

ASYMMETRIC WARFARE – NOT EVERY WAR HAS TO END?

(**Note:** The article is a partial summary of the author's doctoral thesis)

Zrinko PETENER, PhD

Defence Policy Directorate, Ministry of Defence of the Republic of Croatia, Zagreb, Croatia

Abstract

The study of warfare, throughout its history, as well as efforts to legally regulate the resort to war and the conduct of war, were concentrated exclusively on one form of warfare - interstate conflict. Only since the terrorist attacks on Washington and New York in 2001 and the following 'Global War on Terrorism' has a discussion on a potentially new kind of warfare - asymmetric warfare - moved into the spotlight. Despite all the scientific attention, the concept of asymmetric warfare remains undefined or ill-defined until today, resulting in a proliferation of its use and limiting its value. Hence, restraint in the use of the term is necessary, in order to reinforce its analytical value and applicability. Defining asymmetric warfare as a conflict among opponents who are so different in their basic features that comparison of their military power is rendered impossible, is such an attempt to limit the term to a substantially new form of warfare, witnessed in a conflict that is often commonly called the Global War on Terrorism.

The past two years, since the upsurge of the so-called Islamic State to the forefront of the salafi jihadi movement, have witnessed a significant change in this war. Superficial analysis could lead to the conclusion that the proclamation of the Islamic Caliphate on the territories of Iraq and Syria (for now) seems to have recalibrated this conflict into traditional interstate war again, making the concept of asymmetric warfare obsolete and diminishing it into just a short-term aberration in the history of warfare. Nothing could be further from the truth. The enemy in the Global War on Terrorism was and remains a global and territorially unrestricted ideological movement whose numbers cannot even be estimated, which fights its battles wherever it chooses to, and whose ultimate goal is the annihilation of the international system of sovereign states, not the creation of a new state within this

system. The Islamic Caliphate in its current boundaries is nothing more than the “model Islamic state,” as envisioned by Osama bin Laden in his 1996 fatwa as part of Al Qaeda’s 200 year plan for the establishment of God’s Islamic World Order. This grand strategy is the guiding blueprint of the salafi jihad that is waged against the Westphalian state system in a war that is truly asymmetric. We have to adjust to this strategic asymmetry if we are to prevail in this struggle, fighting a long war against an indefinable enemy on battlefields that are still unknown.

Keywords: War; asymmetric warfare; terrorism; International humanitarian law; Hague Convention; Geneva Convention; Al Qaeda; Islamic State; Daesh; Caliphate;

Introduction

Warfare has been the subject of study for thousands of years. Thucydides wrote about the history of the Peloponnesian war in the 5th century B.C. Sun Tzu is believed to have delivered his advice to the emperor on the *Art of War* some 2,300 years ago¹. Both are still studied today by philosophers, military scholars and practitioners alike - as are Clausewitz, Jomini, Machiavelli, Aron, Schmitt, von der Heydte and many others. All those share a common understanding of war – British military historian John Keegan calls it the common position of western philosophers from Aristotle onwards² – as armed conflict among states. In one of the probably most cited *definitions* of war Clausewitz called it a “continuation of political relations, their continuation by other means”³. Clausewitz observes war as armed confrontation among organised political entities, as a political act subordinate to the *rational will* of the state.

¹ It remains unclear if there was a single author of this classic. According to the prologue of one of the many translations, “some 2.300 years ago in today’s northern China a guild of military leaders has, for the first time, transformed its collective wisdom into writing”. (see Sun Tzu (2002) *The Art of War: The Denma Translation*; Shambhala Publications; p. XI).

² Keegan, John (1994.) *A History of Warfare*. New York: Vintage Books, p. 46.

³ Clausewitz, Karl von (1997) *O ratu*, Zagreb: Ministarstvo obrane Republike Hrvatske, Politička uprava, Biblioteka priručnici; p. 63.

War in philosophy and military science

Carl Schmitt further explains the political dimension of war and the term of politics in general, by segregating the political dimension from other areas of human activity and thought (such as moral, aesthetics, economics) through the application of specific dichotomies. While morality is defined by the dichotomy of good and evil, aesthetics by beautiful-ugly, economics by useful-harmful or profitable-unprofitable, political activity and motive are based on the dichotomy of friend and foe, who are not necessarily evil, ugly or harmful. Schmitt's foe is just somebody who is existentially different and foreign to us, and who, in the extreme, could be confronted in a conflict that cannot be settled by general norms⁴. The possibility of armed conflict, which is in the realm of the possible, is intrinsic to the foe⁵ and subsequently to political relations as such. He furthermore equates the terms of politics and statehood, considering political relations to be possible among sovereign states only, since the *jus belli*, the right to resort to war, to declare somebody *the foe*, belongs to the state alone⁶.

Much like Schmitt, a 20th century author, the ancient Sun Tzu considers the state to be the sole bearer of *jus belli*, stating this unmistakably in its opening remark that "the military is a grand affair of the state"⁷.

Another classic of military thought, *The Art of War* by Antoine-Henri baron de Jomini, seems to consider the monopoly of the state over warfare to be self-explanatory, since he omits to even explain his focus on inter-state conflict, but makes it very clear in his taxonomy of reasons for which "the government may resort to war"⁸.

The Art of War was the subject of Niccolò Machiavelli as well, who advises the Florentine nobleman Filippo Stozzi on the usefulness of the "functional unity of civil society and politics with the military calling and warfare"⁹.

4 Schmitt, Carl (2007) *Politički spisi*. Zagreb: Politička kultura; p. 71.

5 Ibid. p. 74.

6 Ibid. p. 81.

7 Sun Tzu, p. 3.

8 Jomini, Antoine Henri, Baron de (2007) *The Art of War*, New York: Dover Publications; p. 12.

9 Machiavelli, Niccolò (2001) *The Art of War*, Cambridge: Da Capo Press; p. 3-5.

One more prominent author who follows Clausewitz's ideas on the political nature of war is Raymond Aron, who claims that war, as a social act, presupposes confronting wills, i.e. politically organised communities¹⁰. According to Aron, war is a political act; it emanates from a political situation and is the result of a political motive¹¹.

Finally, a look at the definition of warfare in the Stanford Encyclopaedia of Philosophy confirms the prevalent understanding of war as armed conflict among state. According to this source, "war should be understood as an actual, intentional and widespread armed conflict between political communities. War is a phenomenon which occurs only between political communities, defined as those entities which are either states or intend to become states (in order to allow for civil war)."¹²

War in international humanitarian law

The cited examples show that the philosophical standpoint on war predominantly understands it as a political act of organised and widespread armed conflict among states. This line of thought has not significantly changed from Aristotle onwards and is reflected in the International Law of Armed Conflict as well, especially in two basic legal conventions regulating the issue of *jus ad bello* – The Hague Convention of 1907 and the Geneva Convention of 1949, amended by the Additional Protocols of 1977. Those conventions focus on armed conflict among states, declaring their applicability on "all cases of declared war or of any other armed conflict which may arise between two or more of the High Contracting Parties, even if the state of war is not recognised by one of them"¹³, as well as "armed conflict not of an international character occurring in the territory of

¹⁰ Aron, Raymond (2001) *Mir i rat medu narodima*, Zagreb: Golden marketing; p. 71.

¹¹ Ibid. p. 73.

¹² Orend, Brian (2008) *War*. In: Zalta, Edward N. (ed.) *The Stanford Encyclopedia of Philosophy*. <http://plato.stanford.edu/archives/fall2008/entries/war/>.

¹³ Convention for the Amelioration of the Condition of the Wounded in Armies in the Field (First Geneva Convention), article 2.

one of the High Contracting Parties¹⁴, i.e. civil war. Parties to such a conflict can be states and (non-state) armed groups, or two (or more) armed groups. In order to be considered parties to the conflict in terms of the Geneva Convention, those armed groups have to be identifiable as such and have to possess a certain level of internal organisation, i.e. have to be capable of observing the rules of international humanitarian law, even though acting in accordance with these rules is not a prerequisite¹⁵.

The criterion for the recognition of non-state parties by international law has been augmented by the Second Additional Protocol to the Geneva Convention of 1977, which declares that it “shall apply to all armed conflicts ... which take place in the territory of a High Contracting Party between its armed forces and dissident armed forces or other organised armed groups which, under responsible command, exercise such control over a part of its territory as to enable them to carry out sustained and concerted military operations and to implement this Protocol”¹⁶.

Under the influence of the process of decolonisation, the First Additional Protocol introduced another category of “armed conflicts in which peoples are fighting against colonial domination and alien occupation and against racist regimes in the exercise of their right of self-determination, as enshrined in the Charter of the United Nations and the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations”¹⁷.

One could conclude from the cited provisions that the Geneva Convention and its additional protocols introduced two new categories of war, differing from the traditional understanding of war as armed conflict among states. But the conditions for applicability of the Convention and protocols – functioning under responsible command, control over a certain territory of a state, ability to conduct lasting and planned military operations, capability of implementation of the

14 First Geneva Convention, article 3.

15 Duffy, pp. 221-222.

16 Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II), article 1.

17 Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I), article 1. pt. 4.

protocols – equalises them *de facto* with traditional inter-state war. A non-state actor, which can achieve such a level of control over a certain territory and such a degree of internal organisation, is distinguished from a sovereign state only by the fact that it has not received international recognition in the United Nations. Hence, the state has upheld its dominant position in the Geneva Convention and additional protocols as well. They recognise non-state actors only if those actors assume all the relevant features of statehood, when they thrive to become a state and their conflict with a *High Contracting Party* can be observed under the rules applicable to inter-state war.

Internal conflicts of states against dissident armed groups and the struggle of nations against colonial domination, foreign rule and racist regimes alike are fought in order to keep or gain control over a state. Dissident groups and those fighting colonial occupation and racial discrimination share a common goal – an aspiration towards statehood. From such wars, states are going to emanate victoriously, either by victory of the state that was challenged by a non-state actor, or through a transformation of the non-state actor into a state.

Defining asymmetric warfare

Western philosophical thought on war, military history and theory, as well as international humanitarian law have concerned themselves predominantly with inter-state war. Under such circumstances, the terrorist attacks of 9/11 confronted the world with a new form of warfare that is truly distinct from the traditional understanding. The first task practitioners and theorists alike were faced with, was to define this new form of armed conflict – they failed for the most part, even though the term became ubiquitous in research papers, media articles and documents on military doctrine. Such an inflation and diverse use of the term has almost stripped it of its analytical value. One study conducted by the US Army War College, for example, states that asymmetry is a new word for an old term that is present since Sun Tzu's claim that "all war is based on deception", Liddell Hart's concept of "indirect approach" and the Edward Luttwak's "paradoxical

logic of strategy¹⁸. Other authors used a more picturesque description of asymmetric warfare and asymmetric threats, which “seem to be formless and shifting concepts, insofar as attempts to use them to understand and analyse the security environment can be like grabbing sand out of a barrel. You know that you have grabbed something of substance, but there is not nearly as much there as you first felt once you removed your hand from the barrel.”¹⁹. These are just two examples of valid criticism regarding the concept of asymmetric warfare, its questionable usefulness, which can and should be attributed first and foremost to its inconsistent, variable and prolific use.

Almost all new or changed threats and challenges *the West* has faced since the cold war are labelled as asymmetric. For example, the potential use of weapons of mass destruction (WMD) in a potential attack on the US is frequently labelled an asymmetric threat, regardless of who the perpetrator might be. It remains unclear why such an attack or threat of attack should be considered asymmetric per se. What would be asymmetric in a hypothetical nuclear missile attack by North Korea on the US? I argue nothing, since the opponents in this hypothetical (and hopefully unrealistic) example can be measured against each other in every imaginable way, whether one attempts to measure their military power (specifically their nuclear potential), economic strengths or the threshold of the level of destruction the *opposing sides* are willing to inflict. On the other hand, such a comparison would be rendered virtually impossible, were we to replace North Korea in our hypothetical equation with a terrorist network such as Al Qaeda or Daesh and the hypothetical nuclear missile with a *dirty bomb* – both weapons of mass destruction – detonated on US soil. In such an event, the huge nuclear arsenal of the US would be insignificant for assessing the WMD threat those groups pose for the US, since such judgment could not be based on a comparison of the nuclear potentials of the US and those groups. It is precisely this impossibility of comparison among opponents which makes a conflict asymmetric. Only if the opponents in a conflict cannot be compared by applying the usual elements of military and state power can this conflict be labelled as asymmetric. Asymmetry arises from the attributes

18 Metz, Steven & Johnson, Douglas V. (2001.) *Asymmetry and U.S. Military Strategy: Definition, Background, Strategic Concepts*. US Army War College, Strategic Studies Institute, Carlisle Barracks; p. 1.

19 Lambakis, Steven, Kiras, James i Kolet, Kristin (2002.) *Understanding “Asymmetric” threats to the United States*. *Comparative Strategy*, 21(3); p. 242.

of the opposing parties in a given armed struggle. A threat (whatever its nature may be) can neither be labelled as symmetric, nor asymmetric if it is observed in isolation from the potential source. The term *asymmetric threat* itself is useless, since a threat assumes its asymmetric attribute only by virtue of the features of its source. The source or bearer of a threat, the means he uses, the strategy and tactics he applies, and the armed confrontation he embarks on can be asymmetric, not the threat itself.

There are a myriad of examples of completely inappropriate use of the term of asymmetric warfare. Even in historic examples such as the battle of Hastings of 1066, some authors recognise asymmetry, stating that this battle “today would be named a confrontation of asymmetric armies”²⁰, due only to the fact that the Norman army possessed weaponry unknown to the Anglo-Saxons. It is beyond doubt that all wars throughout history were fought among unequal opponents, but that doesn’t make them asymmetric. “Military history is full of conflict among opponents with similar features, but on different levels of capability. ... Nevertheless, true historical examples of operative and strategic asymmetry are rare”²¹.

Likewise, numerous attempts to define asymmetric warfare fail to name features that would distinguish asymmetric from regular, conventional warfare. Stating for example that an asymmetric approach means “to act, organize and think differently than the opponent, in order to maximize one’s own strengths, use the opponents weaknesses, achieve initiative or greater freedom of action”²² is just a description of any prudent strategy, or as one author puts it “just another way to state an obvious fact: strategy matters”²³.

Liddell Hart considers the attempt to choose the opponents weak points for attack a historical imperative, the underlying principle of his deliberations on the *indirect approach*, which he recognised in war campaigns since the Persian invasion of Greece in 490 B.C.²⁴

20 Alexander, Bevin (2002.) *How Wars are Won – The 13 Rules of War from Ancient Greece to the War on Terror*. New York: Three Rivers Press; p. 6.

21 Black, Jeremy (2004.) *War and the new disorder in the 21st century*. London: Continuum; p. 74.

22 Metz & Johnson; pp. 5-6.

23 Lambakis, Steven J. (2004.) *Reconsidering Asymmetric Warfare*. Joint Force Quarterly br. 36; p. 102.

24 Liddell Hart, Basil Henry (1991.) *Strategy*. New York: Meridian; p. 5.

To choose the most favourable moment, site and method for attack is a basic element of sound strategy and as old as armed conflict among humans itself. To distinguish asymmetric warfare from other conflicts, a different approach is needed, such as one that demands asymmetry in the key features of opponents that will make them incomparable, because there is no common basis for comparison among them²⁵. Only in such a case does true asymmetry exist. There are numerous taxonomies of factors used in the comparison of military power, but they can be in general reduced to four basic categories: demographic element (available manpower), technical element (available military and civilian technology), economic element (military spending, overall economic power of the state etc.) and geographic element (geographic features as factors of military power). By applying these elements, the comparison of state opponents (their military power) in any hypothetical conflict will be an undemanding task. Regardless of the difference between any two given states, these elements are applicable for comparison and will result in a clear, almost mathematically precise result.

The value of these elements will neither be significantly diminished if we try to apply them on non-state actors in an armed conflict, who are recognised by international humanitarian law. As shown above, such non-state actors are striving towards statehood, they *mimic* the state, by establishing control over a certain geographical area, internal organisation and responsible command that enables them to obey the rules of international humanitarian law and to conduct complex military operations. In the end, such non-state actors differ from the state only in the absence of international recognition of statehood, which doesn't affect the possibility of comparing their military power.

Asymmetric warfare exists if those elements of comparison are not applicable because of the features of the asymmetric opponent, who does not possess a definable demographic basis for recruitment, whose combat effectiveness is not based on technological perfection of his arsenal, but on the unpredictable use of the most basic weapons²⁶, and his *war effort* costs only an incomparably tiny

25 Meigs, Montgomery C. (2003) *Unorthodox Thoughts About Asymmetric Warfare*. Parameters, 33(2); p. 4-18.

26 The terrorist attacks of 9/11 are surely the most spectacular attack in an asymmetric war against the US. The "arms" of the attackers were knives used to overpower the airplane crews, and commercial computers and telephones were used as communications equipment.

fraction of the military spending of states, rendering the economic factor useless for comparison as well.

A conflict should only be labelled as asymmetric, if a comparison between the opponents using the usual metrics of military power is not feasible. Only such a restrictive use of the term prevents the abovementioned loss of its analytical value. If used in this way, asymmetric warfare really describes a different and new type of armed conflict.

Applying this criteria, we can furthermore conclude that asymmetric warfare can only be a conflict between a state and a non-state actor, who is not recognised by international humanitarian law, because he has not assumed features of statehood and does not possess internal organisation, responsible command and control over a certain and limited territory. The asymmetric opponent does not mimic the state and, hence, remains unknown to international law, which concentrates exclusively (as shown above) on inter-state conflict and its variations.

Therefore, the decisive distinguishing feature of the non-state actor in asymmetric warfare -that renders him incomparable to the state and delegitimises him as a subject of international humanitarian law – is his non-territoriality. An opponent of the state in an armed conflict, which is confined to a specific area and aspires to statehood, cannot be asymmetric. Asymmetry does not exist in conflicts among territorially confined and defined opponents, because such a conflict assumes the features of traditional inter-state warfare. In such a conflict, the non-state actor mimics a state, thus putting the conflict within the reach of international law. There is nothing asymmetric in a conflict between a state and a non-state actor who, *under responsible command, exercises such control over a part of its territory as to enable [him] to carry out sustained and concerted military operations and to implement(...)*.

If we apply such a restrictive understanding of asymmetric warfare, we will come to the conclusion, supporting the abovementioned statement by Jeremy Black, that *“true historical examples of operative and strategic asymmetry are rare”*.

An example of asymmetric warfare

In fact, there might be only one example of a conflict fulfilling the criteria of non-territoriality on the side of the non-state actor. This war has been labelled with different names, such as the Global War on Terrorism, but would be most accurately described as a war between the United States and the global salafi jihadi movement. One might argue that this movement, represented for a significant period of time by Al Qaeda and associated movements (AQAM) and more recently by the Daesh, is territorial in its nature, due to attempts to establish *caliphates* in the territory of Afghanistan, Iraq and Syria. That would be true if the wars in these countries were to be considered as unrelated and unconnected events. If correctly observed as single battles or episodes of a broader conflict, the territorial feature becomes questionable. The mentioned *episodes of statehood* in Iraq/Syria and Afghanistan should be judged only as temporary stages in the overarching master plan for the establishment of the global Islamic caliphate, which presupposes the elimination of all past forms of statehood. The salafi jihadi movement is not trying to establish states, but to eradicate them in a “global insurgency against the Westphalian state system”²⁷.

The current *Islamic state* is nothing more than another attempt to establish a *model Islamic state* – as Mark Stout calls it in his description of Al Qaeda’s strategic concept²⁸ – as a milestone towards the *renewed caliphate* and *God’s Islamic world order*. It is not an attempt to establish a state, but a phase in the plan to eradicate all states.

Regardless of the duration and outcome of the battle against Daesh in Iraq and Syria, the war against the salafi jihadi movement will not end there. Already we are witnessing an upsurge of new confrontations in Libya, Afghanistan and elsewhere. In its struggle against the Westphalian system, the salafi jihadi movement will remain unconfined by borders or other geographic boundaries, but will pop up opportunistically wherever the opportunity presents itself. The movement will

27 Cassidy, Robert M. (2006) *Counterinsurgency and the Global War on Terror: Military Culture and Irregular War*, London: Praeger Security International; p. 11.

28 Stout, Mark (ed.) (2008.) *The Terrorist Perspectives Project – Strategic and Operational Views of Al Qaida and Associated Movements*, Annapolis: Naval Institute Press, p. 139.

remain un-territorial, indefinable and imponderable by the metrics of military power, and beyond the scope of legitimate parties to armed conflict recognised by international humanitarian law. The war against the salafi jihadi movement was, is and will be asymmetric in its nature. Therefore, any hope or promise of finite results in this conflict is unrealistic and misleading. To declare victory over an enemy that cannot be linked to a certain territory and whose numbers cannot be estimated (let alone precisely calculated) is impossible. Such an enemy will exist as long as he has the will to fight. We have to outlast this will, accepting the fact that our basic *strategy* against the salafi jihadi movement has to be to persistently fight battle after battle for an unpredictable time. The 2006 US Quadrennial Defense Review called such a struggle the *long war*²⁹, accepting the described unpredictability of the next battlefield in a war with no foreseeable end. The asymmetric opponent in this war exists for one reason only – to fight this war. The war itself is an intrinsic part of him and he has no other goal than to keep fighting. In his renowned book, Fred Charles Iklé argues that a clear vision of a desired end state that will allow a conclusion of hostilities has to be part of all prudent strategy in war³⁰. Military planning without such a final goal of a war effort seems impossible. In the asymmetric conflict against the global salafi jihadi movement, it seems to be the only option. To overcome this ultimate asymmetry – to fight a war with a clear goal or war being the goal itself – is our way towards prevailing.

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