Crimes of Terror, Counter-Terrorism, and the Unanticipated Consequences of a Militarized Incapacitation Strategy in Iraq

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"COIN," the counter-terrorism doctrine the U.S. used during the Iraq War, was in criminological terms overly reliant on militarized "incapacitationist" strategies. Based on a competing "societal reactions" or community-level labeling theory, we argue that COIN failed to anticipate but predictably produced state-based "legal cynicism" in Arab Sunni communities—increasing rather than decreasing politically defiant terrorist crimes. We test our hypotheses with nationally representative surveys and data on terrorist attacks collected before, during, and immediately after the 2007 Surge in U.S. troops. The Surge increased perceptions of unnecessary U.S.-led violence against Arab Sunni non-combatants, provoking cynical beliefs in Arab Sunni communities, creating local contexts in which terrorist attacks increased, and foreshadowing later advances by the Islamic State. Our findings show that oversimplified, incapacitation-oriented control tactics—in domestic policing, in COIN, or in the traditional warfare strategies that are replacing COIN—are likely to contribute to rather than reduce cycles of violence.

Keywords: *Cultural framing, Communities, Law, Legal cynicism, War and collective violence*

INTRODUCTION

A series of linked opinion pieces recently published in the *New York Times*, titled "Vietnam '67", elaborated the lasting consequences of the Vietnam War in contemporary American life. That legacy is especially apparent in recent crimes of terror and counter-terrorism in Iraq. The U.S. Department of Defense first introduced the terms "counter-insurgency" and then "counter-terrorism" to refer to "search and destroy" operations against Viet Cong forces. Later, it used "collateral damage" to refer to

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civilian casualties resulting from U.S.-initiated attacks. In the final stages of the Vietnam War, "pacification" efforts were added to the counter-terrorism strategy to "win hearts and minds" by providing security and resources to South Vietnamese civilians. All of these tactics were reprised during the Iraq War.

In criminological terms, those kinds of counter-terrorism tactics are based on a militarized version of "incapacitation" theory. Based on the same logics used by domestic American policing and imprisonment policies since the 1970s and 1980s, military strategists (even those focused on winning the support of local populations) in Iraq and Vietnam approached potential terrorists and other threats as targets to be controlled, eliminated, hindered, or otherwise incapacitated (Hagan 2010). U.S. military forces thus swept through communities where they killed, injured, displaced, and detained thousands of suspects, expecting to gain civilian support by protecting them. This kind of individual-focused, incapacitative approach is not dissimilar to other states' counter-terrorist efforts that have backfired in other contexts and ultimately produced further violence. Like decisionmakers in Northern Ireland or Argentina (Crenshaw 1983; LaFree and Dugan 2009) and military strategists that rely on traditional theories of unnuanced ethnic warfare (Kalyvas 2006; Kalyvas and Kocher 2007), for example, American policymakers gave little consideration to the sociologically predictable, secondary consequences of consistent aggression within targeted communities.

In contrast to an incapacitationist approach, "societal reactions" theories accurately anticipate mechanisms through which state efforts to control crimes (of terror or otherwise) can label individuals or communities as deviant, criminal, or antagonistic to the state. Such labels have their own consequences, including further violence (Becker 1963; Lemert 1967). Recent work on incapacitative policing in Chicago (Sampson and Bartusch 1998; Kirk and Papachristos 2011) and the U.S.-led counter-insurgency in Iraq (Hagan, Kaiser, and Hanson 2015, 2016) extends the societal reactions approach by adding the community-level mechanism of "legal cynicism," or a shared cultural belief in laws as illegitimate and nonbinding that can result from repressive state violence. This kind of legal cynicism can explain how and why incapacitative state control that fails to anticipate cultural, community-level factors—whether aimed toward crime control or counter-terrorism—can have adverse, violence-increasing effects. This paper applies a societal reactions approach to a combination of datasets over that measure terrorism, military attacks, and community-level cultural factors to argue that U.S.-led incapacitative violence in Iraq created legal cynicism among civilian non-combatants in Arab Sunni communities, and thereby intensified not only insurgent resistance (Hagan et al. 2016), but also crimes of terror.

THE IRAQ WAR'S CONTRADICTORY COUNTER-TERRORISM STRATEGY

The tactics of the Vietnam War foreshadowed a revamped but still predominately combative U.S. military doctrine called "COIN," which guided the 2007 troop Surge in Iraq. The term "COIN" refers to the counter-insurgency strategy formally articulated in the COIN Manual (U.S. Army 2007; see also Meyer 2013) that conflates counter-insurgency with counter-terrorism strategies and is typically characterized as a population-centric model designed to gain local support by "winning hearts and minds."

In some ways, COIN recognized that the foundations of anti-state violence are often politically motivated beliefs and attitudes about military and government institutions. Like its Vietnam War precursor, however, the ultimate COIN doctrine put into action featured a traditional, combat-centered use of force designed to debilitate potential terrorists: incapacitative counter-terrorism more than community-centered reduction of insurgency.

Community-engaged Warfare

In the Field Manual that outlined COIN, Generals David Petraeus and James Amos (2006) noted that counter-insurgency strategies had received little attention since the Vietnam War. Petraeus prided himself on being a soldier and scholar, and had written a doctoral thesis on "The American Military and the Lessons of Vietnam" (Petraeus 1987; Kaplan 2013). Drawing on his combined experience and study of warfare, he argued that war had confirmed that to prevail against insurgents, "you must protect the population" (Ricks 2009:81). COIN therefore initially emphasized civic engagement designed to win civilian support—although numerous sources suggest that Petraeus used a combination of charismatic argumentation and strategic manipulation of events to gloss over the extent to which COIN failed to anticipate political, cultural, and ultimately violent community responses among targeted populations (*e.g.*, Kalyvas 2008; "The Petraeus Affair: The Man and His Myth" 2012).

Dominant wisdom in many circles treats terrorism as most likely when groups perceive no other way to handle political or social grievances—or, put into strain-theory terminology, no other means to object to societal configurations that obstruct their desired ends (Agnew 2010; Chenowith 2013). Terrorism is, like other crimes that attempt to exert control, an extreme form of "self-help" (Black 2004). Because democratic institutions theoretically promote representative and accountable government, "promoting democracy" was the central tenet of George W. Bush's war on terror in Iraq and elsewhere (Dalacoura 2011)—and COIN's approach to institution building and community security was largely based on that assumption.

Likewise, theories focused on more proximate causes of terrorist attacks have largely drawn from rational-choice models since at least the Vietnam War (Braithwaite 2005; LaFree and Dugan 2009). The key in such theories to reducing terrorism is undermining both active support provided to terrorist organizations and explicit attitudes among the populace that approve of terrorist activities and groups (Davis and Cragin 2009).

COIN thus emphasized "winning hearts and minds" as a supplement to conventional war theory's violent combat orientation (Kaplan 2013). In a manner analogous to domestic community policing, the intent was to address root causes of support for terrorism through new forms of protection and institution-building. COIN therefore included social and political programs and expenditures intended to make Iraqi civilians feel more secure, with the goal of engendering trust in U.S.-led counter-terrorist efforts, bolstering the Iraqi government's perceived effectiveness in protecting its people and providing essential services, and thereby reducing approval of and resources available to terrorist groups. It did not, however, theoretically anticipate or elaborate on the cultural and political mechanisms through which militaristic efforts could or might result in local support and decreases in anti-state violence, a flaw that would prove fatal (Kaylvas 2008).

Coercing Hearts and Minds

However, early drafts of the COIN manual proved controversial. Retired Lt. Colonel Ralph Peters wrote a widely circulated *New York Post* column, "Politically Correct War," that reasserted traditional military beliefs and the crucial role of force in "war's brute reality." Petraeus was dismayed that his advocacy of civic engagement had insufficiently reaffirmed the simultaneous need for force, though he noted that "the word 'kill' is mentioned an average of once per page" (Ricks 2009:2017). To protect the manual from further criticism, Petraeus revised it to reemphasize the need to "kill the bad guys" (Kaplan 2013:218).

At the heart of the matter was a stubborn reliance on the use of force that revealed similarities between theories of warfare and crime control. General Raymond Ordierno, who led day-to-day

military operations in Iraq alongside Petraeus, summarized the blurry lines between counter-insurgency and crime control: "Some [insurgents] have decided they want to reconcile with the government of Iraq.…Those that do not…we continue to go after and treat as criminals" (Kagan 2009:141). An early advocate of the Surge, Vietnam veteran and Senator Charles Robb, explained what this kind of blurring of lines meant: "It's time to let our military do what they're trained to do on offense—without being overly constrained by a zero casualties or collateral damage approach" (Gordon and Trainor 2012:276).

The result was a doctrine strikingly similar to its Vietnam War precursors and detrimentally compromised by its competing purposes. As Thomas Meyer (2013) argues based on interviews with active duty officers deployed to Afghanistan and Iraq, COIN created impossible contradictions by requiring junior officers to lead missions that combined combat and state-building initiatives. On the one hand, "[o]ne of the key innovations at the center of the Army's new COIN manual was the almost anthropological focus on the populations among whom US forces were now operating" (Dodge 2012:82; Heuser 2007). On the other, junior officers were required to separate terrorists from civilian populations—a task that proved simpler in theory than in practice—which led them to engage in role-switching "on" and "off" tactics that "flicked the switch" between "hostile or not" in over-simplified ways (Meyer 2013). The result was a constant suspicion directed at civilians in ways similar to the challenges of domestic policing, leading to renewed commitment to traditional combat operations with an indiscriminate and excessive resort to violence (see also Miller and Moskos 1995). In the end, even the COIN manual mandated military operations like *Phantom Thunder* and *Phantom Strike* that were "conventional military search-and-destroy military missions, where large numbers of US troops and Special Forces were deployed." (Dodge 2012:83; Kagan 2009).

Conflating Counter-insurgency and Counter-Terrorism

In the post-9/11 environment, COIN quickly conflated counter-insurgency efforts by both Shia and Sunni militias with counter-*terrorism* tactics directed at politically organized threats to the peace and security of the United States. COIN largely justified itself as incapacitating suspected terrorists and reducing public support for terrorism, and its implementation focused on military offensives against suspected terrorists that combined the forward redeployment into Iraqi communities of "in-country" U.S. troops with the newly "surged" U.S. forces. The hope was that a continuous, offensive presence of military forces in Iraqi communities would incapacitate terrorists, and when joined with a community engagement strategy, reduce terrorism. Such unsystematic treatments of terrorism and insurgency may treat them as one and the same, conflating "terrorism" with the insurgent, guerilla, or other actions of so-called "terrorist groups" (an even more ill-defined term), or analyze terrorism as a strategy of insurgency in such detail that terrorism for other ends is overlooked (Merari 1993; Moghadam 2014). Yet while acts of insurgency and terrorism can overlap, and while many insurgent groups committed acts of terrorism during the post-invasion period, the two also differ in important ways.

"[T]errorism is not true warfare," because it targets non-combatants and non-military targets, is unilateral and covert, and lacks other hallmarks of warfare like the rules of war, a bounded and defined duration, a large scale, and territorial goals and targets (Black 2004). Terrorism also uses premeditated violence against proximate targets to direct fear or intimidation against a larger audience, and its goals are often political, religious, or social grievances that may not relate to insurgent warfare (Bergesen and Lizardo 2004; Davis and Cragin 2009; Chenowith 2013). Terrorism thus may be carried out by

individuals and smaller, less hierarchical groups than insurgencies typically are, and it can often be more expressive than instrumental (Turk 2004).[2]

Like other social constructions, terrorism is one of the most contentious forms of violence to define, and many works devote entire sections or chapters to that pursuit (Ben-Yehuda 1993; LaFree and Dugan 2009). Because our primary purpose in this paper is not to isolate a single, most accurate definition but rather to distinguish crimes of terror from insurgent violence, we approach terrorism as violence that intends to strike fear and symbolize political opposition through attacks on non-combatant individuals, groups, and government institutions.

Recent research on the Iraq War has focused conceptually and operationally on insurgent attacks (Biddle, Friedman, and Shapiro 2012; Hagan et al. 2016). Those works have proven useful for the study of violent attacks by insurgent groups on American soldiers and Iraqi institutions. Whether COIN's contradictory strategies actually succeeded in improving beliefs and attitudes among Iraqis and thereby reducing terrorist attacks, however, remains an open and (given COIN's impetuous focus on counter-terrorism) key question.

AGE OF REAGAN CRIMINOLOGY AND COUNTER-TERRORISM

The pressure for search-and-destroy warfare in COIN's development followed the growth of an incapacitation theory at the heart of U.S. crime control policies since the 1970s and 1980s (Hagan 2010). Zimring and Hawkins (1995:15) summarized the incapacitation perspective as grounded in the "assumption that criminal offenders are intractable and insusceptible to change," so that American criminals, like foreign terrorists, are seen as beyond rehabilitation or redemption. Imprisoning large numbers of offenders was thus rationalized as preventing crimes that would otherwise be committed if they remained at large.

Zimring and Hawkins observed that the assumption behind incapacitation was not much discussed in sociology or criminology. However, the theory gained important academic credibility from Blumstein, Cohen, and Farrington's (1988; also Blumstein and Cohen 1987) writings on the tendency of offenders to keep offending at a near constant rate. Incapacitation theory gained further support from the importance attached to studies of chronic offenders (Wolfgang et al. 1972), career criminals (Blumstein et al. 1986), and "super predators" (Bennett, DiIulio, and Walters 1996). President Reagan himself drew from the criminological literature about "habitual law-breakers, career criminals, call them what you will" to observe that "study after study has shown that a small number of criminals are responsible for an enormous amount of crime in American society" (Hagan 2010:108; Reagan 1981).

Harvard political scientist James Q. Wilson reinforced Reagan's lay theorizing in *Thinking about Crime* (1975) and, with Richard Herrnstein, *Crime and Human Nature* (1986). Reagan depicted the career criminal in neo-Lombrosian terms, as characterized by a "stark, staring face—a face that belongs to a frightening reality of our time: the face of the human predator" (Beckett 1997:47) . Wilson (1993) echoed the President by adding his own description of "the blank, unremorseful face of a feral, pre-social being," and paired this fearsome vision with the consequential prediction that "the gains from merely incapacitating convicted criminals might be very large" (1975:22).

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[2] Examples of the forms terrorism can take are instructive. The Islamic State has recently claimed responsibility for both insurgent violence in Syria and Iraq and terrorist violence in France and Belgium. In Syria and Iraq, Islamic State *insurgent* attacks were waged against government forces with the intent to gain control over population and territory. In France and Belgium, Islamic State *terrorist* attacks were directed at civilians and non-military targets with the intent to create and heighten fear. The further intent of the latter terrorism was presumably to symbolize and mobilize political opposition to government military policies in the Middle-East.

The spread of incapacitationist ideas from the U.S. to their militarized application at Guantanamo Bay, at Abu Ghraib, and throughout Iraq should have been predictable (Hagan et al. 2015). Such generalizations moved easily from theory to policy, and from their application to U.S. street criminals to worldwide terrorism. For example, during the Reagan Administration, the Iran-Contra arms scandal linked fears of "narcoterrorism" and the need to incapacitate "narcoterrorists" to the perceived global threat of communist aggression in Latin America (Hagan 2010:214). Carryovers from the Reagan Administration's war on narcoterrorism, such as Elliott Abrams and James Steele, reappeared in the George W. Bush Administration's war in Iraq (Cohen 2012). Jonathan Simon (2014) captured this expansive influence with his description of "total incapacitation," a covering concept that grew not only domestically but also through the Iraq War and the war on terror. As Simon (2014:39) writes, "The idea that prison, by separating dedicated criminals from vulnerable potential victims, is both necessary and sufficient to repress the worst kinds of crime is at least a plausible rational strategy if your criminal class is made up of serial killers and/or committed revolutionary convicts (or today's terrorists at Guantanamo)." Otherwise, it probably is not. Simon's parenthetical reference to Guantanamo was ominous. And when efforts to implement civic engagement alongside violent combat operations ran into difficulties in Iraq, incapacitation policies provided a convenient solution.

Incapacitation in Iraq

The COIN doctrine of the Iraq War ultimately combined combat-focused offensive operations with civic engagement programs designed to win Iraqi popular support. But U.S./Coalition forces and leadership were trained for combat rather than community relations or peace-keeping. The invasion that began with the "shock and awe" attacks on Baghdad was violent, and the aggressive tactics of the following occupation were resented by many Iraqis. This antipathy made community engagement difficult to sustain, so that the military occupation brought nighttime raids and dragnet sweeps that bore more than a passing resemblance to American "intensive policing" and "mass incarceration" strategies.

Tens of thousands of suspected and uncharged insurgents and terrorists were detained in U.S.-operated Camp Bucca and Abu Ghraib prisons. The raids and sweeps ranged from breaking down doors and detention of family members to lethal assaults on homes and neighborhoods with artillery and helicopter gunships. The violence of imprisonment included forms of torture that migrated from Guantanamo to Iraq (Mayer 2005) and then went photographically viral on the internet (Gourevitch and Morris 2008; Sands 2009). A report by the U.N. Assistance Mission (2005) thus used the language of incapacitation to describe U.S.-led Coalition detention practices: "mass detentions of persons without warrants continue to be used in military operations by [Multi-National Force-Iraq]. Reports of arbitrary arrest and detention continue to be reported.…There is an urgent need to provide remedy to lengthy internment for reasons of security without adequate judicial oversight."

After the Iraq military and Ministry of Interior gradually assumed responsibility for detention centers, U.S. forces reported on several Iraq-run facilities in Baghdad. Amnesty International (2006) summarized the signs of torture and ill-treatment they found:

> US military forces raided one detention facility controlled by the Interior Ministry in the al-Jadiriyah district of Baghdad, where they reportedly found more than 170 detainees being held in appalling conditions, many of whom alleged that they had been tortured. On 8 December 2005, Iraqi authorities and US forces inspected another detention facility in Baghdad, also controlled by the Interior Ministry. At least 13 of the 625 detainees found there required medical treatment, including several reportedly as a result of torture or ill-treatment …. [T]he US

ambassador to Iraq, Zalmay Khalilzad, stated that "over 100" detainees found at the detention facility in al-Jadiriyah and 26 detainees at the other detention location had been abused.

Follow-up reporting by the *New York Times* (Burns 2005; Semple 2005) and *BBC* (Hawley 2005) confirmed the degrading and torturous conditions at these and other sites.

The excesses of the Surge perpetuated the problems that previously characterized the Vietnam War's tactics. The noted historian of Iraq, Charles Tripp (2010:317), observed that like the disappointed Iraqis who sought a break with their violent past, "Western allies…failed to recognize how much they…ran the risk once more of succumbing to its same baneful logic," while *Washington Post* reporter Thomas Ricks (2009:9) concluded, "At the end of the Surge, the fundamental problems facing the Iraqis were the same ones as when it began."

AN ALTERNATIVE, SOCIETAL REACTIONS PERSPECTIVE

A notable challenge to COIN's incapacitative approach is the more-than-half-century history of societal reactions theory in sociological criminology (e.g., Becker 1963; Farrington and Murray 2013). Although a few criminological studies have focused on anomie and situational theories of individuals' participation in terrorism, and at least one sociological study has used a symbolic-interactionist approach to strategic motivation of terrorist activities (Blain 2009; LaFree and Dugan 2009), no studies of which we are aware have applied societal reactions theory to counter-terrorism efforts.

Societal reactions theory holds that individuals and groups who are targeted and labeled as deviant and dangerous—or even potentially so—often *react* defiantly to this identification. That is, groups and individuals who are treated as criminal often internalize such labels over time. Edwin Lemert (1967) classically conceptualized this as a transition from "primary" to "secondary deviance." By ascribing a criminal identity to individuals and groups, state actors can counterproductively lead individuals and groups to defend themselves through defiant crimes of self-help (Braithwaite 1989; Sherman 1993).

Applied in the context of COIN counter-terrorism tactics, a societal reactions theory predicts that incapacitationist tactics will actually stimulate an unanticipated intensification of terrorism *as a function of* the experience of combativeness and reliance on force. By labeling individuals and entire (especially Arab Sunni) communities as potential terrorist threats, U.S.-led forces stigmatized and alienated them from the Coalition forces and Iraqi government. These concerns predictably created doubts about the legitimacy of the continuing occupation, provoked a shared sense of "legal cynicism," and created cultural, community-level factors that ultimately led to a cycle of anti-state, ethno-sectarian violence (Kalyvas and Kochner 2007; Hagan et. al 2016).

Legal Cynicism as a Mediating Mechanism

Unlike the assumptions made by Petraeus and COIN, most research has shown that especially transitioning or factionalized democracies like Venezuela or Thailand in the early twenty-first century are *more* likely to face terrorist attacks than are autocracies (Li 2005; Young and Dugan 2011; Chenowith 2012). The mechanism behind that association, however, remain unclear. Potential explanations include civil liberties' limits on counter-terrorist activities (Li 2005), a free media's inadvertent promotion of terror following attacks (Hoffman 2006), autocracies' suppression of reports of terrorism (Drakos and Gofas 2006), institutions that are nonresponsive and therefore frustrating especially for minority groups (Young and Dugan 2011), and interest groups' tendencies to resort to dramatic means of contention in order to "magnify their voices in a seemingly uneven playing field of powerful

competitors" (Chenowith 2012: 90). Others suggest that particular policies, from underrepresentation to discrimination, may increase terrorism (Piazza 2012); in other words, only those democracies with less legitimacy are more likely to experience terrorism while democracies with high levels of legitimacy are not (Chenowith 2013). It is for this reason that theorists suggest that transitioning democracies are most at risk: the transition is often accompanied by delegitimation of governmental institutions and the unleashing of subterranean instabilities—often due to international interventions (Dalacoura 2011; Chenowith 2013).

Agnew (2010) has also presented a related, sociological elaboration of the kinds of collectively experienced pressures that can lead to terrorist violence. In examples of his "general strain theory" focused on terrorist attacks in Turkish Kurdistan, Northern Ireland, Columbia, Israel, and other examples, he highlights that terrorism will follow shared perceptions of strain that are (a) large in scale, (b) perceived as unjust, and (c) inflicted by more powerful others. The key mediating link or mechanism in preexisting studies of terrorism, both from political science and sociological formulations, involves the kind of perceptions of injustice and illegitimacy that Sampson and Bartusch (1998) call "legal cynicism."

Kirk and Papachristos (2011:1201) have elaborated the concept of legal cynicism to explain how collective perceptions become solidified in an understanding of the rule of law and its agents as ineffective or simply not directed toward protecting their basic needs for personal or economic security. As a result, citizens come to view imposed rules of law as illegitimate and nonbinding. Through this cultural process, legally cynical understandings can become so negatively reinforced that they can collectively amplify into defiant "strategies of action," including crimes of terror. A closely related though recently neglected perspective suggests that counter-terrorism often ends up increasing violence because it affirms views that the state's actions are outrageous and illegitimate (Crenshaw 1983).

Research in the United States has shown that violent street crime can often be a form of self-help and self-protection caused not simply by *attitudes* about the acceptability of violence and tolerance of deviance, but rather by broader *beliefs* about the unresponsiveness of authorities to community needs for safety and protection (Sampson and Bartusch 1998; Kirk and Papachristos 2011). The same logic applies in the context of international conflicts and counter-terrorism (Hagan et al. 2015). Yet research on public support for terrorism and strategies of counter-terrorism—including COIN's theoretical underpinnings and implementation—have concentrated almost exclusively on express attitudes and opinions about terrorist violence rather than the deeper feelings of legal cynicism (Davis and Cragin 2009).

Our thesis is that terrorist mobilization in Iraq was driven on a political, cultural level by a cynicism about Iraqi authorities and their institutional agents, the U.S.-led military. Iraqi civilians in many affected areas—especially the Arab Sunni who as a group previously dominated Saddam Hussein's Ba'athist regime—objected to the continuing U.S./Coalition presence and questioned their legitimacy, their responsiveness to Iraqi concerns, and especially their ability to meet social, economic, and physical security needs—the three elements key to legal cynicism theory (Kirk and Papachristos 2011; Hagan et al. 2016). The result was a context of legal anomie in which retaliatory (secondarily deviant) crimes of terror proliferated.

Community Contexts and Reactions

In addition, the COIN doctrine relied on the surging of combat-trained troops who had scant knowledge of local, ethno-sectarian groups, little training in effectively interacting with or protecting local populations, and, thanks to the COIN manual's omissions, no conception of the cultural and political consequences of their violent actions (Kalyvas 2008). Absent successful interaction with these

populations, there was little hope that the effects of labeling them potentially dangerous could be countered by building infrastructure and other efforts to win hearts and minds.

Iraq is a multi-ethnic state with a long history of complicated relationships between Arab Shia, Arab Sunni, Kurds, and many smaller but deeply rooted groups. Following the 2003 invasion, politically inspired Sunni groups like al-Qaeda in Iraq and Shia groups like the Mahdi Army unleashed terrorist attacks resulting in massive levels of displacement and the ethnic "un-mixing" of communities, exacerbating local tensions (Dodge 2012). However, COIN treated the Iraqi people in undiscerning ways, misunderstanding and aggravating local divisions within and between Arab Sunni and Shia communities (Kalyvas and Kochner 2007).

Black (2004) theorized that terrorism is most likely when physical distance is close enough to allow for mass violence but social distance is widened enough to create polarization, and Tosini (2007) considers social cleavages one of the two most important factors (alongside political objectives) in classifying terrorist events. Even the Anbar Awakening or Sons of Iraq movements that were belatedly supported as part of the Surge adopted divide-and-conquer tactics that pursued targets within Arab Sunni communities, who were treated as still hostile and treacherous in supporting al-Qaeda in Iraq, later called the Islamic State (Tripp 2010).

CLAIMS ABOUT COIN

By 2009, COIN policies and the associated troop Surge were hailed as successful in reducing terrorist violence—despite failures to engender trust and reduce widespread public skepticism about U.S./Coalition forces and the Iraqi government. These claims of success deserve careful scrutiny. Conflicts ebb and flow, with lulls in violence that often reflect little more than temporary exhaustion or preparation for resumed violence. In other words, just because violence decreased following the troop Surge does not prove or even accurately imply that the Surge was successful in reducing violence. What matters for the *longer-term effectiveness* of a counter-terrorist strategy is the ability to more permanently neutralize pockets of resilient political rebellion where violence is likely to resume, *beyond* any decrease in violence that would have occurred without the strategy's interventions.

As Figure 1 shows, patterns of attacks by U.S./Coalition forces were only weakly related to patterns of terrorist violence in Iraq during 2004–2009. Our hypothesis is that the COIN policies that increased the military presence and collateral damage during attacks actually resulted in increases in feelings of legal cynicism in Iraqi communities and therefore often increased rather than decreased levels of terrorist attacks. The community engagement component of the COIN doctrine may have recognized that the foundations of violent terrorism are often political attitudes about military and government institutions. However, the pressing question from the legal cynicism perspective is whether COIN actually *succeeded* in improving attitudes *and beliefs* among Iraqis, thereby reducing terrorist attacks.

We test the hypothesis that the surging counter-attacks by U.S. combat forces resulted in collateral civilian casualties and therefore worsened Iraqi beliefs toward these forces, leading to increases rather than reductions in terrorism—especially in areas such as Anbar and Mosul that were strongholds of resilient, Sunni-led threats. These were the locations of subsequent advances by the Sunni-dominated Islamic State.
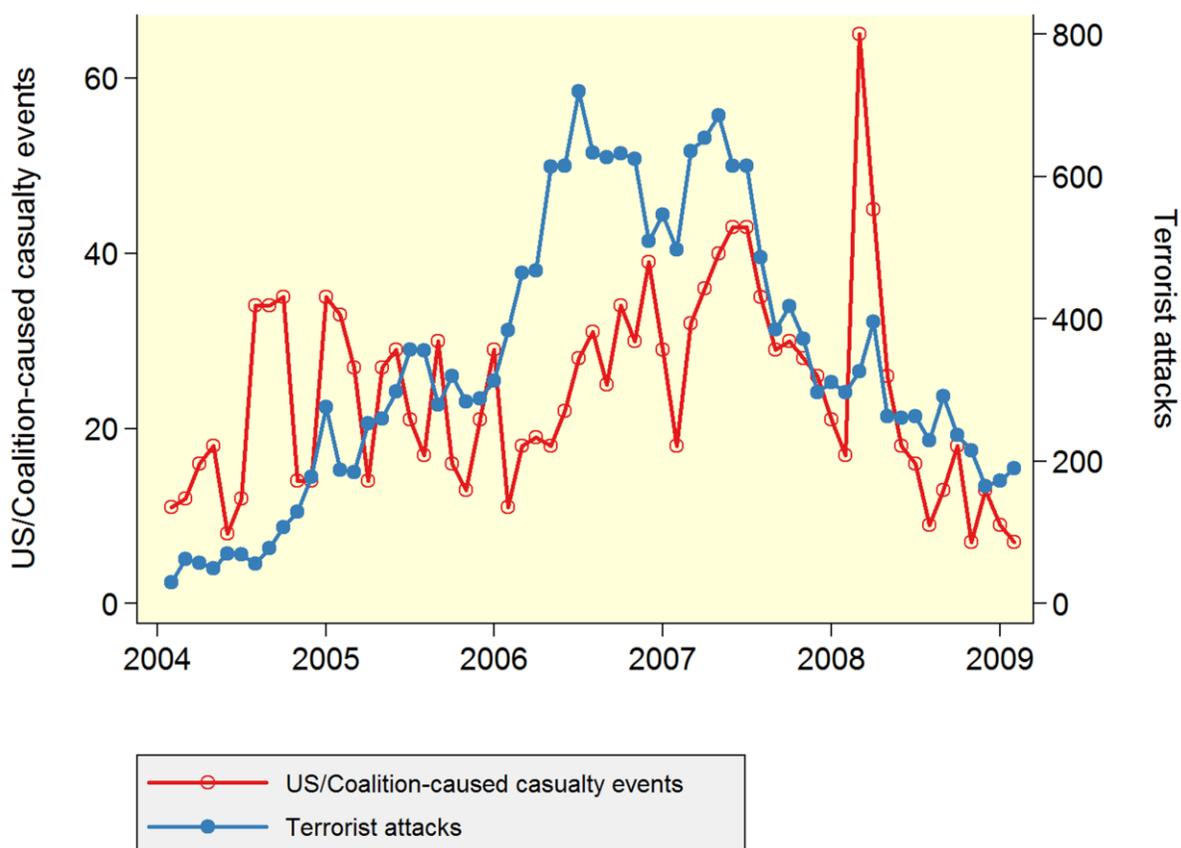
FIGURE 1: U.S./COALITION-CAUSED CIVILIAN CASUALTY EVENTS COMPARED
TO TERRORISM RATES, IRAQ

DATA FROM WAR-TORN IRAQ

Extending Measurement of War Crimes to Include Terrorism

Our study outcome variable of interest is district-level terrorist events, rather than the district-level measures of insurgent violence used by Hagan and coauthors. This measure of terrorism is taken from the National Counterterrorism Center's Worldwide Incidents Tracking System (WITS), which kept record of terrorist attacks across administrative districts before, during, and after the 2007 Surge. As noted above, crimes of terror involve attacks on non-combatant individuals, groups, and government institutions (often in the *absence* of soldiers), and since terrorism expresses opposition to governing authorities, it is necessary to assess whether identified attacks are politically guided. Thus, WITS coded as terrorism events with *indications* of "premeditated, politically motivated violence perpetrated against noncombatant targets by subnational groups or clandestine agents."

Since the U.S. State and Defense Departments of were often at odds over U.S. military policy in Iraq, the analysis of these State Department data may be as important as analysis of the military-collected "significant activities" data that forms the basis of other studies on violence in Iraq. For

similar reasons, the U.S. government has long measured "actual crime" rates through data from both victimization surveys and police reports (Coleman and Moynihan 1996).

According to WITS protocol, terrorist attacks were recorded only if an attack was "significant," which was coded with multi-method input from State Department personnel and computer algorithms; examples included events that either killed or seriously injured a person or caused more than US$10,000 of damage.[3] An attack was not coded as terrorist if it was between terrorist cells, involved justifiable self-defense, or occurred within a perpetrator's base of operations. The identification of *politically* motivated attacks against *non-combatants* explicitly excluded protracted insurgent-organized battles with U.S./Coalition and Iraq government forces and apolitical violence associated with opportunistic, profit-driven criminality (both of which were common in post-invasion Iraq). We specifically use data on terrorist attacks during 2008, the period of interest for this study after the Surge in U.S. troops, as well as a control variable for pre-Surge terrorist violence as measured by WITS in 2006.

Rates of violence can be extremely skewed and influenced by change in violence across an entire region (*e.g.*, Chicago or Iraq). Our outcome measures of terrorism are therefore residual estimates of terrorism produced from Poisson models conditional on each district's population.[4] Terrorist attack rates per 100,000 population are based on monthly population estimates from the World Food Program (WFP). Before the Surge (August 2006 to February 2007), the mean district experienced 19.21 terrorist attacks per 100,000 population; afterwards (February to August 2008), it experienced 12.66 attacks per 100,000 population. The range from these periods varies similarly, from 0–793.96 per 100,000 population to 0–447.26 attacks per 100,000 population, respectively.[5]

Legal Cynicism

This paper builds on primary data sources previously analyzed by Hagan, Kaiser, and Hanson (2016): a National Public Opinion Survey in Iraq (NPOSI) conducted in August of 2007. NPOSI is based on interviews of 2212 respondents selected through a five-phase randomization sample: districts, urban and rural areas, neighborhood sampling points, and households selected randomly within neighborhood clusters. Simulation studies confirm that four to five sampled households within as few as 30 or 50 neighborhood communities is sufficient to achieve representation (Maas and Hox 2005); NPOSI is based on 457 neighborhood communities.[6] Descriptive statistics and survey information for individual-level variables and scales are presented in the appendix. Aggregated community-level and added district-level variables are presented in Table 1.

As we noted above, Agnew's (2010:132) important formulation of a general strain theory of terrorism identifies collectively perceived injustice as a key source of terrorist violence. He goes on to emphasize that while collective strains imposed by powerful others are exogenous sources of

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[3] Attacks were recorded only when intelligence analysts were aware of the incidents, so these data, although authoritative, may underestimate terrorist events in Iraq. Our measurement approach parallels the use of officially recorded homicides in domestic U.S. studies of legal cynicism (Kirk and Papachristos 2011).

[4] The resulting empirical Bayes estimates represent each district's terrorism rate weighted by the grand mean of terrorism across Iraq's districts.

[5] As an additional reliability check, we also incorporated a measure of district-level violence from the IBC data (see below) and tested each model with multiple combinations of the two measures. Our models yield substantively similar results when we use overall terrorist attacks, civilian casualty rates from terrorist attacks, overall civilian casualty rates, or rates of casualty-causing events as post-Surge outcomes, as pre-Surge controls, or both.

[6] Further details of the sampling design and methodology are presented in an "Overview of National Opinion Surveys in Iraq" by D3 Systems, Inc., 8300 Greensboro Drive, Suite 450, McLean, Virginia, 22102, which is available on request.

collectively perceived injustice, the subjective interpretation of these strains will determine when terrorist violence results. Therefore, a key next step in explaining terrorism involves measuring these subjective interpretations, which are conceptualized and indicated here through the concept of legal cynicism.

Legal cynicism about U.S./Coalition forces was measured through four NPOSI items that correspond to the theoretical components of legal cynicism: perceived legitimacy, responsiveness, and security. First, NPOSI measured legitimacy by asking about both the perceived rightness/wrongness of the U.S.-led invasion and opposition to the presence of U.S./Coalition forces. Second, responsiveness was measured by asking whether respondents perceived U.S./Coalition forces to have

TABLE 1: DISTRICT- AND COMMUNITY-LEVEL DESCRIPTIVE STATISTICS, IRAQ

	min	max	μ	σ
District-level Characteristics		($n = 100$)		
Terrorist Attack Rates				
Victims of terrorism, Feb–Aug 2006	0.00	793.96	19.12	84.69
Victims of terrorism, Feb–Aug 2008	0.00	447.26	12.66	48.15
Civilian-Casualty Event Rates (Feb–Aug 2006)				
Initiated by U.S./Coalition forces	0.00	8.10	0.60	1.56
Initiated by insurgency	0.00	22.27	1.05	2.89
Initiated by sectarian violence	0.00	115.40	5.28	13.68
Reconstruction Spending (Feb–Aug 2006)				
Number of military-funded projects	0.00	419.00	25.27	51.73
(logged)	0.00	6.04	2.53	1.38
Spending on military-funded projects (U.S.$)	0.00	1131035.00	81147.62	172754.90
(logged)	4.84	13.94	9.95	1.95
Structural Characteristics (Aug 2004/Sept 2007)				
Concentrated poverty	-1.05	2.12	0.01	0.59
Infrastructure quality	-2.92	1.19	-0.00	0.66
Residential instability	-0.73	3.39	0.00	0.81
Proportion Sunni	0.00	1.00	0.24	0.39
Cultural Framing & Values (Aug 2004/Sept 2007)				
Collective efficacy	-1.50	2.10	0.00	0.75
Legal cynicism about U.S./Coalition forces	-1.72	0.83	-0.19	0.76
Legal cynicism about Iraq government/forces	-1.13	1.02	0.07	0.54
Community-level Characteristics (Sept 2007)		($n = 457$)		
Support for U.S. and Iraq Government/Forces				
Legal cynicism about U.S./Coalition forces	-1.98	0.83	-0.18	0.73
Legal cynicism about Iraq government/forces	-1.36	1.06	-0.00	0.57
Reported War Violence				
Unnecessary U.S./Coalition attacks on civilians	0.00	1.00	0.44	0.34
Unnecessary Iraq Police attacks on civilians	0.00	1.00	0.20	0.25
Unnecessary Iraq Army attacks on civilians	0.00	1.00	0.19	0.24

met protection responsibilities. Third, NPOSI measured security by asking respondents to rate the perceived effect of the Surge forces on the security situation. These four measures loaded into a single factor of legal cynicism about the U.S./Coalition forces ($\chi = 3208.90$, $p < 0.001$), with a skewed standardized distribution from -2.55 to .083.

Hagan et al.'s measures of legal cynicism about the Iraqi Army, Police, and government do not as perfectly correspond to the theoretical components of legal cynicism. Respondents instead reported only their degree of confidence in the national government of Iraq, in the Iraq army; and in the Iraq police; and also how well the government had met its responsibilities. These measures likewise loaded on one negatively skewed factor ($\chi = 3837.34$, $p < 0.001$).

Violence against Civilians

To account for violence before and during the Surge that provoked communal feelings of legal cynicism, we include both subjective and objective measurements. The August 2007 NPOSI survey includes our subjective measures of Surge violence at both individual and community levels: perceptions of unnecessary violence by U.S./Coalition forces against civilians near where they lived, which almost half (44%) of respondents reported. This violence included nighttime raids of homes, detention of family members, shelling of neighborhoods, and attacks by helicopter gunships. Respondents also reported unnecessary violence against civilians by the Iraqi Army and Police, though at lower rates (19% and 21%, respectively). We also include NPOSI questions concerning types of nearby violence (whether perceived as unnecessary or not): bombings, kidnappings, violence between government and non-government forces, militia, and sectarian attacks.

We also use more objective measures of pre-Surge violence: an enumeration by Iraq Body Count [IBC] of events that included civilian casualties during February through August 2006, based on reports by media, hospitals, morgues, and other sources.[7] IBC data are divided into three categories according to the perpetrator identified as initiating the events resulting in civilian casualties: U.S./Coalition forces (district average rate of 0.60 per 100,000), insurgents (1.05), or other sectarian groups (5.28).

While we aggregated the NPOSI measures of violence against U.S./Coalition forces and Iraqi Army and Police to the community level because the reference point in the interview prompts was "nearby," the IBC (and WITS) variables are at the district level because military and police forces, as well as terrorist groups and militia, typically operate beyond community boundaries. Iraq's administrative borders were contested and shifting during the period under analysis, so we combined two, different maps: the Humanitarian Information Center's 2006 map of 102 districts, and a 2003 United Nations World Food Programme [WFP] map of 104 districts. We merged the extra districts from the latter map onto the former according to their closest geographic approximation, and further combined Mahmudiya with al-Musayab and al-Shikhan with Shekhan, which were separate on the former but not the latter map. The resulting map for IBC and other district-level variables includes 100 districts.

The IBC and WITS data complement one another: WITS identify politically motivated violent attacks by non-military actors (terrorism), but only capture events recorded by U.S. State Department analysts; IBC data provide a broader measure of military and insurgent violence along with the initiator of the attack, but only capture events with civilian casualties that appeared in media or

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[7] These as well as the below district-level variables were translated into usable format by the Empirical Studies of Conflict program at Princeton University and are available at http://www.esoc.princeton.edu. For more details on data collection and measurement, see also Berman et al. (2011) and Condra and Shapiro (2011).

hospital records. As each source may include error having different sources, using both should reduce measurement bias (Condra and Shapiro 2012).

Reconstruction Spending

We add to Hagan et al.'s study by including as an explanatory variable district-level reconstruction spending by the U.S./Coalition, as documented by the U.S. Army Corps of Engineers Gulf Region Division's Iraq Reconstruction Management System [IRMS]. This variable, which is essential for comprehensive assessment of the intended effects of COIN's counter-terrorism strategy, includes spending on reconstruction projects by USAID, the Commander's Emergency Response Program, the Commanders Humanitarian Relief and Reconstruction Program, and other U.S./Coalition-funds. Because we use this variable as an instrument (see below), we exclude all projects that apparently contribute to local militias. The mean Iraqi district during 2006 had 25.27 reconstruction projects on which a mean of US$81,147.62 was spent. Given the extreme distribution of these variables, our models include logged rather than raw measures of each.

Controls

Our models further include structural and cultural measures that mirror those used in Hagan et al. (2016) and Chicago-based research on legal cynicism (Sampson and Bartusch 1998; Kirk and Papachristos 2011). We control for collective efficacy through a factor of reports by the 2004 Iraq Living Conditions Survey (ILCS) that respondents could rely on (*i.e.*, trust) either community members or relatives to mediate crime victimization ($\chi = 39.60$, $p < 0.001$). NPOSI also included items asking about the acceptability of attacking U.S./Coalition or Iraq forces (62% considered it acceptable). We also include a concentrated poverty factor based on 2004/2007 WFP measures of household income quintile, average household size, and unemployment rate, along with a ICLS wealth index of household resources ($\chi = 145.73$, $p < 0.001$). To account for residential stability, we also combine an ILCS measure of the proportion of houses having renters with the NPOSI proportion of residents who reported forcible or non-forcible sectarian separation of Sunni and Shia ($\chi = 195.61$, $p < 0.001$). Instead of an immigrant concentration variable (as used in Chicago research), we use a more relevant measure of predominantly Sunni communities (the average across districts of NPOSI residents reporting their community is mostly or completely Sunni was 24%).

Finally, our hierarchical models include seven background characteristics measured by NPOSI. Respondents self-designated as Arab Sunni (36%) or Shia (45%), while Kurdish and other groups (19%) are the omitted comparison group. The sample is about half male, 36 years old, with some secondary schooling, nearly two-thirds married, and a large minority employed. We also included a measure of infrastructure quality that captures important challenges in many communities during the post-invasion period (Dodge 2012); this variable is a factor based on ICLS data on electrical instability, sewer problems, street light malfunction, phone disruption, and poor road quality ($\chi = 104.88$, $p < 0.001$).

MODELING TERRORIST VIOLENCE

Instrumental Variable Models

Our primary outcome models in this article are based on an instrumental variable (IV) analysis that is specifically designed to address the causal effect of 2006–2007 violence and associated legal cynicism on post-Surge levels of terrorist violence in 2008. IV analysis uses an "instrument" to create a natural experiment that accounts for omitted, confounding variables that may influence both outcome and

explanatory variables (Cronbach and Furby 1970). Instruments are variables that have a causal impact on the key explanatory variable (in our case, legal cynicism) but no impact on the error term for the outcome equation when that explanatory variable is held constant.

In our IV models, we use both subjective reports of violence against civilians by U.S./Coalition forces and logged reconstruction spending by U.S./Coalition forces as instruments, because they have no theoretical impact on levels of terrorist violence, *except through changes in cultural framings like legal cynicism*. Neither variable could impact subsequent terrorism except at the community level, because individual Iraqis who perceive unnecessary violence or benefit from reconstruction projects are unlikely to be those militia members or insurgents who initiate later attacks and actually reside in other communities. Additionally, these variables could only impact terrorist violence through legal cynicism because, as we explain further below, our models measure only *unexpected change* in terrorist attacks—already accounting for any structural impacts of prior violence and reconstruction efforts.

We therefore begin below by modeling these instruments and then their effect on legal cynicism about U.S./Coalition forces. We use multilevel models that account for error at the individual, community, and district levels (Raudenbush et al. 2004). Each instrument is treated as an individual-level outcome modeled as a function of various individual- and community-level controls, several district-level variables, an intercept at each level, and a random effect at each level. Because NPOSI's subjective reports of unnecessary attacks were binary, we use the Bernoulli sampling distribution and the logit link function in the first set of models.

Residual Change Scores

Following prior studies of legal cynicism and violence, our final analyses first measure predictors of terrorist violence and next predictors of *persistence* of terrorist violence—despite changes in other experiences and structures that may come from measured or unmeasured variables. Our final two-stage, least squares models thus use residual change scores instead of flat terrorism rates in order to capture each district's *change* in rates of violence *relative to* the expected change (Kirk and Papachristos 2011; Hagan et al. 2016). These residual change scores capture the initial 2006 levels of violence in each district, in other districts, and across the nation in order to predict the expected 2008 levels of violence in each district independent of the impact of legal cynicism and other variables included in the model. The resulting score for each district shows when violence in a district has increased or decreased more than unmeasured cultural and structural changes would predict. In other words, while many analyses of terrorist and other forms of violence would stop at measuring the flat rate of violence after an intervention like the Surge (Table 4 below), we continue to measure the *persistence* of terrorist violence *beyond* any change that would have taken place *without the Surge intervention* (Table 5).

Spatial-Lag Terms

Finally, in addition to using instrumental variables, our models of terrorist attacks and residual change in terrorist attacks both incorporate not only time-lag terms that control for the influence of prior levels of violence, but also spatial-lag terms that account for the geographic influence of nearby violence (Morenoff et al. 2001; Kirk and Papachristos 2011; Hagan et al. 2016). These models address spatial autocorrelation by adding a variable representing the weighted average of the outcome variable in bordering districts. Thus, our final analyses represent the effects of violence, reconstruction spending, and legal cynicism on subsequent levels of violence, independent of the spillover effects from surrounding areas.

Because Iraq's districts vary widely in shape so that borders can very small and hard to differentiate from shared vertices, our spatial weights matrix accounts for any district that shares a border or vertex

(queen contiguity), rather than only borders (rook contiguity). Also, because spatial lag analysis cannot account for missing, district-level data, we imputed most likely values for some variables in seven districts based on the values in other districts.[8]

ASSESSING THE COUNTER-TERRORISM COIN STRATEGY

Our overarching hypothesis, consistent with a societal reactions approach, is that the incapacitation-oriented COIN policies increased the military presence as well as collateral damage from attacks, resulting in *increases* in feelings of legal cynicism in targeted Iraqi communities, and therefore *increases* rather than decreases in levels of terrorist attacks.

Because we ultimately test this hypothesis through an IV analysis, we begin our analysis by analyzing our primary instrument itself. Table 2 presents multilevel, Bernoulli models of NPOSI respondents' subjective reports of unnecessary U.S./Coalition violence against civilians. Model 1 includes estimates at the district-level of civilian casualties from February to August 2006 caused by U.S./Coalition forces, insurgency, and sectarian violence—only the first of which is statistically significant. This variable maintains significance throughout each model in this table. Thus, Iraqis' *subjective* perceptions of unnecessary violence by U.S./Coalition forces are strongly but not perfectly related to more *objective* measures of all attacks by these forces. Model 1 also includes structural characteristics, none of which are significant predictors without further controls.

Model 2 incorporates a control for the ethno-sectarian makeup of the districts, specifically whether the district is predominantly Arab Sunni or not. This measure is highly significant and indicates that COIN efforts disproportionately targeted predominantly Sunni districts of Iraq. Certainly COIN efforts were disproportionately *perceived* as being unnecessarily violent in those communities. This model also shows that infrastructure quality and sectarian violence had a slight, negative relationship with levels of unnecessary U.S./Coalition violence against civilians. Model 3 shows that these effects are not mediated by perceptions of unnecessary violence by the Iraq Police and Iraq Army.

Model 4 controls for individual-level factors. These results further confirm that Arab Sunni respondents more often reported unnecessary U.S./Coalition violence against nearby civilians than did other ethnic groups, net of other sources of violence. Furthermore, controlling for specific, individual reports of violence in Model 4 does not notably diminish the predictive influence of objective measures of U.S./Coalition attacks on subjective feelings of unnecessary U.S./Coalition violence.

Our next step toward our final models is to measure the influence on legal cynicism about U.S./Coalition forces of U.S./Coalition military actions before and during the Surge—that is, before and during the period when the COIN incapacitation strategy was implemented. We used hierarchical regression models that measure variance and covariates at the individual, community, and district levels.

The first two models presented in Table 3 estimate the impact of reconstruction spending and U.S./Coalition violence on legal cynicism about the U.S.-led invasion and occupation. Reconstruction spending at the district level surprisingly increased individuals' legal cynicism in Model 1, but this effect becomes non-significant in Model 2 and negative (though still non-significant) in the remaining

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[8] Seven districts had missing information on one or more explanatory or outcome variables, but none of these districts bordered more than one other district with missing information, and none of them were missing data for more than three of the surveys during the time period used in the study. We achieved substantially similar results using both models that imputed according to average values of surrounding districts and models with casewise deletion of the seven districts that had missing values.

Table 2: Hierarchical regression models of perceptions of unnecessary U.S./Coalition violence against civilians in Sept 2007, based on district-level violence in 2006

	(1)	(2)	(3)	(4)
District-level Characteristics				
Terrorism Victimization Rates				
Victims of terrorism, Feb–Aug 2006	0.002 (0.004)	0.006 (0.003)*	0.004 (0.003)	0.002 (0.003)
Civilian Casualties Rates (Feb–Aug 2006)				
Initiated by U.S./Coalition forces	0.132 (0.068)*	0.113 (0.060)*	0.105 (0.058)*	0.091 (0.054)*
Initiated by insurgency	0.004 (0.012)	0.016 (0.011)	0.012 (0.010)	0.010 (0.009)
Initiated by sectarian violence	-0.051 (0.076)	-0.152 (0.070)*	-0.120 (0.068)*	-0.088 (0.064)
Structural Characteristics				
Concentrated poverty	0.208 (0.290)	-0.385 (0.288)	-0.340 (0.278)	-0.271 (0.266)
Infrastructure quality	-0.383 (0.321)	-0.811 (0.305)**	-0.582 (0.305)*	-0.416 (0.290)
Residential instability	0.021 (0.198)	0.134 (0.175)	0.011 (0.172)	-0.182 (0.164)
Community-level Characteristics				
Reported War Violence				
Unnecessary Iraq Police attacks on civilians			2.077 (1.162)*	1.760 (1.117)
Unnecessary Iraq Army attacks on civilians			1.461 (1.510)	1.896 (1.427)
Structural Characteristics				
Proportion Sunni		2.719 (0.581)***	1.934 (0.623)***	0.985 (0.607)
Individual-level Characteristics				
Reported War Violence				
Bombing				0.355 (0.126)**
Sniping and crossfire				0.440 (0.131)***
Sectarian violence				0.492 (0.130)***
Kidnapping				0.603 (0.125)***
Militia violence				0.062 (0.122)
Government/non-government violence				-0.147 (0.123)
Unnecessary Iraq Police attacks on civilians				-0.162 (0.137)
Unnecessary Iraq Army attacks on civilians				-0.077 (0.139)

Background Characteristics				
Arab Shia				0.152 (0.296)
Arab Sunni				0.523 (0.292)*
Male				0.132 (0.123)
Age				-0.004 (0.006)
Education level				0.024 (0.059)
Married				-0.055 (0.138)
Working				0.029 (0.143)
Intercept	-0.893 (0.225)***	-1.467 (0.241)***	-1.677 (0.248)***	-2.108 (0.455)***

n = 2089
Standard errors in parentheses; * p<0.05, ** p<0.01, *** p<0.001 (one-sided)

TABLE 3: HIERARCHICAL REGRESSION MODELS OF LEGAL CYNICISM ABOUT U.S./COALITION FORCES IN SEPT 2007, BASED ON DISTRICT-LEVEL VIOLENCE IN 2006

	(1)	(2)	(3)	(4)	(5)
District-level Characteristics					
Terrorism Victimization Rates					
Victims of terrorism, Feb–Aug 2006		-0.002 (0.001)	-0.001 (0.001)	-0.001 (0.001)	-0.001 (0.001)
Civilian Casualties Rates (Feb–Aug 2006)					
Initiated by U.S./Coalition forces		0.003 (0.030)	0.008 (0.026)	-0.002 (0.023)	-0.009 (0.020)
Initiated by insurgency		-0.001 (0.005)	0.005 (0.004)	0.003 (0.004)	0.002 (0.003)
Initiated by sectarian violence		0.029 (0.031)	-0.019 (0.029)	-0.000 (0.026)	0.008 (0.023)
Reconstruction Spending (Feb–Aug 2006)					
Spending on military-funded projects (U.S.$)	0.092 (0.043)*	0.069 (0.050)	-0.005 (0.047)	-0.053 (0.041)	-0.058 (0.038)
Structural Characteristics					
Concentrated poverty		0.220 (0.116)*	0.001 (0.111)	0.110 (0.097)	0.043 (0.089)
Infrastructure quality		0.018 (0.127)	-0.134 (0.116)	0.051 (0.108)	0.017 (0.099)

	Model 1	Model 2	Model 3	Model 4	Model 5
Residential instability		-0.135 (0.085)	-0.045 (0.077)	-0.021 (0.067)	-0.075 (0.062)
Community-level Characteristics					
Reported War Violence					
Unnecessary U.S./Coalition attacks on civilians				1.178 (0.240)***	0.549 (0.228)**
Unnecessary Iraq Police attacks on civilians				0.501 (0.425)	0.131 (0.392)
Unnecessary Iraq Army attacks on civilians				-0.754 (0.543)	-0.533 (0.498)
Structural Characteristics					
Proportion Sunni			1.175 (0.234)***	0.752 (0.236)***	0.420 (0.220)*
Individual-level Characteristics					
Reported War Violence					
Bombing					0.075 (0.037)*
Sniping and crossfire					0.092 (0.037)**
Sectarian violence					0.032 (0.038)
Kidnapping					0.020 (0.036)
Militia violence					-0.063 (0.035)*
Government/non-government violence					0.192 (0.035)***
Unnecessary U.S./Coalition attacks on civilians					0.302 (0.034)***
Unnecessary Iraq Police attacks on civilians					0.113 (0.039)**
Unnecessary Iraq Army attacks on civilians					0.033 (0.040)
Background Characteristics					
Arab Shia					0.356 (0.091)***
Arab Sunni					0.705 (0.088)***
Male					0.129 (0.033)***
Age					-0.001 (0.002)
Education level					-0.014 (0.016)
Married					0.072 (0.037)*
Working					-0.094 (0.039)**
Intercept	-1.028 (0.439)**	-0.831 (0.486)*	-0.388 (0.438)	-0.254 (0.379)	-0.454 (0.362)

n = 2089
Standard errors in parentheses; * p<0.05, ** p<0.01, *** p<0.001 (one-sided)

models, indicating that reconstruction efforts had little to no impact on legal cynicism about U.S./Coalition forces. Model 2 also indicates that concentrated poverty mediates the effects of reconstruction spending on higher levels of cynicism, and Model 3 indicates that both are mediated by concentrations in Sunni populations. Objective measures of U.S./Coalition casualties appear non-significant through Table 3.

Model 4 shows that perceptions of unnecessary violence by U.S./Coalition forces is a highly significant, positive predictor of legal cynicism about those forces, net of the community's ethno-sectarian makeup and other structural factors. Model 5 introduces individual covariates, which indicate that Shia as well as Arab Sunnis are more cynical than the comparison group of largely Kurdish Iraqis, but that Arab Sunnis are especially cynical. Married, male, and nonworking Iraqis and those who personally experience various kinds of violence from non-militia sources are also likely to be more cynical. Perceptions of unnecessary U.S./Coalition attacks and concentrated Sunni populations remain significant at the community level, so that both variables used later as instruments for legal cynicism are positive predictors of this cynicism.

Figure 2 uses Model 5 to summarize in standard deviation units the impact of seven factors on the legal cynicism of sampled Iraqis. Once more, recall that the U.S. occupying forces were concerned from the outset that after overthrowing Saddam Hussein's Sunni-dominated government they would confront insurrection from the Sunni population. It is revealing but therefore perhaps not surprising that in Figure 2 we find Iraqi communities with high concentrations of Arab Sunni residents were more cynical about U.S./Coalition forces than were Arab Shia, Kurdish, and other communities. The same is true of Sunni individuals compared to other individuals. Communities with high levels of concentrated poverty also had slightly higher levels of cynicism than others did. However, the number of terrorist attacks in Iraqi districts before the 2007 Surge had no discernible impact on resulting levels of legal cynicism, nor did pre-Surge casualties by ethno-sectarian or insurgent groups or U.S/Coalition forces. However, Figure 2 makes clear that *reported unnecessary attacks by U.S./Coalition forces* - measured both at the individual and aggregate levels - have the most pronounced influence on feelings of legal cynicism about U.S./Coalition forces.

Significantly, our results also show that COIN may have been more effective if it had found more peaceful ways to fulfill its promises. The logged amount of U.S. dollars spent on reconstruction efforts in a community may have helped to curb legal cynicism.[1] However, *any ameliorating impact of these reconstruction efforts were dwarfed by the effects of violence against civilians* by Iraq Police and U.S./Coalition forces that was perceived as *unnecessary* by Iraqi citizens. Both sources of violence were significant, but *Iraqis' perceptions of unnecessary U.S. violence were the single, strongest predictor of their feelings of legal cynicism toward the U.S.-led Coalition.*

Together, these findings suggest that, contrary to COIN's incapacitation-based assumptions, trust and confidence in occupying U.S. forces was not improved by their ability to violently suppress terrorism. As a societal reactions or labeling approach instead anticipates, the result of U.S. violence against civilian populations was an increase in legal cynicism.

The question remains, though, whether such military action did ultimately reduce terrorist violence. Even if legal cynicism increased in communities attacked by U.S./Coalition military forces, it could still be true that terrorist activities were nonetheless successfully suppressed in those communities. In that respect, COIN's ultimate goals could have diverged from those of civilian populations.

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[1] Note, however, that this effect of reconstruction efforts is not statistically significant in Model 5.
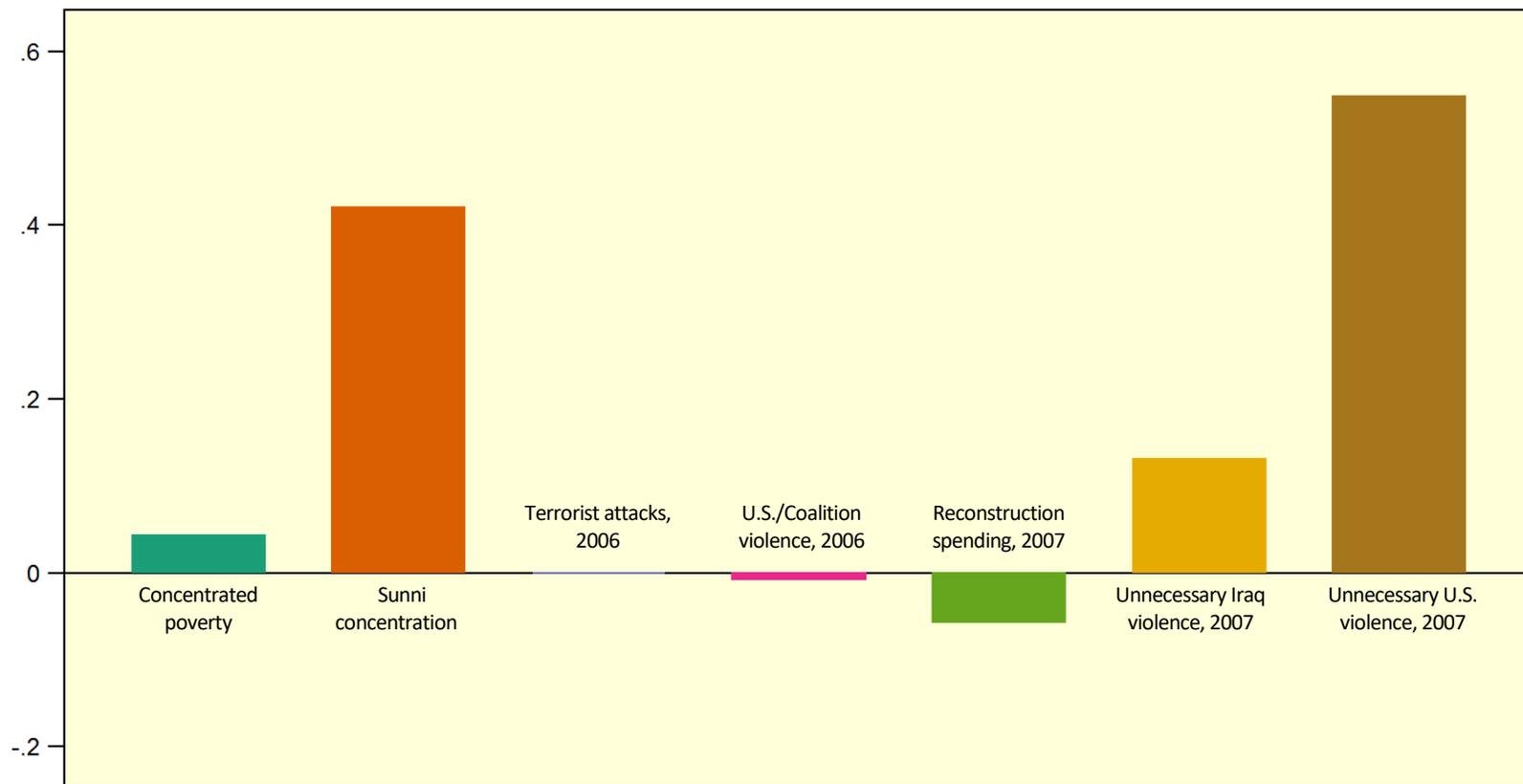
FIGURE 2: STANDARD DEVIATION CHANGE IN POST-SURGE LEGAL CYNICISM ABOUT U.S./COALITION FORCES PER CHANGE IN DISTRICT/COMMUNITY FACTORS

To test this relationship, we analyzed rates of terrorist attacks in 2008 per 100,000 population based upon levels of legal cynicism in Iraqi districts and other district-level factors in 2007. Additionally, to adjust for the arbitrariness of official borders in relation to patterns of violence, we used spatial lag models to account for violence in neighboring districts.

Thus we move on to spatial lag regressions of terrorist attack rates in Table 4. Model 1 reveals that concentrated poverty and high residential instability in a district both predict higher overall levels of terrorist violence in 2008. In Model 2, the highly significant measure of predominately Sunni communities overshadows the concentrated poverty effect (as it does in the above models of legal cynicism), since Sunni communities were likely to have both characteristics following de-Ba'athification efforts and high levels of forced migration in this period.

Models 3 and 4 begin to test our key hypotheses by including the highly significant effects of legal cynicism about U.S./Coalition forces in predicting overall levels of terrorist violence. Legal cynicism in the third model reduces the Sunni community effect, since (as the above models indicate) Sunni communities have greater levels of legal cynicism about U.S./Coalition forces. In Model 4, we include cynicism about the new Iraq government and military and variance for both types of cynicism—neither of which mediate the highly significant measure of legal cynicism about U.S./Coalition forces. These models therefore strongly suggest that legal cynicism about U.S./Coalition forces in a district during 2007 is predictive of higher overall levels of terrorist attacks in the same district during 2008. This effect is also net of the effect of major outliers as measured by the variance measures.

Model 4 in Table 4 also brings into the analysis the IBC measures of the sources of prior civilian-casualty events and a time-lagged measure of terrorist attacks. Terrorist attacks in 2008 were associated with earlier civilian casualties that resulted from U.S./Coalition attacks but not with those from violence that resulted from insurgency—net of their theoretical role in producing legal cynicism through perceptions of unnecessary violence

So our results in Table 4 indicate that districts with higher concentrations of Sunni residents—and also those that were more likely to experience high levels of residential instability—had higher terrorism rates than other districts did. Legal cynicism about U.S./Coalition forces, however, had an even stronger and more significant impact on subsequent terrorism rates. This legal cynicism is independent of cynicism about the Iraq government and military, which had no substantial impact on residual change in terrorism rates.

Finally, we turn in Table 5 to our most conclusive assessment of the role of legal cynicism in predicting the *changes* in terrorist violence in Iraqi districts— despite the overall decrease in terrorist violence following 2007. As we noted earlier, it is *not* simply the immediate, overall rise or fall in violence that determines the success of a strategy of intervention. Instead, it is the *difference* that the strategy made *compared to* the *localized* changes that would have occurred *without* the intervention—or what social scientists call the "counter-factual" situation. Thus, we measured the "residual change" in terrorism rates in each district (Cronbach and Furby 1970), or the unexpected increase or decrease in terrorism rates given both initial rates per district in 2006 and their overall changes across all Iraqi districts through 2007. Our hypothesis thus predicts that heightened levels of legal cynicism explain why terrorist attacks were not diminished or even rose slightly in specific areas of Iraq.

Table 5 presents residual change in terrorism from August 2006 through February 2007 (immediately prior to the troop Surge) to February through August of 2008. The coefficients in Table 5 are residual change scores that indicate *unexpected changes* in terrorist attack rates, with positive residuals indicating where terrorism rates persisted at increased levels or dropped less than expected, and the negative residuals indicating where terrorism rates declined more or increased less than expected. Additionally, Model 4 incorporates an instrumental variable analysis of legal cynicism's impact on these changes in terrorism rates.

TABLE 4: SPATIAL LAG REGRESSIONS OF SIGACTS, IRAQ DISTRICTS, FEB–AUG 2008

	SIGACTs against state/non-civilian actors			
	(1)	(2)	(3)	(4)
Civilian Casualties, Feb — Aug 2006				
Initiated by U.S./Coalition forces				0.095*
				(0.051)
Initiated by insurgency				-0.121*
				(0.061)
Initiated by sectarian violence				-0.006
				(0.009)
Structural Characteristics				
Concentrated poverty	0.430*	0.220	0.267	0.211
	(0.246)	(0.263)	(0.258)	(0.216)
Infrastructure quality	-0.097	-0.281	-0.276	-0.305
	(0.254)	(0.265)	(0.260)	(0.227)
Residential instability	0.436**	0.461**	0.411**	0.272
	(0.171)	(0.168)	(0.167)	(0.176)
Predominantly Sunni community		1.027*	-0.015	0.647
		(0.501)	(0.738)	(0.696)
Cultural Framing & Values				
Collective efficacy	0.124	0.118	-0.127	-0.091
	(0.247)	(0.243)	(0.263)	(0.232)
Legal cynicism about U.S./Coalition forces			0.682**	0.702**
			(0.278)	(0.257)
Legal cynicism about Iraq government/forces			0.252	0.022
			(0.426)	(0.371)
Legal cynicism about U.S./Coalition (variance)				0.313
				(0.518)
Legal cynicism about Iraq (variance)				-0.050
				(0.473)
Time lag, Feb — Aug 2006				0.017***
				(0.003)
Spatial lag	-0.000	-0.001	-0.001	-0.000
	(0.001)	(0.001)	(0.001)	(0.001)
Intercept	0.030	-0.103	0.284	-0.262
	(0.201)	(0.208)	(0.283)	(0.329)

n = 100
Standard errors in parentheses; * p<0.05, ** p<0.01, *** p<0.001 (one-sided)

Table 5: Spatial lag regressions of residual change in victimization from terrorism in Feb–Aug 2008, based on district-level violence in 2006

			OLS	IV
	(1)	**(2)**	**(3)**	**(4)**
Civilian Casualty Rates (Feb — Aug 2005)				
Initiated by U.S./Coalition forces	0.109*	0.100*	0.096*	0.101*
	(0.054)	(0.052)	(0.051)	(0.046)
Initiated by insurgency	-0.074	-0.135*	-0.122*	-0.118*
	(0.060)	(0.061)	(0.061)	(0.055)
Initiated by sectarian violence	-0.012	-0.003	-0.006	-0.007
	(0.009)	(0.009)	(0.009)	(0.009)
Structural Characteristics				
Cumulative poverty	0.396*	0.157	0.206	0.312
	(0.213)	(0.219)	(0.216)	(0.245)
Infrastructure quality	-0.145	-0.370	-0.311	-0.239
	(0.222)	(0.225)	(0.226)	(0.235)
Residential instability	0.310*	0.364**	0.268	0.227
	(0.154)	(0.148)	(0.176)	(0.142)
Proportion Sunni		1.396**	.642	0.067
		(0.465)	(0.694)	(0.867)
Cultural Framing & Values				
Collective efficacy	0.196	0.171	-0.085	-0.173
	(0.212)	(0.203)	(0.231)	(0.287)
Legal cynicism about U.S./Coalition forces†			0.696**	1.097*
			(0.256)	(0.494)
Legal cynicism about Iraq government/forces			0.029	0.081
			(0.370)	(0.354)
Legal cynicism about U.S./Coalition (variance)			0.332	0.591
			(0.517)	(0.617)
Legal cynicism about Iraq (variance)			-0.071	-0.260
			(0.471)	(0.464)
Time lag, Feb — Aug 2005	0.012***	0.013***	0.013***	0.013***
	(0.003)	(0.003)	(0.003)	(0.002)
Spatial lag	0.000	-0.001	-0.000	0.000
	(0.001)	(0.001)	(0.001)	(0.001)
Intercept	-0.128	-0.281	-0.094	-0.017
	(0.182)	(0.182)	(0.328)	(0.325)

$n = 100$
Standard errors in parentheses; * $p<0.05$, ** $p<0.01$, *** $p<0.001$ (one-sided)

† In model 4, instrumented by spending on military-funded projects and perceptions of unnecessary U.S./Coalition violence against civilians

The coefficients in the first row of Table 5 indicate that terrorist attacks are significantly more likely to persist where civilian-casualty events are attributed to U.S./Coalition forces. These are the kinds of civilian casualties often described as "collateral damage" at the hands of U.S. forces. The second row in this table indicates that terrorist attacks declined more (or increased less) than expected in areas where Sunni insurgency was previously active, while the third row indicates there is no significant relationship between sectarian violence and subsequent changes in terrorist violence. Models 1 and 2 show that areas with higher residential instability and concentrated poverty, and also higher proportions of Arab Sunni population are, as expected, significantly more likely to be areas where terrorist violence persists.

Most importantly, in Models 3 and 4, we see that legal cynicism about U.S./Coalition forces is predictive of the persistence of terrorist attack rates, net of any influence of legal cynicism about the Iraq government and forces, outliers in both kinds of cynicism (as measured by variance), and other controls in this study. This legal cynicism also reduces by more than half and below statistical significance the measured effects of the persistence of these attacks in areas with higher proportions of Arab Sunni residents.

In our final Model 4, we further test this relationship with instrumental variable models of residual change in terrorism rates. This procedure controls for omitted confounders by using one or more exogenous variables that are related to a dependent variable only through the explanatory variable of interest as the basis for natural random assignment of cases among values of the explanatory variable (Wooldridge 2003), in this case legal cynicism. It thereby assesses a dependant relationship through a naturally occurring experiment that uses an "instrument" in place of the key explanatory variable. In this case, we used two variables—logged spending in 2007 on U.S. military-funded reconstruction projects and perceptions in 2007 of prior, unnecessary U.S./Coalition violence against civilians—as instruments for legal cynicism about U.S./Coalition forces in modeling residual terrorism rates.

Using both perceptions of unnecessary U.S./Coalition violence against civilians and logged U.S./Coalition spending on reconstruction projects as instruments for legal cynicism about U.S./Coalition forces, we find corroborative evidence for the key sequence of our hypothesis: perceptions of unnecessary U.S./Coalition violence against civilians. This violence, which is disproportionately reported in Arab Sunni areas, has a strong, significant impact through legal cynicism on the persistence of terrorist attacks— and which simultaneously overshadows any reductive impact that reconstruction spending by U.S./Coalition forces may have had on terrorism rates through legal cynicism.

This instrumental variable analysis reinforces our findings: *increases in unnecessary U.S./Coalition violence during the Surge, which were largely responsible for increases in Iraqis' feelings of legal cynicism about the U.S.-led Coalition, also led to higher levels of terrorist violence than would have otherwise occurred*. Without the Surge, Iraq's districts where terrorism increased would have seen lower or even no increases, while those districts where terrorism declined would have experienced greater declines. Worse still, the results show that the increased U.S. troop presence and activities *undid* COIN's putatively helpful reconstruction efforts.

Figure 3 shows the relationship across Iraq between legal cynicism about U.S./Coalition forces in 2007 and subsequent, unexpected decreases or increases in levels of terrorist violence. Notably, these relationships are quite strong in Sunni-dominated areas such as Anbar (which includes the cities of Ramadi and Fallujah), Saladin, and Diyala provinces, and the areas surrounding the city of Mosul—
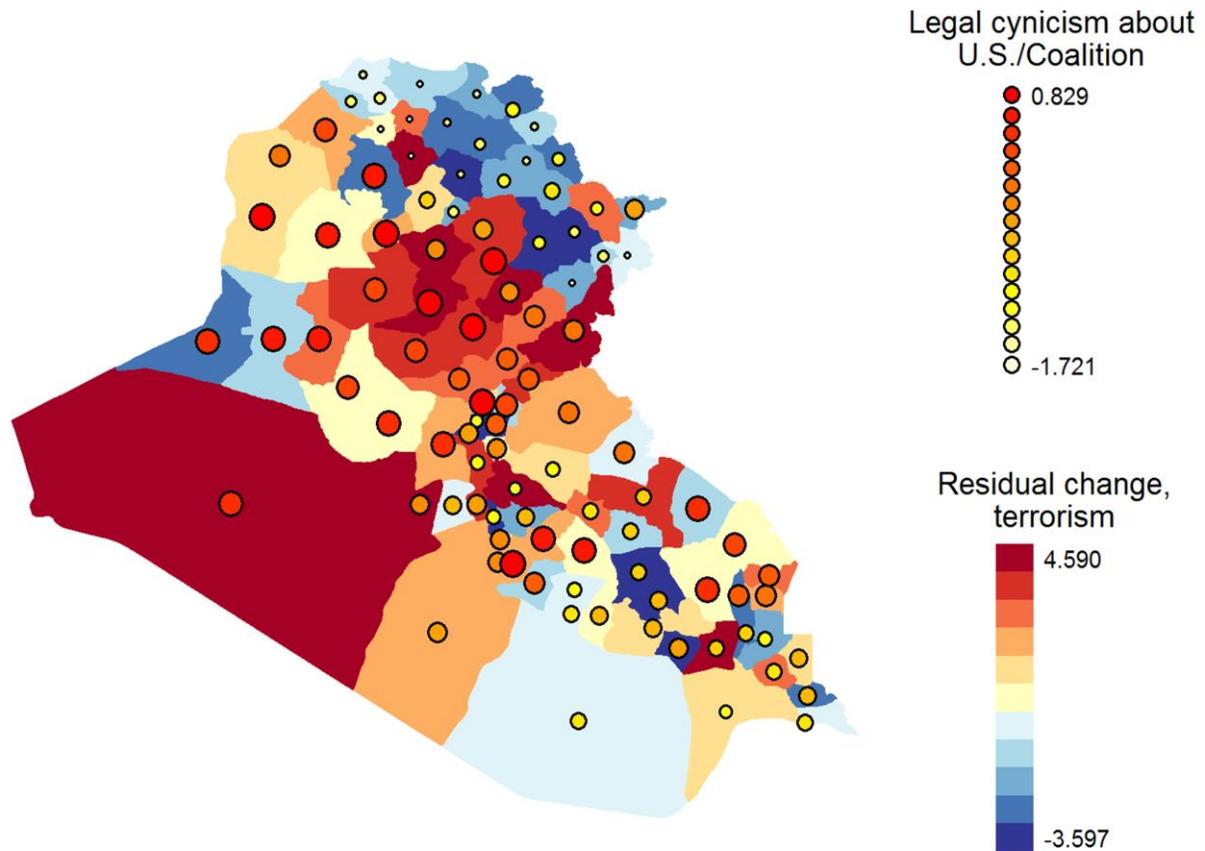
FIGURE 3: U.S./COALITION-CAUSED CIVILIAN CASUALTY EVENTS COMPARED
TO TERRORISM RATES, IRAQ

the places where al-Qaeda in Iraq was particularly active and where the Islamic State subsequently made its most dramatic advances. In contrast, the northeastern Kurdish region and the Shia-dominated southeast display lower legal cynicism and decreased terrorism.

Furthermore, residual terrorism rates were also strongly predicted by civilian casualties that occurred in events initiated by U.S./Coalition forces—*independent of the exacerbating impact of U.S./Coalition violence on legal cynicism*. Altogether, these findings indicate that in many important districts the 2007 Surge in American troops both increased levels of legal cynicism among Iraqi citizens and resulted in even higher levels of subsequent terrorist attacks than would have otherwise been expected— the opposite of the incapacitation-based COIN expectations.

In fact, despite the relatively small sample of 100 districts, these models indicate that legal cynicism about U.S./Coalition forces is more predictive *than any other factor* of unexpected residual change in terrorism rates across the districts of Iraq following the COIN-sanctioned Surge in U.S. troops.

CONCLUSION

Purposeful targeting of non-combatants in an international conflict zone is a war crime, whether the attackers are non-governmental or governmental, and whether the violence is characterized as political terrorism or counter-terrorism. In the period that followed the U.S.-led invasion of Iraq and during the first years of the occupation, Bagdad was the scene of escalating crimes of terror by non-governmental militia groups and especially Muqtada al-Sadr's Mahdi Army. Openly carrying and using its weapons, the Mahdi Army violently advanced the agenda of the Shia-based Sadrist sectarian political movement.

Using threats of violence, harassment, and attacks on homes in the mixed and predominantly Sunni neighborhoods of Baghdad, the Mahdi Army enacted an ethnic cleansing campaign of terror that changed the ethno-sectarian balance of power in Baghdad. Al-Sadr spread his territorial influence over most of eastern Baghdad and beyond, setting a foundation for his supporters to eventually enter Iraq's parliament and become a key part of the governing Shia coalition. What had previously been a city of mixed and predominately Sunni neighborhoods during the regime of Saddam Hussein became by 2006 the new Shia stronghold in the capital of Iraq. Al-Sadr's leadership of the Mahdi Army is a striking example of how crimes of terror can pave the way for insurgency and eventually result in governmental influence.

The Surge of U.S.-led forces beginning in February of 2007 did not reverse the results of ethnic cleansing in Baghdad. It is plausible, however, that in combination with the declaration of a unilateral ceasefire by al-Sadr in August of 2007, that the Surge contributed to the reduction of violence in Baghdad and elsewhere for a period of time (Kalyvas and Kochner 2007; Hagan et. al 2015). Yet we have seen that this was not the case in other crucial parts of Iraq, especially in the areas to the north, northwest, and northeast of Baghdad where the Arab Sunni population is concentrated.

Our analysis indicates that citizen-reported unnecessary attacks by U.S.-led forces on civilian non-combatants provoked a sense of legal cynicism among Iraqis about the American military involvement in Iraq. Among these incidents, three are best known: the torture at Abu Ghraib prison, the killings of 24 civilians at Haditha, and the shooting of 17 civilians in Baghdad's Nisour Square by U.S. government contractors hired from the corporate security firm Blackwater Incorporated. Yet violent responses to terrorist threats by U.S.-led forces was widely reported throughout the War, especially by Arab Sunni individuals in Arab Sunni communities. Even with a "new" military doctrine revived from the Vietnam War, the U.S.-led occupation approached counter-terrorism efforts through the same kinds of repressive violence that we have come to expect across national contexts, from Northern Ireland to Columbia.

At the height of the violence in Iraq in 2006, U.S. Colonel Douglas McGregor summarized the everyday nature of acts of terror by U.S. forces against civilian non-combatants:

> We arrested people in front of their families, dragging them away in handcuffs with bags over their heads, and then provided no information to the families of those we incarcerated. In the end, our soldiers killed, maimed, an incarcerated thousands of Arabs, 90 percent of whom were not the enemy. But they are now (Hashim 2006:326).

General Johnson, who commanded American forces in Anbar province, similarly testified in a later military investigation of the Haditha killings that "It happened all the time … throughout the whole country" (Schmidt 2011). He added that, "at that point in time I felt that was — had been, for whatever reason, part of that engagement and [I] felt that it was just a cost of doing business in that particular engagement."

General Johnson cogently described—in a very practical if not articulate way—the militarized incapacitation strategy that included the unnecessary use of violence by U.S. forces against (especially Sunni) civilians in Iraq. Former Senator and Vietnam veteran Charles Robb wrote more explicitly and clearly in a 2006 memo presented to the Iraq Study Group that, "My sense is that we need, right away, a significant short-term surge in U.S. forces on the ground …. It's time to let our military do what they're trained to do on offense— without being overly concerned by a zero casualties or controlled collateral damage approach" (Gordon and Trainor 2012:276). The reference to not "being overly concerned by a zero casualties or controlled collateral damage approach" was a carryover of the militarized incapacitation strategy from the American war in Vietnam.

This incapacitation-based thinking was militarized and reincorporated in the COIN counter-terrorism strategy (Kaplan 2013:219). The collateral damage resulting from this strategy constituted collective punishment and a form of terrorism in its own right, consistent with typically repressive counter-terrorism efforts (*e.g.*, Agnew 2010; LaFree and Dugan 2009). Consistent with the results a societal reactions approach would have predicted, this violence exacerbated the sense of legal cynicism, especially in Sunni areas, that led to continuing, defiant non-governmental terrorism against civilian individuals, groups, and non-governmental institutions.

General Petraeus was able to persuade key actors that, on paper, the American COIN strategy rightly assumed that local cultural attitudes and beliefs mattered. The key to reducing violent defiance *is* through reducing legally cynical attitudes and beliefs about governments. Yet Petraeus's strategy in Iraq was theoretically underdeveloped and unsuccessful: the U.S.-led occupation failed to anticipate community-level, cultural and political reactions and therefore instead exacerbated the defiantly violent consequences of legal cynicism.

In the wake of COIN's and Petraeus's apparent long-term failures in both Iraq and Afghanistan in recent years—especially given the rise of Islamic State terrorist activities—scholars, military strategists, and policymakers have begun significantly re-evaluating counter-insurgency and counter-terrorism strategies. The trend is not, however, to evaluate what went wrong in achieving the support of local populations and promoting the legal legitimacy of U.S. and allied interventions (Kalyvas 2008; Gates and Roy 2015). Instead, all signs indicate a return to the traditional warfare tactics—in other words, a return to pure, unadulterated incapacitation without even cursory, undeveloped efforts to consider cultural and political responses at the community level. A return to traditional warfare, though, flies in the face of decades of counter-terrorism research (*e.g.*, Crenshaw 1983; LaFree and Dugan 2009; Chenowith 2012) across disciplines that indicate that a sense of legal legitimacy among local communities is key to reducing terrorist violence, that a successful approach requires a deeper understanding of cultural responses, not a return to completely atheoretical approaches (Gates and Roy 2015).

This study provides a crucial next step in understanding the social mechanisms through which repressive, incapacitative state responses or "societal reactions" to criminal violence like terrorist attacks can actually result in increases in future violence. Targeting specific communities as harbors of potentially violent threats—even with attempts to mitigate adverse results through resource provision and institution building—can result in communities coming to understand and therefore react to that label. Likewise, shared beliefs about a government's illegitimacy, ineffectiveness, and unresponsiveness to communal needs—not just rational calculations or surface attitudes about the acceptability of violent responses—are key to understanding how communities develop a sense of legal cynicism and therefore why cycles of terrorism and counter-terrorism persist. In the end, this study indicates that, without incorporating further research into societal reactions, legal cynicism, and potentially other cultural mechanisms, future military strategies and counter-terrorism tactics are

doomed to face the same failures that have plagued COIN, traditional warfare, and domestic incapacitation policies.

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Table A1: Individual-level descriptive statistics and variable descriptions, NPOSI survey, Iraq (Sept 2007)

	min	max	μ	σ	Survey Questions
War Violence					
Bombing	0.00	1.00	0.42	0.49	"Please tell me if this has or has not occurred nearby here:…car bombs or suicide attacks?"
Sniping and crossfire	0.00	1.00	0.30	0.46	"…sniping or crossfire?"
Kidnapping	0.00	1.00	0.42	0.49	"…kidnappings for ransom?"
Sectarian violence	0.00	1.00	0.28	0.45	"…fighting among sectarian factions?"
Militia violence	0.00	1.00	0.30	0.46	"…fighting among local militia factions?"
Government/non-government violence	0.00	1.00	0.34	0.47	"…fighting between Iraq government and anti-government forces?"
Unnecessary U.S./Coalition violence against civilians	0.00	1.00	0.44	0.50	"…unnecessary violence against civilians by U.S. or Coalition forces?"
Unnecessary Iraq Police violence against civilians	0.00	1.00	0.21	0.40	"…unnecessary violence against civilians by the Iraq Police?"
Unnecessary Iraq Army violence against civilians	0.00	1.00	0.19	0.39	"…unnecessary violence against civilians by the Iraq Army?"
Cultural Framing and Values					
Legal cynicism about U.S./Coalition forces	-2.55	0.83	0.00	0.90	*Factor scale*:
					1. "From today's perspective and all things considered, was it absolutely right, somewhat right, somewhat wrong or absolutely wrong that the U.S.-led Coalition forces invaded Iraq in Spring 2003?"
					2. "Do you strongly support, somewhat oppose or strongly oppose the occupation/presence of the United States and other Coalition forces in Iraq?"
					3. "Since the war, how do you feel about the way in which the United States and other Coalition forces have carried out their responsibilities in Iraq?"
					4. "Do you think the increase in U.S. forces has made security better, worse, or had no effect?"
Legal cynicism about Iraq government/forces	-1.84	1.11	0.00	0.78	*Factor scale*:
					1. "I am going to name a number of organizations. For each one, please tell me if you have a great deal of confidence, quite a lot of confidence, not very much confidence, or none at all in:…the Iraq Army?"
					2. "…the Iraq Police?"
					3. "…the Iraq Government?"
Background Characteristics					
Arab Sunni	0.00	1.00	0.36	0.48	"Which one of the following ethnic groups do you consider yourself to be a member of?"
Arab Shia	0.00	1.00	0.45	0.50	
Other ethnicity	0.00	1.00	0.04	0.19	
Male	0.00	1.00	0.52	0.50	*Observed gender*
Age	18.00	72.00	36.30	13.11	"How old were you on your last birthday?"
Education level	1.00	5.00	3.20	1.23	"What is the highest level of education you have achieved?" (5-point scale)
Married	0.00	1.00	0.64	0.48	"What is your marital statU.S.?" (married = 1)
Working	0.00	1.00	0.41	0.49	"What is your job statU.S. now?" (working = 1)

n = 2212