

Milestones on a Murky Road: Getting to Grips with the Grey Zone

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Abstract

In terms of war, Grey Zone war is war waged in an indeterminate manner which is different from the commonly understood concept of war. Increasingly, in modern day war rules of a globalised world are bent to enable the war to be fought in a winnable manner. This is often done by a weaker side. However, over time it is also something being done by the stronger side to make war more economical, or to 'fight fire with fire'. Understanding war in the Grey Zone is the first step to being able to face adversaries for whom this is increasingly the only way of war.

Introduction

The 'Grey Zone' was a term coined by the Italian Holocaust

survivor Primo Levi in his essay collection – *The Drowned and the Saved*.¹ It refers to an area of uncertainty, or indeterminacy, where there are no clear rules of conduct. The term 'black and white' refers to an issue having no ambiguities. Either a thing is good or bad; right or wrong. In other words, the polarity of the ends of a range are clearly defined and known. In polar opposites where the ends are black and white, then in between there will be 'shades of grey'. Traditionally white colour, especially in Christian tradition, signifies good, Jesus wears white clothes, angels have white wings, and white in context of daylight holds no terror or mystery because in light everything is visible. Black, on the other hand, signifies the unknown, terror and evil because primeval man at night could not view threats which could harm him. In terms of war, the Grey Zone lies between the two poles — war conducted

as per rules and war conducted without rules — between just war and unjust war.

The Milestones of the Changing Shape of Conflict

The requirement of having some rules and laws under which war should be conducted emerged consequent to the Geneva Convention of 1864 which was basically about the “Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field”. It was only in the 1899 Hague Conference that codification of the laws of war on land as the “Hague Conventions 1899” was undertaken.² The wars post that convention used the rules that emerged to interpret the ‘*Jus in Bello*’ concept or the ‘Just way to wage war’. In a short period of less than a century since the laws emerged, countries and organisations had learnt to circumvent the rules.³ The ways in which they circumvent the rules are such that nations or international multilateral organisations are not able to take legal action against those who break the rules.

Between 1648 (when the Treaties of Westphalia were signed) and 1949, written international laws gradually brought in rules to wage war. These included restrictions upon persons who were not uniformed members of armies from taking part in wars. If the people took up arms it was an insurrection. Those who did not wear uniforms or did not have a fixed distinctive emblem recognisable at a distance⁴ and participated in war were treated as criminals (or terrorists) who could be killed without compunction. Conversely, those in uniform could expect quarter as per the laws of war.⁵ Only the state had the right to use organised violence. However, we have also seen many examples of wars where uniforms are not worn — at least by one side. Where there is no formal hierarchical organisation, where at least one side operates within the population and does not adhere to the laws of war. These are wars in the Grey Zone.

As given above, in formal armies the soldier wears distinguishing marks on his uniform which identify him as a member of a particular state’s army. However, in the Grey Zone this can be hidden. An example is the Little Green Men⁶ in Ukraine who were clearly part of an army but denied being part of any state. By circumventing this distinction, they waged a sort of proxy war enabling a secessionist non-state to have an ally.

Another example is the Taliban, who while not being a state are a de facto state. So far, they have generally fought with undistinguishable clothing. The Taliban were a Grey organisation. The agreement signed between the Taliban and the United States at Doha on 29 Feb 2020 was a curious phenomenon. The most powerful country in the world signed a peace agreement with a non-state and in 16 places in the document referred to the entity with which they were concluding a peace agreement as “the Islamic Emirate of Afghanistan which is not recognised by the United States as a state and is known as the Taliban”!⁷ But a curious phenomenon which is now occurring is that to gain the legitimacy of a state, the Taliban army is morphing into a regular army with its elite troops wearing uniform/distinctive emblems.⁸

The Islamic State of Iraq and Syria (ISIS) is another manifestation of conflict in the Grey Zone. It is a terrorist militant organisation which unlike previous similar groups was a proto state. Its profound ambiguity is reflected in the confusion about its name in the media at a particular point of time when it was at its zenith⁹ as well as the incomprehensible logic of whom is it fighting against. Is it other states, perceived apostates, colonial injustice, or perceived degenerate ways of life? Others indulging in violence in the Grey Zone are militarised drug cartels and organised crime syndicates. Lastly, a product of Grey Zone conflict is police forces worldwide which dress like and are armed like the army and armies which have to be empowered with police powers through special legislation to operate in the Grey Zone. It is obvious that Grey Zone challenges arise because of diverse reasons and do not throw out a single solution. How one state tackles it is not fully applicable to another because the factors which lead to conflict overlapping in the Grey Zone may be widely varying.

Operating in the Grey Zone

Grey Zone conflicts are not formal wars. If the spectrum of conflict ranges from peaceful interstate competition on the far left to nuclear war on the far right, Grey Zone conflicts fall left of centre.¹⁰ They involve some aggression or use of force. Their primary hallmark is ambiguity — about the ultimate objectives, the participants, whether international treaties and norms have been

violated, and what tasks does the military take on to combat them.¹¹

Responses to wars in the Grey Zone are increasingly being recognised as resting on political and police coordination and a coordinated interagency response. The military may not be the ideal instrument to head a Grey Zone war because such conflicts are designed, almost by definition, to circumvent traditional military power. Hence, they may take place within the population of a state and not necessarily on inter-state borders. Yet, military capabilities will remain an essential part of responses because success for the proponent of Grey Zone war is based upon being superior to the police forces. Police forces, therefore, need backing by military power. The other alternative is for them to get militarised. This is what is happening the world over. In a Grey Zone, boots on the ground are an essential component. Therefore, a larger force which combines the functions of the army and the police is best suited for this form of war. The French Gendarmerie and Italian Carabinieri exemplify this concept as they are military forces with police powers. So does the National Security Guard (NSG) of India, a premier federal counter terrorism force. It is a paramilitary force with 52 per cent military component on secondment for fixed tenures to the Ministry of Home Affairs. Control is with the police and cutting-edge counter-terrorism capabilities with the military.

When a conflict is intra state, to differentiate the adversary from among the population requires excellent intelligence. It would not be incorrect to state that the success of the police in the Punjab insurgency (1983-1993) was more the result of the intelligence they provided to the Police Commandos and the army than from their own militarisation. Indeed, state police forces are to that extent more important than the central or provincial armed police forces. They are the foundation on which the intelligence and security structure in intra state Grey Zone conflict must rest.

Future War: The Changing Shape of Conflict and Security

Nowadays, more states in the world are fighting non-state enemies than ever before. These enemies can be religious zealots (ISIS, Al Qaeda, Al Shabaab, Boko Haram etc.), separatists (various Pakistan sponsored groups in Kashmir, Chechens, Kurdish groups, Ukrainian groups etc.), those who want a change in the form of government (Taliban, Naxalites, Revolutionary Armed Forces of Colombia (FARC) etc.) or just criminal gangs (Mexican and South American drug cartels). While this is alien to mainstream conventional war, irregular warfare has been the proven way to fight a superior enemy. *Chhatrapati Shivaji* used it against the Mughals, the American revolutionaries against the British, the Vietcong against the Americans, and the Palestinians/Hezbollah against Israel. It has also been a proven fact that where the opponent has found ways to negate the advantages of superiority through recourse to Grey Zone war, conventional forces have found it expedient to organise and train the military to fight like their non-state enemy foes through special forces or pseudo gangs such as was done in Kenya, Malaya, and erstwhile Rhodesia.¹² In India, such instances have been the use of the Ikhwan in J&K¹³ and Salwa Judum in the fight against Left-Wing Extremism¹⁴. Though much maligned when some rouge elements among them ran amok creating strategic embarrassment, yet their tactical utility is indisputable. The adage 'fight fire with fire' has never been truer.

A common sight in traditional war is the stream of displaced persons moving backwards or out of a war zone where two armies are grappling. The civilians of the enemy country are expected not be targeted but pushed out of harm's way as much as possible. This has changed in the Grey Zone. Car bombs, ethnic cleansings, knife or truck attacks as in France, attacks such as on 26/11 in Mumbai or the frequent targeting of minorities in their mosques in Pakistan and Afghanistan is Grey Zone war deliberately and specifically targeting civilians.

Another changing concept of the Grey Zone is of private armies being used by governments where legally they cannot send their regular forces. Blackwater of USA and the Wagner Group of Russia are classic mercenaries with a corporate

legitimacy. As one podcast on this issue states, “Is this the future of war or is this a slippery slope that takes all the accountability out of the battlefield”?¹⁵

In the same manner that Grey Zone conflict is militarising the police, it raises fears of *constabularising*¹⁶ the military. This fear is most profound within the army itself. Steeped in the Clausewitzian tradition of war, the army does not like to be involved in internal Grey Zone operations. It feels that it dulls its honed efficiency to fight the ‘real’ war on the borders. Civilian security analysts support this view for a different reason. They feel that the army with its culture of using unrestrained force may cause a situation to deteriorate. Both views are partially correct but out dated. The sort of Grey Zone threats that manifest in the present times, i.e. internal armed conflict and externally fuelled subversive conflict, pose a dangerous threat to the state. They need to be combated with all the means at the disposal of the state.

Conclusion

It is a cultural shock for an army to come to grips with a situation where the security apparatus of the state other than the army assumes equal primacy in the nation’s defence. While fighting in the Grey Zone, intra state, the army is made subservient to the political and administrative leadership and frequently made to operate under the chain of command of the police. This is at variance with the traditional concept of war where though under political control — the military of a country retains primacy.

As the world sees more of Grey Zone conflicts, it is inevitable that the size of the conventional armies will decrease; conversely the size of the police forces and private security providers will increase. In this war, the nature of weapons will become more precise, more destructive and more different. Cyber war and psychological war are now very much a part of the Grey Zone war armoury. Intelligence and the technical means to acquire it have become overarching. Perception management will be very important since it aids Sun Tzu’s dictum of winning without fighting. To win, targeting the minds of the population will be more important than physically harming them. More so, because this war is waged without violating borders and without a defined ‘front

line'. The enemy using unconventional means will strike to cause political, economic and militarily harm, rather than military harm alone.

This article does not make concrete suggestions for the way forward. It attempts to focus attention on this issue to generate considered thoughts for bringing out structural, legal and doctrinal changes which will ensure robust security for a country in the era of the Grey Zone warfare.

Endnotes

¹ Primo Levi, *The Drowned and the Saved*, (translated from the Italian by Raymond Rosenthal) London: Abacus, 1989.

² Operational Law Handbook. *National Security Law Department*, The Judge Advocate General's Legal Center & School, U.S. Army, Charlottesville, Virginia, 2020. P.8.

³ Lieutenant General GS Katoch, PVSM, AVSM, VSM (Retd), Terrorism – the 'Grey Zone' of Chaos , USI Journal, Journal of the United Service Institution of India, Vol. CXLVIII, No. 613, July-September 2018.

⁴ Toni Pfanner, "Military uniforms and the law of war", *International Review of the Red Cross*, March 2004 Vol. 86 No 853, P. 109

⁵ Ibid, p.115.

⁶ *Little Green Men* is the stereotypical portrayal of extraterrestrials. In this context this is a colloquial expression used by the media while referring to masked unmarked soldiers in green army uniforms wielding Russian military weapons and equipment within Ukraine. Clearly, they were Russian military, but it could not be legally proved that they are that.

⁷ Agreement for Bringing Peace to Afghanistan between the Islamic Emirate of Afghanistan which is not recognized by the United States as a state and is known as the Taliban and the United States of America February 29. 2020 <https://www.state.gov/wp-content/uploads/2020/02/Agreement-For-Bringing-Peace-to-Afghanistan-02.29.20.pdf>

⁸ Bill Roggio, "Taliban Touts more 'Red Unit' Fighter Training on Social Media", *FDD's Long War Journal*. Apr 08, 2021. <https://www.longwarjournal.org/archives/2020/04/taliban-touts-more-elite-red-unit-fighter-training-on-social-media.php>

⁹ ISIS, ISIL, Daesh, Islamic State in Iraq and Al Sham, Caliphate etc. Presently it is generally referred as only 'Islamic State'.

¹⁰ David Barno, and Nora Bensahel, Fighting and Winning in the “Grey Zone”. 91 May 2015. *Fighting on the Rocks*. <http://warontherocks.com/2015/05/fighting-and-winning-in-the-grey-zone/>.

¹¹ Ibid. p. 144.

¹² Bill Bailey, “Hearts and Minds, Psuedo Gangs and Counter Insurgency: Based upon Experiences from Previous Campaigns in Kenya (1952-60), a (1952-60), Malaya (1948-60) & Rhodesia (1964-1979)”, Edith Cowan University, *Australian Counter Terrorism Conference*, Nov, 30, 2010. Hearts and Minds, Psuedo Gangs and Counter Insurgency: Based upon Experiences from Previous Campaigns in Kenya (1952-60), Malaya (1948-60) & Rhodesia (1964-1979) (ecu.edu.au)

¹³ Shazia Yousuf, Excerpt: Garrisoned Minds, a book on militarization’s impact on women. This essay looks at Kashmiri counter-insurgents, Hindustan Times, S 03, 2016. Excerpt: Garrisoned Minds, a book on militarization’s impact on women. This essay looks at Kashmiri counter-insurgents | Hindustan Times

¹⁴ Arijit Mazumdar , “Left-Wing Extremism and Counterinsurgency in India: The ‘Andhra Model’”, *Strategic Analysis*, 2013, 37:4, 446-462, DOI: 10.1080/09700161.2013.802518

¹⁵ Candice Rondeaux, Private Militaries (Wagner vs Blackwater),” *The Red Line Podcast*. Mar 2020, 71 minutes. <https://open.spotify.com/episode/0nlt5lmbTd8q9tIW26zJbT>

¹⁶ Ibid. p.87.

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Airpower in the Grey Zone

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The Grey Zone is characterised by intense political, economic, informational, and military competition more fervent in nature than normal steady-state diplomacy, yet short of conventional war. It is hardly new, however. The cold war was a 45-year-long grey zone struggle in which the west succeeded in checking the spread of communism and ultimately witnessed the dissolution of the Soviet Union.

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Abstract

Recent trends world over, indicate that national political objectives are increasingly being achieved by grey zone operations, without official declaration of war. The grey zone operations include multifarious forms of state sponsored activities that are being carried out in the metaphorical zone between war and peace, maintaining the threshold below that of conventional war. They are not limited to military domain and characterised by high degree of denial and ambiguity. World at large, and India, is in a grey zone conflict scenario and is likely to remain in it for a long time. Airpower can play a major role and can effectively be utilised in many ways in these grey zone operations. This requires a change in mind-set, organisational adaptation and some amount of capability enhancement, reorientation, and training. Finally, innovation and out of the box approach is essential to deal with grey zone situations and threats.