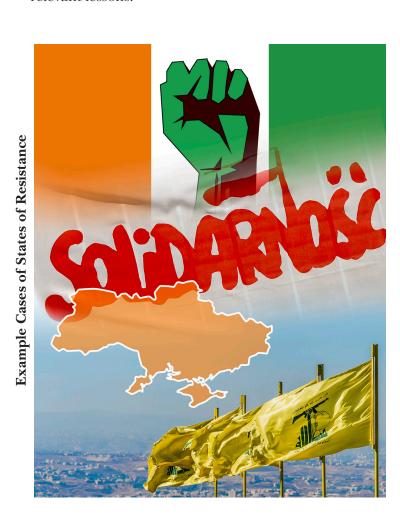
## **Tactical Pocket Reference**

Explanatory graphics and figures about resistance for unconventional warfare, foreign internal defense, and counterinsurgency from these ARIS volumes:

- Legal Implications of the Status of Persons in Resistance
- Understanding States of Resistance
- Threshold of Violence
- Undergrounds in Insurgent, Revolutionary, and Resistance Warfare

#### Assessing Revolutionary and Insurgent Strategies

The purpose of the ARIS series is to produce a collection of academically rigorous yet operationally relevant research materials to develop and illustrate a common understanding of insurgency and revolution. This research, intended to form a bedrock body of knowledge for members of special operations forces, will allow users to distill vast amounts of material from a wide array of campaigns and extract relevant lessons.



#### Institutionalization state: **Preliminary state:** Incipient state: Increase in general unrest Leaders and organizations Resistance has survived crisis States for Resistance Phasing Model among disparate actors emerge as conceptions of without coordination. grievance, responsibility, and opponents and needs to Unclear or multiple solution narrow and crystallize. consolidate gains. Viewed conceptions of grievances, Outlook be-comes formalized more equally to its opposition responsibility for them, and strategic instead of short and possesses long-term term/haphazard, as does the and how to solve them. staying power. Resistance :hose opponents. Rea pattern of action the resistance organization establishes its engages in. As organizational role in society. level in- creases and views crystallize, factions develop. hey must respond Exhaustion Abeyance 4 Incipient failure states Paths to resolution Dormancy Exhaustion Co-optation Radicalization Dormancy Dormancy Establishment with Facilitation Radicalization Radicalization the mainstream Facilitation Repression Facilitation Institutionalization Success Repression Repression Dormancy Failure Success Success Radicalization Failure Facilitation Co-optation Repression Establishment with Success the mainstream Resolution state

#### Preliminary State: Solidarity 1956-1976

- Disparate groups: students, workers, intellectuals
- Separate nonviolent actions: workers strikes, student protests, government reform efforts
- Polish identity fostered: anti-historic Russian oppression and current Soviet regime
- Local leadership emerged within each group

#### **Incipient State: Orange Revolution 1999-2004**

- Disparate groups join in election campaigns and peaceful protests
- Collective action taken in "Ukraine without Kuchma"
- Leadership formed from ousted govt. officials
- Mass protests of election fraud begin transition to crisis state

# Crisis State: Provisional Irish Republican Army (IRA) January–July 1972

- "No-go" and "free" zones give IRA appearance of authority
- Attacks on government and bombings across Northern Ireland after government killed civilians on Bloody Sunday
- Bloody Friday: IRA set off bombs across Belfast also killing civilians

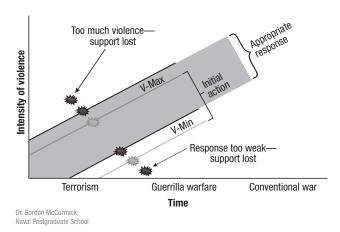
# Institutionalization State: Hizbollah July 1993-Present

- Seen as legitimate representative of Shi'a population and provisional authority
- Participation and success in elections
- Controlled media outlets
- International recognition of political wing

#### Paths to Resolution

Resolution can be reached from any state, but some paths to resolution are unique to a state.

- Common from preliminary to institutionalization: success, failure (internal collapse), repression, decline into obscurity, or radicalization into a delegitimized fringe group
- Incipience: co-optation (buying resistance leaders), establishment with the mainstream, isolation (failure to leverage networks), alienating other leaders and groups, adopting ideas that lack widespread support, and highly publicized failures
- Abeyance: inward focus on development and avoiding confrontation, aka avoiding the crisis state
- *Crisis*: **exhaustion**, **decline** (government concedes small demands but maintaines status quo)
- *Institutionalization*: moderating to **approaches that do not challenge the state's legitimacy** (e.g., advocacy, lobbying, becoming a political party)



Threshold of Violence Equivalent Response Model

If resistance movements use violence, **it must fall within a range** between acts that are too weak and acts that are too strong. **Too weak** and the group **loses credibility** and effectiveness; **too strong** and the group **alienates the local population**.

**Judgments** about the population's tolerance for violence **require intimate familiarity** with the population and **reliable intelligence**. Judgments must be **regularly reconsidered** as conflict progresses.

### **Legal Status and Resistance Task Pyramid**

This side of the tactical pocket reference features two concepts. First, an explanation details how the law applies to personnel in resistance, both resistance members and government forces. Second, a resistance organization task pyramid provides example tasks that differnet components of a resistance perform.

#### **Legal Status of Personnel in Resistance**

The figure below characterizes resistance categories, the legal status of participants and applicable law, and the status of third parties under international law. What laws apply depends on the intensity of the interactions and organization of the resistance movement. The spectrum in the next column summarizes implications of legal status and provides examples.

Use of Legal Processes for Political Advantage

Characteristics: Individuals Corresponding Legal Status: or groups use legal processes Individuals are subject to HNIaw. For eign government toresiststandinggovernment, Indigenous status would be as a support unlawful unless HN e.g., social media messaging. citizen/resident.UWstatusisasa consents; discovery of the peaceful demonstration, anvasing polls.

touristsubjecttoHNjurisdiction. presenceofpersonnelcould FID status would depend on any prompt diplomatic problems, applicable SOFA.\* Illegal Political Acts

Characteristics: Individuals government, e.g., refusal to comply with certain laws disruptive, nonviolent acts.

Corresponding Legal Status: or groups resorting to illegal Individuals are subject to HNcivil Foreign support to domestic political acts to resist standing and criminal law. Indigenous status would be as a citizen/ resident.UW status is as a tourist of support could prompt (civil disobedience) or other subject to HN jurisdiction. FID diplomatic tension, statusdependsonanyapplicable accusations of aggression, SOFA.\*Diplomaticchannelscan charges of espionage beusedtonegotiateiurisdiction or release.

Rebellion

Characteristics: Short-term. Corresponding Legal Status: isolated, violentengagements Rebels are subject to domestic of low intensity by a group (e.g., riots); law enforcement nechanisms are able to suppress the violence; it remains a domestic matter.

criminal law. UW status is as a touristsubjecttoHNjurisdiction. FID stand alongside the HN government under applicable SOFA.\*Diplomaticchannelsmav invitationorwithconsentis beusedtonegotiateiurisdictionor permissible release.NOTvetanarmedconflict so IHL does not apply. Insurgency

Increasing level of intensity, durat

Characteristics:Recognition of Corresponding Legal Status:  $an insurgency is based on facts \\ As a NIAC, the IHL protections of$ andpolitical factors, Ingeneral, Common Article 3, and potentially thefightingismore sustained Additional Protocol II, apply. and intense and cannot be Parties can agree to apply more easily suppressed by the government. Other elements includeincreasedlevelsofthe insurgentaroup's organization and territorial control.

Belliaerency

Characteristics: (1) A general Corresponding Legal Status: conflict, (2) belligerents to the conflict.

as opposed to local armed LOAC applies. The resistance groupisdeemedadefactostate administerasubstantial portion if the host nation recognizes the imposes a duty of neutrality of territory, (3) belligerents resistance as a belligerency, and on third-party states. Third follow laws of war and use its forces receive combatant/ a command system, and (4) POWstatus. The resistance group or the other, but doing so circumstances requirestates to and HN and allies are bound to constitutes an act of war. definetheirpositionsinrelation applyLOAC, the customary law of \*SOFA or other int international armed conflict.

protections but not fewer.

Recognition of a resistance group as a de facto state partiesmavsupportoneside

Third-Party Involvement:

charges of espionage.

Third-Party Involvement:

criminals unlawful unless

Third-Party Involvement:

**SupportofrebelsviolatesHN** 

sovereigntvandcontravenes

noninterference, with some

exceptions.SupporttoHNby

Third-Party Involvement:

Support of insurgents

violates HN sovereignty

of noninterference, with

some exceptions. Support

to HN via COIN permissible

with consent States may

engage with insurgents to

protectproperty,commercia

Third-Party Involvement:

interests, nationals.

IHL–International humanitarian law
LOAC–Law of armed conflict
NIAC–Noninternational armed conflict
UW–Unconventional warfare

**Continuum of Categories of Resistance** 

Low intensity, legal methods = domestic + human rights + peacetime international law apply MEANS participants are law-abiding civilians.

Civil Rights Movement (US): The movement used nonviolent legal methods, such as permitted protests, court cases, and boycotts, and illegal nonviolent methods, such as sit-ins, protests without permits, and civil disobedience.

Low intensity interactions through illegal methods = domestic + human rights + peacetime international law apply MEANS participants are criminals subject to arrest and prosecution.

Low intensity, violent interactions + limited/low organization = domestic + human rights + peacetime international law apply MEANS participants are criminals subject to arrest and prosecution but not targetable.

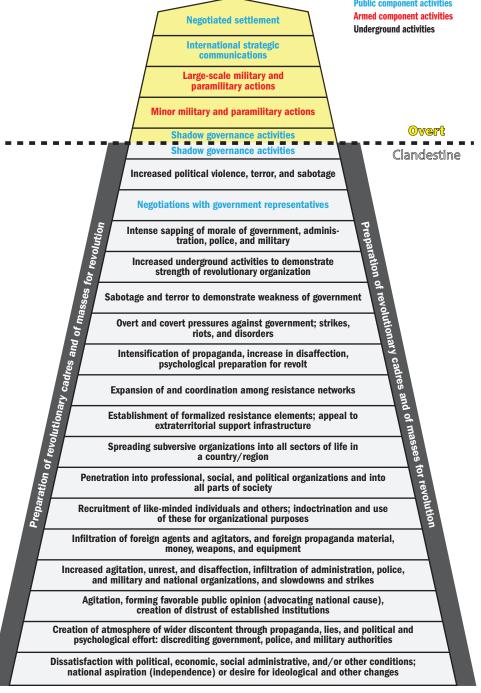
**Tuareg Rebellion in Mali 2006-2009:** Several years long, but remained below insurgency and non-international armed conflict (NIAC) because events were not coordinated into a campaign. Isolated raids were crimes under Malian law. More organization and consistent intense violence would make it an insurgency/ NIAC.

Higher intensity, violent interactions + moderate organization = domestic + human rights + limited international humanitarian law for non-international armed conflicts apply MEANS participants are domestic criminals, targetable only when directly participating in hostilities and owed protections from IHL if captured.

Kosovo Liberation Army 1999: KLA exhibited the organization, and intense violence the Tuaregs lacked in hierarchical command and control, formal governance structure, force on force battles, and representation abroad.

Highest intensity + high organization = the law of armed conflict because the confrontation between the resistance and the government resembles an international armed conflict apply MEANS participants are combatants and owed protections under the IHL of international armed conflicts.

American Civil War: The civil conflict resembled a war between States via its violent intensity and the Confederacy's high degree of organization, but the Confederacy lacked legal recognition as a State.



#### Resistance Organizational Task Pyramid



#### **Resistance Movements on the Continuum**

#### **Resistance Organization Task Pyramid**

Resistance movements do their work in overt and clandestine arenas. Groups are composed of four elements: (1) a public component, (2) an armed component, (3) an underground, and (4) an auxiliary (not represented). The public component provides governance and serves as the legitimized face in strategic communications. It represents resistance interests in overt and clandestine negotiations. The armed component is the primary actor in military and paramilitary actions but does not typically have a clandestine role. The activities of the underground, however, are exclusively clandestine. The underground operates in areas denied to the armed or public components or conduct operations not suitable for the armed or public components. The auxiliary are supporters who do not openly express sympathy with the resistance but offer occasional support. The figure to the left illustrates the unity of effort across those elements.

Resistance groups face six organizational challenges: (1) command and control, (2) alignment of the organization with strategy, (3) secrecy and compartmentalization, (4) evolution and organizational growth, (5) underground and aboveground connections, and (6) criminal connections.

### To Learn More

For additional information about these and related ARIS topics, please visit https://www.soc.mil/ ARIS/ARIS.html.