

(Cognitive Dissonance Series — Penultimate Article in the UKSF Arc)

The Kitsonian Ghost in the Machine: How a 1970s Doctrine Engineered UKSF's Modern Lawfare Vulnerability

For months I've been writing about UK Special Forces, lawfare, and the Haddon-Cave Inquiry through a systems-thinking lens. What began as a doctrinal meditation has become something more blunt: a structural diagnosis.

UKSF today is not uniquely unlucky, unfairly targeted, or victim of a new "legal asymmetry." What we are seeing is the predictable output of a system designed for a different world — one built on assumptions inherited from **Frank Kitson**, never updated for digital accountability, and never reinforced with the kind of **legal resilience** that modern operations demand.

This is not about blame.

This is about system design.

Three intellectual traditions sit at the centre of this:

- **Kitson** (internal, covert-first doctrine)
- **Eveleigh** (internal, law-first operational realism)
- **Faligot** (external, ideological left-wing critique)

They share nothing in background, worldview or intent. And yet all three converge on one structural insight that explains why UKSF finds itself strategically exposed in 2026.

Let's walk the arc.

1. Kitson's Operating System: Tactical Genius, Strategic Blindspot

Frank Kitson's influence on British COIN thinking is so deep that people forget it is a historical artifact, not a timeless constant. His *Low Intensity Operations* was a product of a particular moment: late colonial conflicts characterised by weak media oversight, minimal judicial reach, and a strategic assumption that secrecy would always outrun scrutiny.

Kitson's core premises were straightforward and operationally brilliant:

- **Intelligence dominance** is decisive.
- **Pseudo-gangs** and covert penetration outperform conventional force.
- **Ambiguity** is an operational tool, not a risk.
- **Denial and deception** buy political space.
- **Population control** is the real centre of gravity.

This doctrine *worked* — in Malaya, Kenya, Cyprus, Aden, and when adapted to NI through the Military Reaction Force and other covert architecture. It worked because the world Kitson operated in **could tolerate ambiguity**. There was:

- no ECHR,
- no statutory disclosure regime,
- no satellite trails,

- no helmet-cam footage,
- no digital audit logs,
- no smartphone witnesses,
- no Haddon-Cave-style statutory inquiries.

The Kitsonian approach produced short-term tactical effect.
It **never had to survive long-tail scrutiny**.

Kitson built an operating system designed for 1970s opacity.
That operating system is still running inside UKSF in 2026.

That is the ghost in the machine.

2. Evelegh: The Officer Who Saw the Legal Design Problem 50 Years Early

At exactly the same time Kitson was shaping the covert architecture of NI, **Robin Evelegh** was a battalion commander (the 3rd Battalion The Royal Green Jackets) in Belfast and realising something Kitson never wrote about: **operations fail when legal frameworks fail**.

Robin Evelegh's *Peace-Keeping in a Democratic Society* (1978) stands as the most important internal critique of Britain's early Northern Ireland campaign—a book written not by an outsider but by a battalion commander who realised, years before anyone else, that the real fragility in British COIN was not the insurgent threat but the absence of a coherent legal and constitutional framework. In contrast to Kitson's tolerance for ambiguity, Evelegh argued that unclear powers, improvised ROE and ad-hoc emergency legislation "crippled" soldiers on the street and undermined democratic legitimacy. His core insight was radical for its time: **legal clarity is not a constraint on operations, but the foundation of operational effectiveness itself**.

Evelegh's argument was not moral.
It was not hand-wringing.
It was not "lawyerly."

It was the hard pragmatism of an infantry commander dealing with the consequences of unclear ROE, improvised constitutional practice and the absence of statutory authority for the tasks soldiers were being asked to perform.

Evelegh argued that:

- the **Yellow Card** was unclear;
- emergency powers were incoherent;
- soldiers were "*crippled by the lack of quite minor laws*";
- legitimacy was an operational resource;
- and legal clarity was not a brake but an enabler.

Where Kitson saw ambiguity as an asset, Evelegh saw ambiguity as a liability — a future scandal waiting to happen.

History has vindicated Evelegh.

3. Faligot: The Marxist Critic Who Accidentally Foretold Haddon-Cave

Roger Faligot, the French journalist writing from a left-wing, anti-colonial perspective, produced an analysis almost diametrically opposed to Eveleigh's in tone but surprisingly convergent in conclusion.

Roger Faligot's *Britain's Military Strategy in Ireland: The Kitson Experiment* remains one of the most provocative external examinations of British counter-insurgency, written by a veteran French investigative journalist widely regarded as one of France's leading specialists on Ireland and intelligence history. Drawing on years reporting The Troubles from 1973 onwards, Faligot argued that the British state had constructed a system of covert coercion, pseudo-gangs and ambiguous legality—an operational architecture he attributed to Kitson's intellectual shadow. Whether or not his left-wing framing is embraced, the book provides an invaluable outside-in mirror: a view of British COIN as something structurally dependent on opacity, and therefore structurally vulnerable once exposed to democratic light

Faligot saw British COIN as:

- a system of repression,
- built on covert violence,
- exploiting legal grey zones,
- relying on secrecy to avoid democratic oversight.

His narrative is ideological — but it correctly identifies a structural truth: **any system that depends on secrecy and legal ambiguity has a built-in expiry date once democracy and law catch up.**

Faligot was describing the long-tail risk.

Haddon-Cave is the long tail.

4. Two Worlds, Two Traditions, One Structural Failure

Kitson, Eveleigh and Faligot represent three different vantage points on the same machine:

- **Kitson:** ambiguity works.
- **Eveleigh:** ambiguity is dangerous.
- **Faligot:** ambiguity will collapse under scrutiny.

UKSF inherited only one of these traditions — Kitson.

It ignored Eveleigh.

It dismissed Faligot.

From a systems vantage point, that is the exact configuration that produces lawfare vulnerability in our current era.

This is why the Haddon-Cave Inquiry looks less like a shock and more like a **POSIWID event**.

5. POSIWID and BOLLOCKS: UKSF's System Behaving as Designed

POSIWID: The Purpose Of A System Is What It Does

I've used this Stafford Beer framing in earlier posts, and it fits perfectly.

UKSF's system — built without legal resilience, without digital evidential discipline, without auditable authorisations, without structured oversight — outputs precisely what such a system is built to output:

- inquiries,
- litigation,
- public exposure,
- reputational attrition,
- strategic friction with allies.

The system is *not malfunctioning*.
It is functioning exactly as designed.

BOLLOCKS

My playful but apposite mnemonic — Building On Lax Layers Often Causes Kinetic System-failures — is the explanatory engine.

UKSF's upstream layers are lax:

- policy guidance unclear,
- evidential capture inconsistent,
- data retention fragmented or deleted,
- investigations internally downgraded,
- oversight episodic not structural,
- legal risk not gamed,
- doctrine not patched for judicialised warfare.

High-tempo covert ops built on these layers will always generate downstream kinetic system-failure:

- lawfare,
- scandal,
- inquiry,
- strategic paralysis.

BOLLOCKS is not a joke.

It is diagnosis.

6. The Staff-Officer Cognitive Trap: Careerist, Believer, Fixer

If Kitson provided the operating system, the Army supplied the cultural firmware — a staff-officer class selected, socialised and promoted through habits that make legal-operational integration difficult.

Three behavioural archetypes dominate:

The Careerist

Avoids conflict. Suppresses bad news. Sees legal exposure as reputational risk rather than operational design flaw. Manages upwards, shuns scrutiny.

The Believer

Romanticises NI mythologies. Sees oversight as disloyalty. Frames legal engagement as “lawfare appeasement.” Believes intent and tradition will shield the organisation.

The Fixer

Gets things done informally. Keeps problems off paper. Navigates networks not processes. Makes ambiguity operationally survivable — but legally catastrophic.

Individually these traits are survivable.

Together they become a system.

And a system with these traits existing in its command cadre cannot self-correct in the face of rising legal expectation.

7. Haddon-Cave: The System Finally Meets Its Terminal Condition

This is why the evidence emerging from the Inquiry — the anomalous kill patterns, the data deletion, the downgraded criminal concerns, the “TTP reviews” used as displacement, the staff officer N1466 whistleblowing — is not surprising.

It is the system revealing itself.

Once operations enter a **digital evidential era**, everything changes:

- satellite data remembers;
- ISR metadata remembers;
- Palantir remembers;
- helmet cams remember;
- targeting logs remember;
- approval chains remember.

This is not the world of NI.

This is not the world Kitson wrote for.

In this world, legal resilience is not a “nice to have.”

It is the armour.

And UKSF went into Helmand with none.

8. The Iron Law of Modern Conflict

So here is the structural conclusion of the entire Kitsonian Ghost series:

UKSF is not being defeated by lawfare.

UKSF is being defeated by its failure to design for lawfare.

This is not an operator problem.

This is not a “few bad apples” problem.

This is not a political correctness problem.

This is not a media problem.

This is not an ECHR problem.

This is a **system design** problem.

Kitson built a doctrine for a different century.

Eveleigh warned what would happen if legal design did not keep pace.

Faligot predicted the democratic reckoning.

Haddon-Cave is simply the system doing what systems do when their upstream layers are never modernised.

POSIWID.

BOLLOCKS.

Consequences.

9. The Final Article in This Arc

The last piece in this series will detail **how to rebuild legal resilience inside UKSF** — not as an apology to lawyers, but as an operational necessity:

- auditable evidence capture;
- ROE traceability;
- an annual red-team lawfare exercise;
- funded counsel;
- a cleared oversight lane;
- and the cultural shift MI5 achieved when it stopped fearing oversight and started treating it as feedback.

MI5 learned this lesson.

UKSF can, too.

Because the rule of law is not a leash.

It is armour.

And without it, even the most elite operators become strategically fragile.

Selected Sources

- Frank Kitson, *Low Intensity Operations: Subversion, Insurgency and Peacekeeping* (1971).
- Robin Eveleigh, *Peace-Keeping in a Democratic Society: The Lessons of Northern Ireland* (1978).
- Roger Faligot, *Britain’s Military Strategy in Ireland: The Kitson Experiment* (1983).
- UK Ministry of Defence, *Operation BANNER: An Analysis of Military Operations in Northern Ireland* (2006).