



# SHAPING AUTHORITY IN THE HUMAN DOMAIN

Transforming Civil Affairs' Aperture on Governance.

BY MORGAN G. KEAY

The term 'governance' recently re-emerged across the Civil Affairs Regiment, appearing on new Mission Essential Task Lists in the SOF component, in updated regiment-wide doctrine and publications and as a reinvigorated topic of concept and capability development.<sup>01</sup> Governance is not new to CA. The regiment's roots are in Military Government in post-World War I and World War II theatres, and more recently in state-building endeavors, including in Iraq and Afghanistan. Indeed, images of CA forces executing technocratic, essential service projects in support of governments-in-transition is often the first image that comes to mind when one thinks of governance in the military context. This image is problematic.

The perceived value and capabilities of CA forces have been hindered by understanding of governance that remains overly state-centric and service-focused. As discussed below, doctrine, operational concepts, training and education and leader-

ship are preoccupied with *government* at the expense of *governance*. This prevents CA forces from gaining necessary capabilities to assess and affect the myriad manifestations of non-state governance that define contests in the human domain.

To more effectively shape outcomes of war, CA must orient more explicitly towards non-state governance and operationalize the idea that social contracts based on values and processes — and less on services — are the basis of authority and conflict in the Human Domain. To the extent CA forces are already executing approaches on these principles, Doctrine, Organization, Training, Materiel, Leadership, Personnel, Facilities and Policy (DOTMLPF-P) must catch up to practice and ensure personnel consistently and deliberately gain required governance capabilities. Institutional changes will help broadcast images to CA customers such as Ambassadors and Joint Force Commanders that governance as a CA capability is more than service projects or military government. Transforming how governance is understood and actioned will help make CA a reliable and effective proponent for governance across the U.S. joint force, and throughout the phases of war.

<sup>01</sup> Civil Affairs Soldiers meet with Ribta villagers in the Tadjoura region of Djibouti. With innovative governance training, CA soldiers can leverage daily interactions like this as opportunities to continually analyze the three categories of power and authority that shape complex operational environments. U.S. AIR FORCE PHOTO BY SENIOR AIRMAN SCOTT JACKSON

## GOVERNANCE IS NOT SYNONYMOUS WITH GOVERNMENT

When understood as simply any 'system of authority' in society, governance can be seen everywhere from corporate boards, to ethno-religious organizations, to knitting clubs. Far from background noise, these myriad non-state governance systems shape the outcomes of social conflict more so than governments. Non-state governance systems are more proximate in the lives of people than even the strongest most capable governments. Unsurprisingly, 2018 Pew Research Center data show that an overwhelming majority of Americans place family responsibilities and even their role in the economy as higher priorities than participation in politics or government.<sup>02</sup> Consistent with data from around the world, individual and group behavior is governed more by family and market *systems of authority* than by formal state institutions. Non-state governance, in other words, influences whether or not one joins an armed group or takes part in a resistance movement, and shapes who populations ultimately view as a legitimate state government.

In addition to proximity, the significance of non-state governance in the Human Domain is also a matter of sheer numbers. With just 207 national governments globally by the highest estimate,<sup>03</sup> each with a finite number of sub-national administrative bodies, *governments* (i.e. formal state institutions) account for a tiny fraction of governance systems worldwide compared to the infinite number of civic, market, tribal, familial, religious or other social systems of authority. This ratio matters in complex conflicts.

Take for example West Africa's Lake Chad region, where Boko Haram extremists have driven over two million Nigerians, Chadians, Cameroonians and Nigeriens from their homes. Though often unreported, it is informal governance networks — predominantly ethnic and religious

groups at the hyper local level, each with their own authorities, rules, networks and norms — that are taking in the majority of IDPs and refugees. Formal camps run by governments and inter-governmental organizations like the UN have the capacity (and often, will) to accommodate only a fraction of this vulnerable population, and at much higher costs per person.<sup>04</sup> Meanwhile, foreign internal defense missions supported by U.S. CA forces that seek to contain Boko Haram and stem extremist recruitment in part by mitigating humanitarian disaster tend to concentrate on host-nation (read: government) capacity while missing the critical role of non-state authority in shaping this crisis. Whether owed to guidance or lack of permissions from military or civilian leadership, or shortfalls in operating concepts, training or education, the tendency to focus narrowly on government could be helped by expanding upon current doctrine.

Fortunately, doctrinal definitions already recognize that governance extends beyond state institutions. For example, FM 3-07 *Stability* states that "Governance is the set of activities conducted by a government or community organization to maintain societal order, define and enforce rights and obligations, and fairly allocate goods and services."<sup>05</sup> Similarly, the recently updated FM 3-57 *Civil Affairs Operations* describes the political variable as "...the distribution of responsibility and power at all levels of governance — formally constituted authorities, as well as informal or covert political powers," and asserts that "Support to governance is one of five primary Army stability tasks."<sup>06</sup>

But doctrinal guidance on *activities* with respect to governance remain couched in relation to governments. 'Governance support' throughout U.S. military publications is described almost exclusively as "provid[ing] transitional military authority," with TMA defined as "a temporary military government exercising the functions

of civil administration in the absence of a legitimate civil authority."<sup>07</sup> The Joint Concept for Human Aspects of Military Operations, as another example, compels military forces to "Empower formal and informal governance structures to enable campaign transitions and conflict termination," but offers little other than TMA as a way to do this.<sup>08</sup>

To transform CA capabilities beyond TMA, the starting point is a new doctrinal definition of governance that more definitively broadens the aperture beyond governments. A candidate for a new definition could be the following:

*Governance is any system of authority premised on a social contract of mutual consent between those with power (the governing) and those who grant power (the governed).*

This definition transforms current military notions of governance in at least three ways. First, because this definition is not biased towards state-centric governance, CA forces as the proponent for governance will have a doctrinal basis to assess the limitless manifestations of social authority systems in the Human Domain, then zero in on those that are operationally relevant to engage. Engaging civil society would be a primary and perpetual task in virtually all operating environments.

Second, the word *consent* differentiates the concept of governance from the concept of *control*, with the latter reliant on force or coercion as the basis of authority. This is important because in order to consolidate gains from war to durable stability, CA must ultimately set conditions for consensual social order, not coercive rule, in the OE. Yes, governing authorities retain the ability to coerce if order is broken by a few, but coercion is a poor basis to assert authority at scale because the governed, who outnumber the governing, could revolt.

Third, by referring to social contracts, the proposed doctrinal definition of governance offers CA the

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springboard to develop critical new concepts and capabilities.

## SOCIAL CONTRACTS AS OPERATIONAL CONCEPT

Though it was thinkers such as Locke, Hobbes and Rousseau who birthed the term more than three centuries ago, “social contracts” are just as central to modern warfare as they were to Enlightenment Age politics. Social contracts are the implicit pacts between people who set rules and people who consent to follow those rules. If war is ultimately a contest of rule-making authority between actors willing to use force, victors are those who earn rule-making authority when people “opt in” to their social contract.

Just like literal contracts between a landlord and tenant, cell phone provider and customer or a peace agreement between demobilized fighters and an amnesty-granting state, social contracts hinge on mutually agreed terms. These terms outline what each party will give and take (the *services and performance* the governed and governing expect of one another), how each party will interact (the *processes of exchange* between the governed and governing) and establish some basis of mutual interest (the *shared values* that earn the consent of the governed and shape the rules made by the governing). Summarized, these three distinct categories offer a helpful way to recognize the terms present in any social contract:

- 1) *Services/Performance*: The tangible or intangible goods or services provided by the governing to the governed who demonstrate their “eligibility” under the rules of the contract.
- 2) *Processes of Exchange*: The mechanisms by which information and ideas are transmitted between the governing and the governed.
- 3) *Shared Values*: The norms and interests in common between the governing and the governed that bring the two together for mutual benefit.

Social contracts underpin all governance systems, whether it is governance between parents and children, states and citizens, rebel leaders and supporters or any other authority figure and those who recognize their authority. When the terms offered by a social contract across the three categories described above are attractive,



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people “opt in,” granting legitimacy to the system of governance that establishes social order.

Despite harsh rules, millions of Afghans have “opted in” to the social contract offered by the Taliban. In exchange for *services* of protection, dispute resolution and land management, to name a few, many Afghans willingly *perform* according to the Taliban’s rules on gender, Shari’a, and importantly, by not joining the fight against them. These “rules” are explained, renegotiated, and enforced through shuras, Taliban jurisprudence rulings, and face-to-face interactions between community members and Taliban leaders, reflecting the *processes of exchange* in Taliban governance. What likely draws communities to turn to the Taliban for these services and processes instead of other authorities is a shared desire of the Taliban and ordinary Afghans not to be occupied or defined by outsiders, along with locals’ perception that the Taliban are incorruptible. These *shared values* create the trust necessary for processes of exchange to function and determine the services and performances expected of the governed and governing.

As operational concept, social contracts offer an orienting principle for affecting governance in all phases and forms of war. In a FID mission,

for example, CA and partners must weaken the social contract of the insurgency, militant or violent extremist organization adversary in order to subvert their authority in the Human Domain, while helping ensure the state-citizen social contract grants the host government sufficient authority to govern social order. In an unconventional warfare mission, CA must help resistance partners undermine the adversary “government or occupying power[’s]”<sup>09</sup> social contract and cultivate a sufficiently attractive alternative contract as the basis of national authority. In conventional war, CA must be ready to leverage social contracts present on complex battlefields to gain locally-legitimate influence and reach to help manage populations and resources, minimize civilian interference in combat operations, and thwart adversary control of the Human Domain.

Regardless the form or phase of war, the above demands that CA assess, identify, engage or leverage non-state social contracts not just of partners or adversaries, but of any system of authority that shapes operationally relevant decisions of people in a contested operating environment. Ultimately, it is a patchwork of household, market, tribal, ethnic, civic, religious and other social contracts that determine the terms and rules of social order nec-



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essary “to support the transition to legitimate host-nation governance.”<sup>10</sup> Deeply understanding social contracts, therefore, will enable CA to achieve better operational effects.

## TARGET PROCESSES & VALUES, NOT SERVICES

Empirical research on social contracts reveals an important insight CA must embrace: Contrary to current doctrine and operational concepts, services are not the center of gravity for governance.

In 2006, the Sunni Islamist group Hamas unexpectedly won a majority of seats in Palestinian Parliamentary elections by earning votes among populations previously loyal to the rival Fatah Palestinian Authority. This outcome begged the question: How had Hamas, a group deemed a terrorist organization by the U.S. and that many Palestinians had rejected until then as a hardline militant group, earned a mandate to govern? Onlookers observed that during their political campaign, Hamas had administered social service programs ranging from kindergartens to food banks in small, multi-ethnic enclaves in the West Bank and Gaza. It seemed these services acted as a carrot in ex-

change for votes, but in fact Hamas won over far more of the electorate than had received any services, including support from populations outside the areas Hamas targeted for outreach. Research by the political scientist Szekely revealed that voters were impressed by Hamas’s style of transparent fiscal and logistical management of service administration — even at small scale — and by the group’s willingness to deliver services inclusively across sectoral lines.<sup>11</sup> Effectively, Hamas used services as a tool to demonstrate their bureaucratic skills and principles of sectoral inclusiveness. As Szekely put it, services were simply “political advertising” for the terms of the social contract Hamas was offering Palestinians. Processes of exchange and shared values earned Hamas the authority to govern, not services.

Yes, services matter to people, but service delivery only earns one the right to govern when those services are delivered by actors with whom recipients have legitimate mechanisms to interact and with whom they share a basis of common values. Research consistently shows that values and processes supersede services in terms of importance in almost all governance systems, regardless of form, yet military doctrine still reflects a service-focused view of governance.

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A Civil Affairs team member speaks with a local village elder in Garoua, Cameroon, an area where the Cameroonian Military is fighting against Boko Haram. The locals in the area are vulnerable to recruitment or opting into social contracts with the violent extremist organization. U.S. ARMY PHOTO BY STAFF SGT. CHRISTINA TURNIPSEED

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A team of Civil Affairs Soldiers greet a local in Ladyville, Belize. The team is informing Belizean locals about an upcoming health care event hosted by the U.S. Southern Command and the government of Belize. Research has consistently shown that services such as this are not the center of gravity for governance, that while services matter to people, values and processes supersede services in terms of importance in almost all government systems. U.S. ARMY PHOTO BY SPC. ZAKIA GRAY

Elaborating on the tasks to support stability, FM 3-57 lists “provide support to governance; provide essential services; support economic development and infrastructure; and establish civil control,”<sup>12</sup> as though provision of food, water, jobs and security by U.S. forces translates to social order. It does not. Only authorities who establish hard-won shared values and processes of exchange with those they seek to rule can deliver services in the name of governance. When delivered by international forces who do not seek to govern in the long term and who lack a mutually-agreed social contract with foreign populations, services are little more than bribes. To the regiment’s detriment, CA’s reputation remains too closely associated with service projects, which at best only marginally affect authority in the Human Domain, and at worst undermine prospects for establishing locally-legitimate governance in an operating environment.

Recognizing that values and processes are the foundation of governance is critical to enhance engagement and the targeting process. Hypothetically, CA forces might determine with further analysis that targeting Hamas’ bookkeeping systems could disrupt key processes of exchange, or that publicizing instances when Hamas failed to include non-Sunni beneficiaries in social service programs could



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demonstrate a break from the key value of sectoral inclusion. Both of these actions might subvert Hamas' authority with Palestinians. Concurrently, CA might identify challengers to Hamas' authority with whom to partner by zeroing in on those who have locally-legitimate bureaucratic processes and a commitment to sectoral inclusion.

### LEGITIMACY IS NOT ZERO SUM

Like Hamas, the Taliban continues to compete for and win legitimacy in the eyes of many because they offer attractive terms across all three categories of the social contract. The competition for legitimacy, however, is not a zero-sum equation.

Take for example the millions of Afghans who "opt in" to the Government of Afghanistan's social contract by seeking resources from the state, voting in elections or holding a national ID card, while at the same time consenting to the Taliban's rules. In Afghanistan, as in separatist-held territory in Eastern Ukraine, or militant strongholds throughout the Sahel, social contracts between state and non-state armed groups often have overlapping membership because people derive distinct benefits from various governance systems. Apart from consenting to one or

both adversaries' rules, individuals in any given operating environment will likely "opt in" to countless social contracts that determine how they are governed.

### LEVERAGING PATCHWORKS OF GOVERNANCE

Mapping the multitude of non-state authority systems in an operating environment that influence population behavior in operationally-relevant ways is a capability CA forces must develop because it will enable forces to effectively *leverage* governance in support of mission objectives. A historical retrospective is helpful here to see how that can be done.

Post-World War II Europe saw the emergence of various armed groups who resisted communist rule and undertook UW against Soviet-backed regimes. Such groups included the 'Cursed Soldier' insurgency in Poland, the 'Forest Brothers' in the Baltic States and the Ukrainian Insurgent Army. Outmatched in military capability and unable to establish a social contract attractive to a sufficient base of supporters, nearly all these groups were suppressed by Soviet-backed regimes by the 1960s.<sup>13</sup> Meanwhile, however, a multitude of governance systems in communist Europe were setting the

theatre for an end to the Cold War.

By 1980, Poland's "Independent Self-Governing Trade Union Solidarity," or simply Solidarity, had amassed an estimated nine million supporters, boasting a social contract with a quarter of Poland's population.<sup>14</sup> The group offered underpaid Polish laborers the *service* of collective bargaining against state-owned industries through the *process* of strikes guided by *values* of workers' rights and freedoms. In the years that followed, Solidarity's leader, Lech Walesa, pursued a successful strategy of subverting the communist government's authority through mass labor walk-outs and public ridicule of Warsaw's failure to uphold enforceable treaties on labor rights. Under economic and political distress, the government consented to a multi-party election by 1989, in which Solidarity supporters won control of parliament and ushered in the first non-Communist government in the Soviet bloc.<sup>15</sup> This UW victory was achieved not by guerrilla insurgents, nor by Solidarity alone, but thanks to a patchwork of non-state governance systems leveraging authority through distinct social contracts.

**The Catholic church** — arguably the largest governance system in the world — helped codify a narrative of anti-communist *values* among Pol-

ish congregants who never withdrew consent to the Church's rules even as a binary geo-political contest played out. Universities — among the more structured of non-state governance institutions worldwide — continued to provide platforms for students and scholars to engage in *processes of exchange* ranging from academic debates on competing politics systems, to literal exchanges with foreign institutions that created a global network of resistance supporters. These religious and academic governance systems — sometimes as collaborators, but often independently — shaped Polish human geography in ways Solidarity was able to leverage, and that directly advanced U.S. strategic objectives.

With Russian encroachment a resurgent threat facing U.S. allies in Europe today, CA forces deployed there have an opportunity to learn directly from this historical example and leverage non-state social contracts among such civil society actors in similar ways. At a minimum, CA could help ensure these non-state systems of authority remain strong, thereby creating local resilience that presents dilemmas for Russian aggression. From the illustrative historical example, CA in all theatres can learn that leveraging governance broadly can translate to significant operational gains.

## CA CAPABILITIES TRANSFORMED

Leveraging and affecting non-state governance to ultimately influence who emerges as the legitimate authority at a national scale demands a transformation of CA capabilities. At a minimum, CA must cultivate at least three specific new capabilities:

1) The ability to assess and depict non-state governance in its multitude of forms in order to identify social systems of authority that are operationally-relevant in any given operating environment.

2) The ability to conduct precision governance targeting with fidelity on the strength and nature of social contracts — category by category — among operationally-relevant adversaries, partners, spoilers and enablers.

3) The ability to execute new tactics, techniques and procedures to subvert the social contract of adversaries and spoilers, leverage social contracts of partners and bolster social contracts of legitimate authorities.

Identifying and mapping operationally-relevant non-state governance in a complex Human Domain requires CA to replace blunt instruments such as ASCOPE-PMSEII that simply inventory features in an OE, with precision tools. Fortunately, social contract-based analytic and planning tools grounded

in empirical research already exist in the social science and international development community. Adapting and integrating such tools will enable CA forces to reveal, for example, the precise services, processes of exchange, and shared values that earn ISIS the mandate to govern in each enclave where they operate, or that empower traditional rulers in Nigeria to mobilize grassroots networks of human intelligence collectors or armed vigilantes against VEOs. Identifying relevant governance actors and understanding the basis of their authority is the precursor for better engagement (read: targeting). Among other benefits, precision targeting can help reveal often-overlooked partners to engage in support of operational objectives.

The Far East Broadcasting Company, as one example, is a group of evangelical Koreans that transmits radio programs into North Korea with the goal of “using Christian radio to subvert the Kim regime’s strict ban on religion,” presenting an alternative social contract the FEBC believes will “ultimately pave the way for [unification] of the Korean Peninsula.”<sup>16</sup> With a membership network across North America and Asia, and established communication channels into denied terrain, FEBC or groups like them may have operational value as a partner. Us-



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An Afghan villager and young girl read the Koran at a mosque in a small village in southern Afghanistan. Religion, driven by religious doctrine, is a system of authority that governs both individual and group behavior throughout the world. U.S. ARMY PHOTO BY SGT. MATT YOUNG

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A Catholic priest performs service to participants of a church mass as part of the celebration of Polish Armed Forces Day. The Catholic church is arguably the largest governance system in the world. U.S. ARMY PHOTO BY SGT. CHRISTOPHER CASE



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ing tools to assess the strength, nature and scope of the social contract FEBC has with potential underground resistance networks in North Korea, CA, perhaps in tandem with Psychological Operations partners, could determine how best to engage FEBC or leverage their governance systems in support of military objectives.


Adopting and mastering new concepts, tools and TTPs means CA must also transform training and education on governance. Education on social contracts coupled with training on operationally-relevant tools aligned to regimental METLs is already being implemented at pilot scale to SOF, re-

serve and conventional CA units.<sup>17</sup> The CA proponent at the U.S. Army John F. Kennedy Special Warfare Center should validate what is being taught through field exercises, codify proven concepts and tools and integrate enhanced programs of instruction into the CA pipeline and advanced training. This can build seamlessly on CA's existing civil engagement and human geography mapping capabilities and ensure CA is better prepared when called upon to generate governance effects.

## CONCLUSION

*The Handbook for Military Support to Governance, Elections and Media* states that "The SOF CA BDE is the only member of the Army's special warfare team that specializes in countering irregular

threats through a unique capability to enhance partner or degrade adversary governance, which includes the formal or informal organizations, systems, mechanisms, or institutions that control, influence, or direct a population."<sup>18</sup> Not just SOF CA, but the entire regiment must transform to enhance partner and degrade adversary governance more effectively and reliably.

Doing so is essential across the phases of conflict because governance is ultimately what is contested in all forms of war. 

## ABOUT THE AUTHOR

**Morgan G. Keay** is Founder/CEO of the social enterprise Motive International, whose mission is to mitigate conflict and instability in fragile global societies, often through partnerships with the Civil Affairs community. Before launching Motive, Morgan was a Policy Officer with the U.S. State Department's Bureau of Conflict and Stabilization Operations, serving as Conflict Advisor to AFRICOM HQ, team lead for conflict prevention operations in Nigeria, and a civil-military policy officer. Previously a member of USAID's Foreign Service, Morgan directed an interagency joint task force in Afghanistan focused on governance aspects of the transition process. Before serving in government, Morgan founded an NGO, The Itgel Foundation, working with nomadic tribes in Mongolia, where she lived for ten years. She holds a master's degree in international policy from The George Washington University's Elliott School of International Affairs, and bachelor's degrees in environmental biology and religious studies from the University of Colorado at Boulder.

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A student in the Civil Affairs Qualification Course interacts with a role player during the Sluss-Tiller culmination exercise.

U.S. ARMY PHOTO

**NOTES** 01. This refers to FM 3-57, updated in May 2018, the CA white paper anticipated for release in 2018, and new METLs at echelon within the 95th CA BDE. 02. Pew Research Center, *Social & Demographic Trends*, accessed on June 26, 2018, <http://www.pewsocialtrends.org/2012/06/19/chapter-5-family-and-personal-values/>. Data indicate that 84% of Americans cite being a good parent and having a successful marriage as the most important things in their lives, with a negligible portion citing government as a high priority. 03. Stratfor, *Worldview*, "How many countries are there in the world in 2018?," accessed on June 26, 2018, <https://worldview.stratfor.com/article/how-many-countries-are-there-world-2018> 04. Relief Web, *Lake Chad Basin: Crisis Update No. 22* (January - February 2018). 05. FM 3-07, p. 1-4, June 2014. 06. FM 3-57, May 2018. 07. FM 3-07, June 2014. 08. *Joint Concept for Human Aspects of Military Operations (JC-HAMO)*. 09. U.S. Army Special Operations Command, *Unconventional Warfare Pocket Guide*, April 2016. 10. FM 3-07, June 2014, p. 1-1. 11. Ora Szekeley, "Doing Well by Doing Good: Understanding Hamas's Social Services as Political Advertising," *Studies in Conflict and Terrorism*, 38:275-292, 2015. 12. FM 3-57, May 2018. 13. Marta Kurkowska-Budzan, Finnish Literature Society, *Continued Violence and Troublesome Pasts: Post-war Europe between the Victors and the Second World War*, Ch. 2. 'Coming Out of the Woods': How Partisans of the Polish Anti-Communist Underground Adapted to Civilian Life, 2017. file:///Users/morgankeay/Downloads/638231.pdf. 14. Jeffrey Donovan, Radio Free Europe, "Poland: Solidarity -- The Trade Union That Changed The World," August 24, 2005. 15. Ibid.. 16. Rachel Cohrs, The Atlantic, North Korea's Secret Christians, April 28, 2018. Accessed on June 27, 2018 <https://www.theatlantic.com/international/archive/2018/04/north-korea-christian-radio/558755/>. 17. Motive International has trained 100+ SOF CA personnel on the Social Contract Assessment Tool (SCAT) and other operationally. 18. Joint Staff, Army War College, and Peacekeeping and Stability Operations Institute, *Handbook for Military Support to Governance, Elections, and Media*, February 19, 2016. [http://www.jcs.mil/Portals/36/Documents/Doctrine/pams\\_hands\\_uah\\_2governance.pdf](http://www.jcs.mil/Portals/36/Documents/Doctrine/pams_hands_uah_2governance.pdf)