurgency', and the notion that insurgency is integrally morally, military and politically estranged from regular warfare, was thus predicated upon a rationality of Western control which sought to better control and delineate the social and political capacity of the Arab people. Accordingly, when modern sources speak of Lawrence's significance to understanding insurgency, and the importance of centring Lawrence's ideas in counterinsurgency operations, they are engaging with a history of Orientalism which is constructed more by what is convenient for Western agents, than is necessarily 'true' about insurgency, or the 'natural' capacity of any people for guerrilla warfare.

The notion of the 'other', and the racial, moral, and political estrangement often contained within perceptions of insurgency, are essential to understanding how 'insurgency'

has been shaped by contexts specific to certain conflicts, and particular to certain authors. In Chapter 2, on David Galula's *Counterinsurgency Warfare: Theory and Practice*, we expanded upon how 'insurgency' has been used as a label by which to control and subjugate the 'other', through systems of Governmentality.²⁶³

In Chapter 1 we noted that the label of insurgency facilitated British control of a marginalised Arabic people, and similarly, in the context of the 1954 France-Algeria War, 'insurgency' was a label which circumvented the recognition of the Algerian insurgents as lawful combatants. This facilitated a system by which the legal, moral, and political agency of the Algerians was circumscribed by an oppressive and brutal system of governance, which Galula reflects and reproduces within his 'counterinsurgency'. In the France-Algeria War this label was a nomenclature of convenience, a way by which to classify the resistance movement of the Algerian Arabs as unlawful, immoral, and criminal, and so subject to harsher punishment, indiscriminate retaliation, and not due the legal recognition of regular combatants.

In Algeria the French Army employed a pervasive and brutal system of control and information extraction, in which bureaucracy was used as a tool of war, and in which the 'normal' force relations of warfare were applied inwardly, towards the Algerian population, categorising them into 'insurgent', and therefore a threat, or 'neutral', and therefore controllable. This pervasive system functioned through Governmentality, in which the racial, moral, and legal marginalisation of the Algerian Arab facilitated their political relegation, and ultimately sanctioned brutal and excessive measures, in particular the widespread use of torture. We note then the advancement of 'insurgency' from a label by which to exclude the 'other' from meaningful expression of political agency, to a label by which rights can be removed, moral parity denied, and by which the insurgent may be recognised as less human, and so less deserving of humane treatment. Thus, Galula's counterinsurgency cannot be separated from the context in which it was conceived, and from the assumption that insurgency is a morally dubious, militarily unlawful, and politically marginal form of conflict. Galula's counterinsurgency is linked to this definition of insurgency, as it is presented as a necessary response to the integral advantage insurgency supposedly gains by virtue of its

²⁶³ David Galula, *Counterinsurgency Warfare: Theory and Practice*. Westport, CT: Praeger, 2006.

disregard for the norms of regular warfare. This establishes a dichotomy between counterinsurgency and insurgency, in which insurgency is integrally amoral and subversive, and counterinsurgency is the only appropriate response available to a state which wishes to defeat insurgency. This dichotomy, between what are necessary and appropriate actions by the state, and what are unlawful and dangerous actions by the insurgency, was expanded upon in the final Chapter, on Robert Thompson's *Defeating Communist Insurgency: Experiences in Malaysia and Vietnam*.²⁶⁴

Chapter 3 argued that Robert Thompson presents insurgency as an inherently political phenomenon which can only be countered by applied political will. Thompson emphasises the social, civil, legal, and political aspects of insurgency and counterinsurgency, framing insurgency as a problem of governance, a criminal political problem. This chapter argued that Thompson's perception of insurgency is informed by the context of its conception, the 1948 Malayan Emergency, in which the British state had historically oppressed and opposed ethnic-Chinese political agency, particularly nationalist and communist movements. This history of opposition was manifested in the extra-legal exile, imprisonment, and punishment of ethnic-Chinese who participated in political action deemed to be threatening to the integrity of British rule.

The context of the Malayan Emergency informed Thompson's framing of insurgency, particularly his suggestion that insurgency is best countered through mass population movement, control, and state of emergency type legislation. Insurgency is presented as an existential threat which mandates decisive and comprehensive action. This action should be 'legal', but, as demonstrated in Chapter 3, in the Malayan Emergency the legislation for the actions of government, whether execution, arson, or exile, was often passed retrospectively, or as part of broad and very permissive emergency regulations. In this context the label of 'insurgency' thus functions as the state's justification for the suspension of the regular processes of legality, and the wielding of naked authoritative power as fact through the suspension of regular legal processes: a 'state of exception'. In Malaya, the circumvention of traditional legal and social norms through the invocation of a state of exception, allowed the mass deportation, confinement, and resettlement of the ethnic Chinese. In the Malayan

²⁶⁴ Robert Thompson. *Defeating Communist Insurgency: The Lessons of Malaya and Vietnam*. FA Praeger 1966

Emergency, and in the theory of Robert Thompson, the label of 'insurgency' is a manifestation of necessity, facilitating extra-legal and excessive measures, but also an antagonism marked by intersections of racial, moral, and political marginalisation. The ethnic-Chinese insurgents were referred to as 'bandits', then 'Communist Terrorists', and then 'insurgents', as the war progressed, as it behoved the colonial government to alter how the combatants were perceived. These terminologies are part of a complex and often contradictory process in which exceptional threats and exceptional measures are linked, and in which the former functions as an articulation of a sufficient emergency to justify the latter.²⁶⁵ Ultimately, during the Malayan Emergency, 'insurgency' functioned as an articulation of a long-standing antagonism by the British Colonial government against a racially and politically marginalised section of the population. As in the France-Algeria War, the invocation of 'insurgency' functioned as an invocation by which to facilitate exceptional, extra-legal, measures, and to sanction pervasive, decisive, and often excessive practises.

This dissertation has sought to reconsider the dominant Western perception of insurgency as militarily separate, morally estranged, and transgressive, by interrogating the perspectives and conflicts upon which this perception has drawn inspiration. We have found that this perception is not integral, nor is it a purposeful construction, but rather a product of a history of Western Orientalist hegemony over how the resistance of foreign populations has been articulated and categorised through systems of governmentality empowered by racial and military prejudice. The invocation of insurgency as a moment of exception, and the prescription of the response of 'counterinsurgency' as the only appropriate, ties both threat and response together, each predicated upon rationalities which sought to maintain Western influence and control, at the expense of the governed population. The lineage of conflicts upon which modern doctrine and discourse is founded reflects the ethnocentric perceptions and constructions of the writers who responded to these conflicts. Yet these post-hoc theorisations have proved influential, and by this process insurgency has become separated - morally, politically and militarily - from normal modes of conflict, and so come to be seen as a separate and difficult 'problem', requiring special skills and governance. This process is part of the relationship these writings have had with the conflicts of insurgency, and the influence

²⁶⁵ This paraphrases Carlo Bonura's question, 'Do exceptional threats require exceptional measures, or does the formulation of exceptional measures in response to a particular political moment require the articulation of exceptional threats?'. Carlo Bonura, 'Geopolitical articulations: Global terrorism, southern Thailand.' *International Relations and States of Exception: Margins, Peripheries, and Excluded Bodies*. Routledge, 2009. p55.

these writings have had upon modern practitioners. It is not that these accounts are necessarily fallacious, or unsubstantiated, but rather that they are a small, and very selective, perspective of a phenomenon. Insurgency is the name that these accounts have chosen to have given the resistance of populations foreign to their own, populations which employed methods and tactics which these authors, amongst others, have deemed immoral, transgressive, subversive, or in some other way, deviant and aberrant. Reliance upon these accounts by modern doctrine has encouraged the development of a dichotomy between insurgency and counterinsurgency, in which insurgency is integrally subversive, uncivilised, and illegitimate, and counterinsurgency is legitimate. These assumptions underly our discussions of insurgency, and produce a counterinsurgency that is not necessarily a meaningful reaction to a phenomenon, so much as a reaction to Western perspectives of the resistance of those designated 'other', predominantly the peoples and populations of the global south. The failures of modern counterinsurgency underline the attitudes upon which contemporary attitudes towards insurgency are based: entrenched in the subjugation of populations considered to be morally and politically inferior, tied to a legacy of failing empire, and producing a separate, transgressive and difficult form of conflict. As long as the West continues to understand insurgency only through its own dubious history of the subjugation of foreign populations, it will remain mired in this complex, distasteful, and, crucially, self-created, 'problem'.

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