



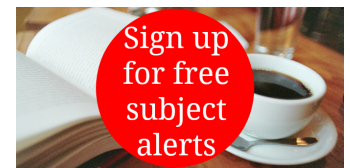
Book Review: Rule of Law in War: International Law and United States Counterinsurgency in Iraq and Afghanistan by Travers McLeod



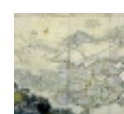
Travers McLeod offers a detailed account of the evolution of US counterinsurgency (COIN) doctrine since 2005 in **Rule of Law in War: International Law and United States Counterinsurgency in Iraq and Afghanistan**. While unconvinced that the shift has fully translated into change on the ground, Marika Sosnowski welcomes McLeod’s work as a valuable documentation of the significant transformation in the US approach to counterinsurgency.

Rule of Law in War: International Law and United States Counterinsurgency in Iraq and Afghanistan. Travers McLeod. Oxford University Press. 2015.

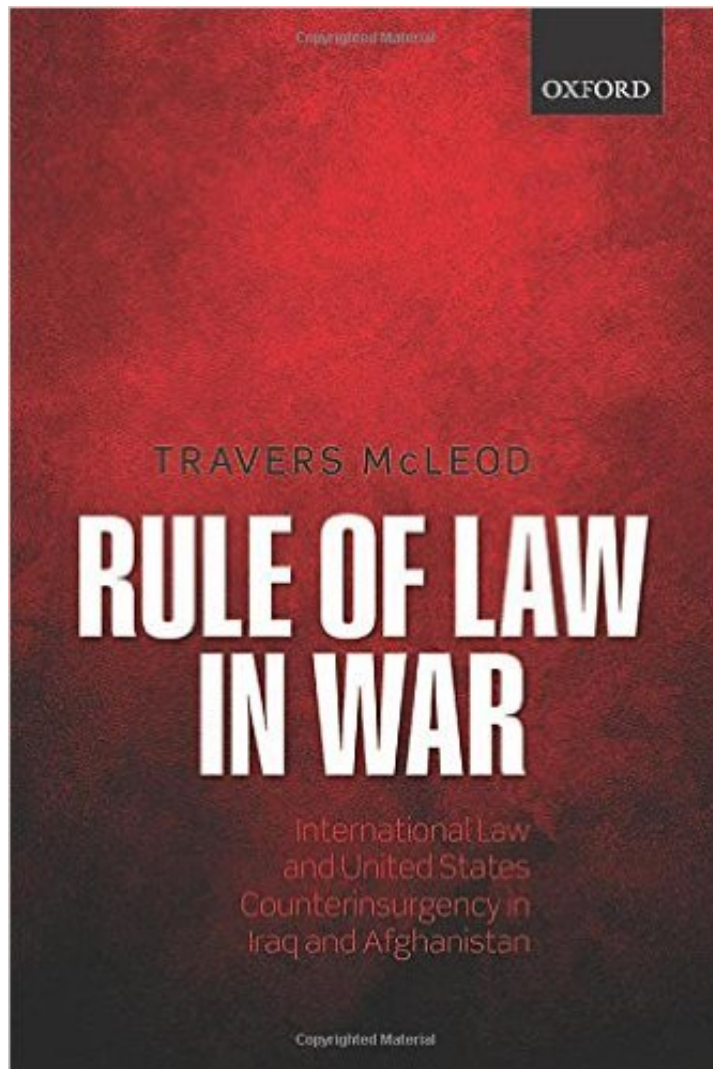
On the 14th anniversary of the September 11 attacks on the United States by al-Qaeda, Travers McLeod’s book, *Rule of Law in War: International Law and United States Counterinsurgency in Iraq and Afghanistan*, makes for timely reading. The book details the momentous shift that occurred in the way that the US approached counterinsurgency through the drafting and publication of Field Manual 3-24 (FM 3-24). It also attempts to evaluate the extent to which international law influenced the



Recent



Book Review: A Historical Atlas of



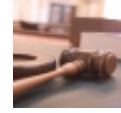
counterinsurgency doctrine, which began around 2005 in response to the abject failures that the interventions in Iraq and Afghanistan had become.

Rule of Law in War is a narrow but fascinating account for anyone interested in the minutiae of counterinsurgency (COIN) doctrine and strategy and, in particular, how they relate to combat operations in Iraq and Afghanistan. While this is not the primary intention of the book, it is also an absorbing character portrait of US General David Petraeus and the central role he played in crafting US COIN doctrine, both in the corridors of power and in the field.

Through extensive research and interviews regarding the drafting, development and reception of FM 3-24, McLeod documents an unprecedented shift in current understandings of COIN. Shifting from a model that relied overwhelmingly on military force to encompass 'full spectrum operations' that were 'community-centric' with a focus on protecting civilians and

Tibet by
Karl E.
Ryavec

October 30th, 2015



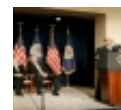
Book
Review:
Immigrati
Judges
and U.S.
Asylum
Policy by
Banks
Miller,
Linda
Camp
Keith and
Jennifer
S.
Holmes

October 30th, 2015



Book
Review:
Immigrati
Detention
The
Migration
of a
Policy
and its
Human
Impact
edited by
Amy
Nethery
and
Stephanie
J.
Silvermar

October 29th, 2015



Book
Review:
The
Courage
to Act: A
Memoir
of a
Crisis
and its
Aftermath
by Ben

‘winning hearts and minds’, the move was, to say the least, astounding and, unsurprisingly, controversial.

McLeod argues that realising the link ‘between security and legitimacy, and the consequent nexus between security, legitimacy and legality’ in the eyes of the populace is integral to the success of COIN operations (136) and, as such, it is important to understand the influence that international law has had on the development of COIN and military operations. Petraeus’s enviable work ethic and collaborative work practices also seem to have greatly improved acceptance of the new doctrine where it mattered.



Image Credit: David Petraeus talks with U.S. soldiers at Combat Outpost Monti in eastern Afghanistan on 5 August 2015 (Wikipedia Public Domain)

Despite the shift in COIN operations remaining extremely controversial, McLeod outlines how there is now general recognition, even acceptance, within political and military circles that adherence to the rule of law is beneficial to COIN operations. However, translating theory into reality is another matter entirely, and while the book proposes to assess ‘how influential international law has been in practice’, this objective is problematic both in theory and in execution.

Through interviews with key researchers and military personnel as well as access to the complete drafting history of FM 3-24, in Chapters Two and Three McLeod persuasively outlines the substantial effect that international law has had on the development of COIN strategy in the upper echelons of political and military power.

S.
Bermanke

October 28th, 2015



Book
Review:
Bosnia
and the
Destructive
of
Cultural
Heritage
by Helen
Walasek
et al

October 27th, 2015




However, the real crux of the matter comes in Chapter Five in which McLeod attempts to explain the influence and reach of international law in the field, and whether the buy-in at the upper levels has translated into change on the ground. Although the explanation is of a high standard, the conclusion that international law has had a significant impact on lower-level officers seems disingenuous. This is because, as one of McLeod's own interviewees puts it, 'approximately 70 per cent of Marines leave the military by the age of 22', and it is extremely difficult to fast-track 'a generation of young people who grew up watching Beavis and Butthead' to a level where 'they can carry automatic weapons among innocent people' (138). It just doesn't make sense that in a few short years junior soldiers like these would be able to prioritise the far-reaching negative PR effects of the anger and frustration they could readily release on civilians over their belief that 'they were there to kill and destroy the enemy' (182). While they may understand the theory, arguably when 'the shit hits the fan' during armed combat, they struggle to implement the new doctrine in practice.

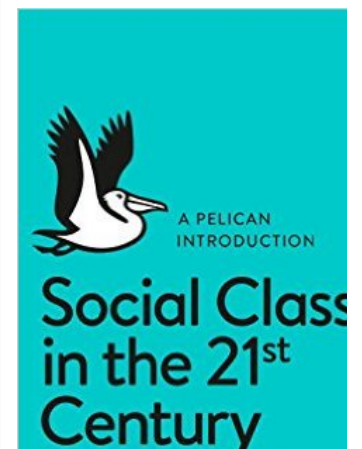
However, this is no way their failure or that of the author. What McLeod alludes to in the final chapter is an appreciation that a change of this magnitude will potentially take generations to embed. Additionally, if community-centric, full spectrum operations are the future of COIN, then arguably the US is ill-placed to prosecute them given its history of dubious conduct not just in the Middle East, but also elsewhere. Put simply, hearts and minds might not be able to be won, no matter how much the US adheres to the rule of law.

The ease of the victory of Operation Desert Storm at the end of the Cold War was seen as confirmation of US military superiority. Because of this, 'for three decades the professional military education system all but ignored counterinsurgency operations' (34). However, through remarkable diligence and determination, in *Rule of Law in War* McLeod has documented the watershed that the development and publication of FM 3-24 marks for the US military and the role international law has played in its making. As he surmises in the final chapter, we are now in the

[Log In](#) To use Facebook's social features you must switch from Facebook as LSE Review of Books Facebook as Rosie Dealer.

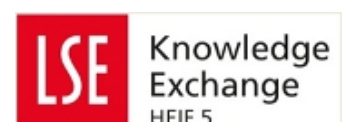
Tweets

 **LSE Review of Books**
@LSEReviewBooks
Tomorrow at LSE! A fresh take on Social Class in the 21st Century
[#LSEclass](#) [ow.ly/U2t5I](#)
[pic.twitter.com/FIYNhmsP1J](#)



Tweet to @LSEReviewBooks

Funded by HEIF 5



Archives

Archives

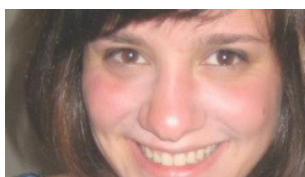
Select Month

midst of a 'Long War' and what it means to be in the army has changed, possibly beyond recognition. Nevertheless, it will take many more years of doctrinal rethinking, and absorption of those practices, for COIN and the impact of the rule of law to really make their mark in counterinsurgency operations.

Marika Sosnowski is a Middle East researcher and regular commentator on Melbourne radio station Triple R.

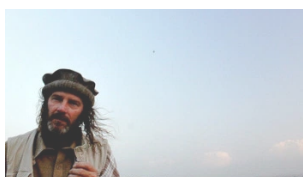


Related



Book Review:
Foreign Fighters:
Transnational
Identity in Civil
Conflicts by David
Malet

In "Africa and the
Middle East"



Book Review:
Drone Warfare by
John Kaag and
Sarah Kreps

In "Africa and the
Middle East"



Book Review:
Afghanistan from
the Cold War
through the War
on Terror by
Barnett R. Rubin

In "Africa and the
Middle East"

October 21st, 2015 | [Africa and the Middle East, International](#)

[Relations book reviews](#), [Law and Human Rights book reviews](#),

[Marika Sosnowski](#), [Oxford University Press](#), [Politics book reviews](#),

[USA and Canada](#) | [0 Comments](#)

[< Previous post](#)

[Next post >](#)

Leave A Comment

Logged in as [Rose Deller](#). [Log out »](#)

Comment...

POST COMMENT

- Notify me of follow-up comments by email.
- Notify me of new posts by email.



Visit our sister
blog: the LSE
British Politics
and Policy Blog



Visit our sister
blog: the LSE USA
Politics and Policy
blog



Visit our sister
blog: the LSE
Impact of Social
Sciences Blog

Copyright 2013 LSE Review of Books



This work by [LSE Review of Books](#) is licensed under a [Creative Commons Attribution-NonCommercial-NoDerivs 2.0 UK: England & Wales](#).