

Armed Forces *at*

HOME



Militaries are typically employed in six different domestic scenarios



Major changes since the Cold War ended have altered in important ways how we look at armed forces. Professional armies, now the majority throughout NATO, are expensive, and the threat environment for many countries has

improved significantly over those two decades. As a consequence, taxpayers may look askance at defense spending, wondering why it is still necessary to pay so much for a capability that no longer seems necessary. In times of austerity, defense expenditures may make tempting targets for politicians anxious to cut budgets.

What can armies, navies and air forces do, what should they do and what must they do in a domestic context? With the tremendous pressures on governments to save money, these questions are likely to become even more trenchant in the near future.

Armies are convenient targets — and relatively easy to cut. In most European countries, defense expenditures are discretionary, unlike entitlement programs. Their constituencies, though often powerful, particularly in the defense industry, are small, and military forces, particularly contemporary professionalized forces, lack popular support. Absent a sense of external threat, militaries are often unappreciated. These professional armies, as is the case in most European countries, are generally small and have little lobbying power and few friends in high places. They are vulnerable. But they are also available for nearly any task that arises.

Thus, “let the army do it” is a phrase often heard in many countries when a task such as earthquake recovery exceeds the abilities of local and regional, and often even national, authorities.

Military forces are often thought of as sitting idle in their bases, looking for something to do. Because engaging the military in a civil security task is often viewed as cost- and risk-free, political leaders can be tempted to “let the army do it.” That said, for many tasks it is appropriate to let the army do it — but not for all tasks at all times.

There is a growing trend in every state for military forces to perform more and varied functions distinct from their traditional tasks. Indeed, some countries such as China have armies that are vertically and horizontally integrated into the economy, often running major businesses. But armies are also asked to perform more mundane tasks, such as trash collection and firefighting, often to the detriment of their primary mission of military readiness.

While there are benefits to military forces engaging in civil support tasks, there are also opportunity costs. Soldiers engaged in these tasks often cannot be readily redeployed. They cannot be in two places at one time and would require significant time to extricate themselves from a civil support task to carry out other missions. Moreover, contemporary professional soldiers are expensive, particularly when compared to conscript soldiers.

Soldiers can expect increasing calls from civilian authorities. The specific roles, tasks, missions and functions expected of military organizations can constitute a catalog of requirements that demand a taxonomy that clearly categorizes expected tasks. There are six identifiable categories of defense support to civil authorities (DSCA).

CATEGORY I:

Defense support for emergencies and disaster relief (DSDR)

When major emergencies strike, the first responders almost always include soldiers. Military forces bring a level of capability to complex emergencies that is frequently in demand from the beginning. Military forces can do things more rapidly, and often more comprehensively, than the usually much smaller civilian emergency response teams. Armed forces often have unique capabilities for dealing with specific kinds of emergencies, such as toxic chemical spills, that are frequently lacking in other response forces. It is therefore not surprising that responding to domestic emergencies and disasters is one of the principal missions of many European armed forces. European military forces have been exceptionally active in responding to requests for assistance from civilian leadership.

Military forces have a number of characteristics that lend themselves to early, rapid and effective response to emergencies and disasters. Perhaps the most salient capability is the most

Brazilian Navy troops enter the Complexo da Mare favela complex in Rio de Janeiro in March 2014. The Brazilian government has deployed military forces to occupy violence-plagued neighborhoods.

AFF/GETTY IMAGES



Following heavy flooding, the Italian Carabinieri and civilian firefighters jointly conduct search and rescue operations near Genoa in November 2014. EPA



elementary: the ability to support oneself. While elementary, this capability is often critically important, particularly in the early stage of a catastrophe. The military's ability to self-deploy and sustain itself can be decisive. Military forces have their own logistical arrangements, particularly with respect to transportation, lodging and subsistence support, as well as their own medical capability. Of great importance is the military's ability to provide for its own security as well as furnish it to other organizations. The fact that many military units are in a state of readiness also contributes to rapid response.



British soldiers provide security at the entrance to the Olympic Park in London in July 2012. The British government called on the military when a private security contractor failed to supply sufficient personnel. EPA

Typical tasks involve providing essential services to an affected population. In a catastrophe, access to life essentials such as water, food, shelter and medical care may be hindered. The

military is often the only organization capable of rapidly delivering relief supplies on a necessary scale. Further, military units may be employed to provide manpower-intensive support such as earthquake search and rescue and flood control and engineering support including generating and transporting energy, running public utilities and water purification, as well as repairing damaged transportation infrastructure such as roads and bridges.

Emergency military response can also involve highly specialized capabilities. These may include translation services for providing public information during disasters, mortuary services, air traffic control and port services. Military forces are also capable of providing command and control capacity, often critical for staging and deploying follow-on support. These facilities are frequently rendered ineffective in the early stages of a disaster, and communities often lack sufficient command and control facilities.

CATEGORY II:

Defense support to law enforcement (DSLE)

Soldiers are not policemen, but European military forces have traditionally provided aid to law enforcement agencies — an activity that appears to be growing in importance as law enforcement personnel labor under an increasing range of threats and decreasing funding. Armed forces provide such support in two ways: by providing technology, training or logistical support to enforce the law and by serving in lieu of police officers, allowing them to perform other tasks.

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In the first instance, armed forces, with their high technology equipment and the training to use it, offer law enforcement agencies access to capabilities often beyond their reach. Given the increasing sophistication of the technology employed by organized criminal groups and terrorist organizations, this advanced technology can be critical. For example, law enforcement agencies charged with border security often use ground surveillance radar provided by the military. Similarly, aviation support, particularly helicopters, is at the disposal of law enforcement agencies with limited air mobility capabilities.

Military forces can provide highly specialized training to law enforcement, such as how to handle chemical and biological agents and operate in a contaminated environment. Firearms training, often using sophisticated military weapons, is another area in which the military can provide DSLE.

Soldiers may also provide security for police officers. In the same manner that police are often asked to provide security for first responders operating in difficult or insecure environments, soldiers may be called upon to provide security for law enforcement organizations operating in areas such as city slums or in difficult terrain used by criminals to hide their activities.

More controversial is when the military provides intelligence support to law enforcement. Military forces have a wide range of intelligence collection assets that they can share with law enforcement. Examples include intelligence acquisition systems for detecting movements of illegal immigrants or drug smugglers. Few question these activities when they occur in international waters. But employing military intelligence to collect information domestically can raise constitutional concerns.

In all of these DSLE activities, the military must be, and must be seen to be, in support of civil law enforcement authorities. When the military provides support for police officers, there is always a danger of law enforcement becoming overly militarized. The military must be careful to avoid taking over these operations, unless that is the intent. Soldiers must be seen, if at all, to be in the background, usually unarmed, and sometimes in civilian clothing.

In the second type of DSLE operation, soldiers perform law enforcement functions in lieu of police officers. For example, military forces might replace police officers in carrying out low-level perimeter security or traffic control functions at a major sporting event. Similarly, armed forces might conduct patrols as part of security efforts to protect critical infrastructure or key assets.

DSLE tasks pose a number of challenges for both the military and the civilian leadership that directs them. Asking the armed forces to perform these functions runs the risk of militarizing law enforcement. The trend toward beefing up police forces can be exacerbated when soldiers carry out police tasks.

Legal issues can arise. Some European countries, notably Germany, prohibit employing soldiers on DSLE tasks. Others, such as France and Italy, have an active history of doing so. But the legal hurdles are significant. Authorizing military personnel to use force, particularly deadly force, in support of law enforcement activities is hazardous. Soldiers are trained to use force in the first, not last, instance — the opposite of police training. Arrest authority is another area fraught with problems. In some DSLE operations, it may be necessary to authorize soldiers to arrest and detain suspects, but doing so may expose soldiers to legal liability unless their authority is clearly established in law.

Afghan National Army soldiers unload relief aid destined for flood victims in northern Badghis province in April 2014. Military helicopters also carried trapped villagers to safety.

AFP/GETTY IMAGES

Likewise, issues of financial reimbursement can be problematic. Normally, military forces can expect to be reimbursed for DSLE, usually by the controlling authority for law enforcement (in most instances, the Ministry of Interior). However, this



is not true in all instances in Europe. Some states, notably France, expect their armed forces to fund some of these functions from their own resources, arguing that there is training value from participating in DSLE tasks.

Finally, it should be noted that the presence of militarized police forces, such as the French Gendarmerie, Italian Carabinieri and Spanish Guardia Civil, mitigates the need for some DSLE activities in some European states. These hybrid forces often provide many of the requirements of DSLE, and their versatility lends itself to a wide range of DSCA tasks.

CATEGORY III:

Defense support for national special security events (DSSE)

Excluding security, armed forces provide a broad range of capabilities to civil authorities before, during and after national special security events (NSSE).

An NSSE is an event of sufficient size and importance to warrant a significant degree of government support to ensure its successful execution. Many of these events, such as sporting events, are privately sponsored, but the government is obliged to provide the necessary support. Typical NSSE events include Olympic and world championship games; summit meetings of heads of state, including G-7 and G-20 meetings; senior political and business leader meetings; and political conventions.

Military forces provide an extensive array of assistance. In addition to security, military organizations offer comprehensive logistics support, including transportation, subsistence and lodging, as well as specialized skills such as interpretation and command and control facilities. In Austria, Italy and Switzerland, the military has even secured ski paths for skiing championships using mountain troops skilled in the task.

The military's ability to provide medical support for participants and spectators for many kinds of NSSE is important. Military forces have a unique surge capability that enables them to provide support and treatment in the event of mass casualties. This can be particularly important if a major NSSE is targeted by terrorists using a weapon of mass destruction. Usually, only the military would be capable of evacuating, decontaminating and treating casualties from such an incident.

In addition to legal issues, the receiving organization is usually required to reimburse the government for the full cost of the DSSE support. In other instances, such as skiing championships, the military may rely on volunteers from the military.

Military support for high visibility special events is a growing trend. DSSE can be vital to its success. These operations have also found favor with military leaders, who have come to value the exposure and visibility that these events provide for their forces. In an era of declining budgets, it's safe to predict that this trend will continue.

CATEGORY IV:

Defense support for essential services (DSES)

Soldiers have often been called upon to provide essential services to the public when those services cannot be provided by others or because those services have traditionally been provided by the military. Civil authorities in many countries have not hesitated to call upon their militaries to provide help.

Essential services are those that are critical to the functioning of the state and must be performed or the state and its citizens will suffer, sometimes grievously. Emergency responses such as law enforcement, fire and ambulance services are examples of essential services. As no clear definition exists, states have come to freely characterize services as essential, often because of the potential political consequences of their failure to provide them. In some instances, these services have normally been provided by other elements of the state and, in others, by private businesses.

The requirement to provide such services may come about for a variety of reasons, including a major disaster, industrial action or strike, rendering the normal provider incapable. Other essential services, such as explosive ordnance disposal, may be something for which the military has traditionally been responsible. Lastly, specialized, one-time services may be necessary if no existing state institution possesses the resources.

The list of essential services that military forces have provided is extensive. DSES operations may require support ranging from trash collection to acting in lieu of the government in extreme circumstances. In the latter instance, the military, because of its inherent command and control capability, must be prepared to exercise continuity of government and continuity of operations services in the event of a breakdown in a government's ability to function because of a natural catastrophe or attack.

Other DSES tasks may include search and rescue operations. In many European countries, such as Finland, the armed forces possess national search and rescue capabilities. Military forces often have equipment such as helicopters and the necessary training to accomplish this task. Other types of DSES tasks include establishing and maintaining asylum camps in the event of mass immigration due to conflict or disasters in neighboring countries.

By far, the most common reason for DSES employment of armed forces is in response to industrial action. On numerous occasions in the past two decades, militaries have provided essential services such as firefighting in place of striking firefighters. That happened in the United Kingdom and Greece in 2010.

As with other DSCA tasks, a legal basis must be clearly established in advance of execution. For those tasks that appear commercial in nature, the military should be considered only when sufficient commercial solutions such as contracting are not available. Financial

considerations are also important. As a general rule, ministries of defense ought to be properly compensated for carrying out DSES tasks of a commercial nature.

Nevertheless, the demand for DSES operations is likely to continue to increase in Europe. The perception is that the military is sitting in barracks and thus available, at no cost, to conduct these operations. Military leaders understand the benefits — particularly with respect to creating a positive public perception of the military.

CATEGORY V:

Defense support for counterinsurgency (DSCI)

In most DSCA operations, military forces are almost always deployed in support of and subordinate to the civilian government or its representatives. Sometimes, however, the military can, and often must, assume a leading role.

These are instances, brought on by uniquely destructive natural disasters, industrial accidents or the like in which the civil authority cannot exercise its authority, in part or in whole. Or there may be a military, terrorist or criminal movement, or a combination thereof, that poses a direct threat to civil rule or denies the central government control over parts of national territory. In these instances, a special case can be made for the military assuming leadership.

The guiding principle is that the military assumes the lead only as long as it takes to reestablish civilian control. Military leaders must strive to create conditions that allow for the resumption of civilian authority at the earliest opportunity, even if that control may be tenuous and dependent on continued military support.

DSCI, the first of these special cases, becomes necessary when an insurgency, criminal empire or terrorist movement grows so large or powerful that it is able to exercise sovereignty over portions of national territory or is audacious enough to threaten the national government.

Counterinsurgency operations, by their very nature, are overwhelmingly military and thus directed by military authorities under the guidance of civilians. Although law enforcement plays a major role, the military assumes the primary role because the requirements of counterinsurgency often exceed those of domestic counterterrorism forces — predominantly law enforcement. Insurgencies often threaten the very existence of the state or, in lesser cases, the legitimacy of state control in sections of the country.

Armies must be prepared to carry out counterinsurgency operations. The current drug-money-fueled insurgency in Mexico is evidence that this can happen even in well-developed countries.

CATEGORY VI:

Defense support for civil disturbances (DSCD)

As a consequence of war, insurrection or natural calamity, states may find it necessary to impose law, order and stability through means other than normal law enforcement. In times of great unrest and disorder, law enforcement bodies may be overwhelmed, forcing civilian leaders to call on the military to restore and maintain order.

Defense support in times of great crisis may require the imposition of martial law. Martial law refers to the armed forces carrying out basic law enforcement functions, as well as a host of other essential services. Most European countries have not experienced martial law in the postwar period, not even those that have had military governments, which governed according to the rule of then-existing law. Martial law goes well beyond this, with soldiers carrying out police tasks.

It might become necessary to impose martial law if there is a general breakdown of law, order and stability, rendering existing law enforcement organizations incapable of carrying out their duties, such as in the aftermath of a major natural or industrial catastrophe, or in response to a major terrorist attack with a weapon of mass destruction. While this concept is not embedded in many constitutions, the basic structure is usually present, particularly in countries with militarized police forces.

In the event of a complete breakdown, military forces may well be required to perform a broad range of essential functions, such as providing food, water, lodging or clothing. Military forces are often the only organizations able to respond because of their inherent logistics capability and ability to self-deploy.

Under DSCD, military forces carry out their leadership functions only until such time as an acceptable level of law, order and stability can be re-established. But it may also prove necessary for armed forces to continue to carry out DSSE functions until affected services can be restored.

As always, issues of legality and funding must be carefully considered. Rules of engagement, particularly as they pertain to the use of deadly force, must be thought through, because there is likely to be widespread criminal and antisocial behavior. For example, looting, particularly of food and consumer electronics, is likely to be a major problem. The use of force to prevent these activities may, in the context of the crisis, be inadvisable.

CONCLUSION

DSCI operations are among the most challenging DSCA tasks that military forces are likely to face. They are also among the rarest. Nevertheless, being prepared to respond to these challenges remains a fundamental requirement for armed forces now and in the future.

Research has shown that soldiers are far more likely to be employed in response to a domestic contingency than they are to be employed overseas. Given the current fiscal challenges in so many countries, the armed forces can anticipate being called upon with increasing frequency to perform an ever-growing list of tasks, missions and functions.

But a note of caution is appropriate: Leaders at all levels should not lose sight of why we have armies in the first place — to defend the state and its people. Although armies are uniquely flexible instruments, care must be taken in how they are employed, lest they be rendered incapable of fulfilling their most basic function. □