Operation Uphold Democracy: Conflict and Cultures

A summary of material from CNA's 1995 Annual Conference, "Military Support to Complex Humanitarian Emergencies: From Practice to Policy"

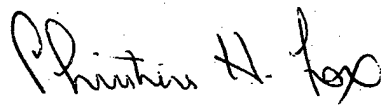E.D. McGrady • John S. Ivancovich

Center for Naval Analyses

19990505 000

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REPORT DOCUMENTATION PAGE

Form Approved
OPM No. 0704-0188

1. AGENCY USE ONLY (*Leave Blank*)	2. REPORT DATE	3. REPORT TYPE AND DATES COVERED
	June 1998	Final, Revised

4. TITLE AND SUBTITLE

Operation Uphold Democracy: Conflict and Cultures: A Summary of material from CNA's 1995 Annual Conference, "Military Support to Complex Humanitarian Emergencies: from Practice to Policy"

5. FUNDING NUMBERS

N00014-96-D-0001

PE - 65154N

PR - R0148

6. AUTHOR(S)

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7. PERFORMING ORGANIZATION NAME(S) AND ADDRESS(ES)

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4401 Ford Avenue
Alexandria, Virginia 22302-1498

8. PERFORMING ORGANIZATION REPORT NUMBER

Professional paper 541.10

9. SPONSORING/MONITORING AGENCY NAME(S) AND ADDRESS(ES)

10. SPONSORING/MONITORING AGENCY REPORT NUMBER

11. SUPPLEMENTARY NOTES

Supersedes Professional Paper 541.00 dated January 1997

12a. DISTRIBUTION AVAILABILITY STATEMENT

Cleared for Public Release, Distribution Unlimited

12b. DISTRIBUTION CODE

13. ABSTRACT (*Maximum 200 words*)

This paper combines material from the session on Haiti and operation UPHOLD DEMOCRACY at the Center for Naval Analyses (CNA) 1995 Annual Conference: "Military Support to Complex Humanitarian Emergencies: From Practice to Policy." The Haiti panel discussion was part of session I: "Reports From the Fronts: What Our Military Does Today to Support Responses to Complex Humanitarian Emergencies." Although the proceedings from the conference have been published elsewhere, this paper incorporates conference read-ahead material with session details that have not previously been published. The paper has two parts> The first contains material distributed before the sessions began. The second section is an edited summary of the Haiti discussion.

14. SUBJECT TERMS

Cross culture (Sociology), Culture, Foreign Aid, Haiti, Humanitarian Assistance, Military Operation, Operation Uphold Democracy, Western Security (International)

15. NUMBER OF PAGES
43

16. PRICE CODE

17. LIMITATION OF ABSTRACT
SAR

18. SECURITY CLASSIFICATION OF REPORT	19. SECURITY CLASSIFICATION OF THIS PAGE	20. SECURITY CLASSIFICATION OF ABSTRACT
Unclassified	Unclassified	Unclassified

Contents

Introduction

This paper combines material from the session on Haiti and Operation Uphold Democracy at the Center for Naval Analyses (CNA) 1995 Annual Conference: "Military Support to Complex Humanitarian Emergencies: From Practice to Policy." The Haiti panel discussion was part of Session I: "Reports From the Fronts: What Our Military Does Today to Support Responses to Complex Humanitarian Emergencies." Although the proceedings from the conference have been published elsewhere,[1] this paper incorporates conference read-ahead material with session details that have not previously been published.

The paper has two parts: The first part contains material distributed before the session began. It is designed to set the overall context of the discussions that follow. In this first section, we discuss operations in Haiti from two perspectives:

- Operations at war with themselves. We explore operations in which the self-perception, training, and outfitting of the forces employed conflict with the operational goals or the real-world requirements of the operation.

- Accounting for culture. Culture and the nature of Haitian society affected Uphold Democracy in many ways. We explore this perspective in the three-way relationship between Haitian culture, U.S. domestic civilian and political culture, and U.S. military culture.

The second section of this paper is an edited summary of the Haiti panel discussion. Panelists discussed the issues described in the first section of this paper, as well as other issues that were important in the operation.

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1. Anne M. Dixon and Maureen A Wigge (eds.), *CNA 1995 Annual Conference Proceedings: Military Support to Complex Humanitarian Emergencies: From Practice to Policy,* no date.

Section 1: Background

The issues

Operation Uphold Democracy was remarkable in one important way: It worked. A safe and secure environment has now been maintained in Haiti for more than 2 years (with some notable exceptions). President Aristide was returned to power and elections have been held.[2] In addition, the operation itself was executed with almost no casualties to either the Haitian or the U.S./multinational side.

The result is good for the United States and good for (most) Haitians. Such success, however, may overshadow valuable lessons we can learn from the operation. Many of the issues the military had been dealing with in complex humanitarian emergencies over the years were still there; they simply did not (or were not allowed to) get in the way of the overall operation.

Of all of the issues, the one that was illustrated most dramatically in Haiti, and is a recurring theme, is the distinction between the goals of the military and the goals of the other groups (governmental, Haitian, and political) that dominate humanitarian operations.

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2. At the time of the conference (October 1995), elections had not yet been held. Material in the first section has since been updated to reflect recent developments. Panelists' remarks in the second section date from the time of the conference.

We therefore focus our discussion on the following two issues:

- **Operations at war with themselves.** Haiti was rife with some of the conflicts that seem common to complex humanitarian emergencies when military forces are involved.[3]

  — The U.S. military has a chain of command. But the people who control the U.S. military's policy and those who know the situation on the ground are at different ends of the chain of command.

  — Neither U.S. policy-makers, nor the U.S. military, wanted our troops to become a police force. But with either corrupt or absent Haitian police, there seemed to be no alternative.

  — U. S. political and military leaders wanted to avoid both "mission creep" and "nation building." But the mission can become inconsistent with what really needs to be done.

  — U.S. policy-makers did not want casualties. But to establish a safe and secure environment, troops had to be engaged with the population and be moved out of secure areas.

  — The United States, particularly the legislative branch, wanted a quick in and out. But establishing more than mere order takes time.

  These issues present the military leaders with a dilemma. Their focus in on warfighting, and other missions may conflict or detracts from warfighting.

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3. For a broad discussion of political and military issues involved in Haiti operations, see Adam B. Siegel. *The Intervasion of Haiti,* Aug 1996 (CNA Professional Paper 539). Many issues discussed in the current paper are based on observations documented in *The Intervasion of Haiti,.* For a detailed discussion of planning and early operations in Haiti, see E.D. McGrady. *Uphold Democracy: An Operation Just Short of War* (U), Secret, Jun 1996 (CNA Research Memorandum 96-64), and E.D. McGrady and Robert E. Sullivan. *Operation Uphold Democracy: Observations on Joint Assault Forces Operated from a CV* (U), FUOU, Jul 1996 (CNA Research Memorandum 96-3).

However, the military is frequently placed in situations where warfighting will not accomplish the mission. And military leaders often find that the real requirements of the operation differ from those of their mission.

Differences between the mission and the real requirements of an operation cause many last-minute and after-the-fact adjusting to circumstances to be necessary as troops on the ground are confronted by the reality of the operation. It also means that a lot of planning was probably focused on potentially irrelevant factors.

- **Accounting for culture.** In conventional war, military and political utility overwhelms most other considerations. In complex humanitarian operations involving military troops, the culture of all the various actors (U.S. and coalition military, indigenous people, and U.S. civilians) matters more. How can the military do a better job of accounting for the cultures, its own as well as those it is trying to help or work with so that it will be better prepared for successful operations? Is there a better way to plan for these operations, one that considers all the various social institutions with which the military may be dealing?

These topics present different aspects of the military's difficulty in coming to grips with the clash between its mission, culture, history, and self-image, and the requirements of the Complex Humanitarian Emergency mission. Although the U.S. military has a history of performing humanitarian operations, these operations were not such a visible part of its image in the past because of the Cold War and other priorities.[4]

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4. See, for example, Adam B. Siegel. *The Use of Naval Forces in the Post-War Era: U.S. Navy and U.S. Marine Corps Crisis Response Activity, 1946-1990,* Feb 1991 (CNA Research Memorandum 90-246).

Adam B. Siegel. *A Chronology of U.S. Marine Corps Humanitarian Assistance and Peace Operations,* Sep 1993 (CNA Information Memorandum 334)

Adam B. Siegel. *A Sampling of U.S. Naval Humanitarian Assistance Operations,* Nov 1990 (CNA Information Memorandum 132)

The military and civilian leadership are dealing with the issues of culture and internal organizational conflict by declaring "no mission creep" or "no mission leap." This viewpoint has been said to originate from the Vietnam War.[5] It stems from concern that an operation may expand well beyond its political and military value.

However, there is more to these issues than "mission creep." The nature of the mission, the definition of success, and the military's ability to reconcile its and its leadership's desires with the realities of the operation are all unique facets of this underlying problem. By studying them, we may be able to gain additional insight into how the military, and the political forces that drive the military, can adapt to the new realities of complex humanitarian emergencies.

Operations at war with themselves

U.S. military forces have an ingrained (and Constitutional) image of themselves as warfighters. Their forces, training, and doctrine revolve around fighting wars. But they have been and continue to be asked to perform missions that differ significantly from their traditional warfighting role. Military forces have always participated in a wide range of operations, but because few easily recognized military threats now exist, these other missions have come to the forefront of the image the "public" receives of the military.

This leads to a fundamental conflict between tasking and reality. If the military is perceived as primarily engaged in these other missions, it becomes more difficult to justify high levels of warfighting readiness that do not support those missions. Even if the funding climate were benign, complex humanitarian emergencies place demands on training time and equipment, which in turn may affect the warfighting readiness of some units.

However, military forces are sometimes perceived as the only organization that can provide effective solutions to some of the problems encountered in complex humanitarian emergencies. Thus, despite

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5. Jennifer Morrison Taw and John E. Peters. *Operations Other than War: Implications for the U.S. Army* (RAND Arroyo Center, 1995: 24)

their primary focus on warfighting, or what they intend to do, military forces are sometimes called in to organize, coordinate, support, and provide protection for complex humanitarian operations.

Just because they are asked to participate does not mean that the military leaders' mind-set (and self-image or desired public image) has changed. This self-image can significantly influence an operation's goals and the way it is executed. For example, in Haiti there was considerable reluctance to use U.S. troops to enforce civilian law and order. U.S. military commanders and civilian leaders also were reluctant to allow troops to become involved in nation-building activities. But this attitude changed as the level of violence between Haitians escalated and the expectations of the Haitian population were not always met.

But the approach toward operations in Haiti did not change before the following embarrassing events took place:

- On 20 September: American forces remained neutral during demonstrations in Port-au-Prince when Haitian police and civilian attaches killed two demonstrators.[6]

- On 25 September: In Cap Haitien, hundreds of Haitians plundered four police stations and brought chaos to the city following the firefight of the previous night.[7]

- On 27 September: Food riots occurred in Port-au-Prince. U.S. troops did not intervene.[8]

In many recent complex humanitarian emergencies, this conflict between the warfighting role and the humanitarian role has become a major part of the operation. New doctrine probably won't change it.; nor will specialized training or equipment.

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6. Douglas Farah. "Haitian Police Attack Crowd; U.S. Troops Watch," *Washington Post*, 21 Sep 1994: 1.

7. Eric Schmitt. "Haitian Crowds Loot Police Buildings," *New York Times*, 26 Sep 1994: 1.

8. Gilbert A. Lewthwaite. "Unrest Breaks Out in Haiti; Lawmakers Get Set to Return," *Baltimore Sun*, 1 Sep 1994: 1.

If this is the case, what will?

One possible source of insight into how to solve these problems is to examine the different ways that the Marine Corps, the Special Forces, and the Army operated in Haiti.

The Army forces concentrated around Port-au-Prince were initially focused on force protection and executing the agreement made between former president Carter and General Cédras. This did not leave much room to intervene in Haitian-on-Haitian violence, or to focus on rebuilding the Haitian infrastructure.

The Special Forces in the countryside were necessarily more closely involved with the Haitian people. They frequently worked with the Haitians to restore infrastructure or to solve problems of justice.[9] During the early phases of the operation, however, they often lacked either the authority or the resources to provide substantial assistance to the Haitians.

The Marines were, from the beginning, determined to "not repeat history"[10] and maintained that the "safety and care of the Haitian people was directly related to the safety of the force."[11] From the start of the operation, the Marines were involved in providing more than just security services to the Cap Haitien area. Also, the Marines interpreted the rules of engagement (ROE) with greater latitude than the Army did.[12]

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9. See, for example, Tracy Kidder. "The Siege of Mirebalais," *The New Yorker,* 17 Apr 1996: 72–85.

10. The U.S. Marines occupied Haiti from 1915 through 1934. During that time, they were the de facto government of Haiti. See Hans. R. Schmidt. *The United States Occupation of Haiti, 1915-1934,* New Brunswick, 1971; and Col. Thomas S. Jones (USMC). "Review the Ingredients: Commanders' Insights from Cap Haitien." *Marine Corps Gazette,* Jul 1995: 55-59.

11. Adam B. Siegel, personal communication.

12. Mark Fineman and Art Pine, "In Contrast to Somalia, White House Is Letting Military Call Shots in Haiti, *Los Angeles Times,* 29 Sep 1994.

Policing Haiti

One of the basic components of complex humanitarian operations is their unpredictability. Circumstances can change instantly, confounding the most carefully made plans and military objectives.[13]

Operation Uphold Democracy was a case study in how political circumstances affect military operations. The last-minute deal negotiated between General Cedras and former president Carter changed the militaries' mission from one of a massive airborne assault to a peaceful administrative intervention (sometimes called an "intervasion").

The invasion was called off only hours before the first paratroopers were to begin hitting the ground, and only after Special Forces and other units had begun preparations for the airdrops and amphibious landings.[14] This resulted in a last-minute change of plans; instead of the 82nd Airborne leading an invasion, the 10th Mountain Division moved ashore by helicopter from USS *Eisenhower.*

Changes occurred not only in the type of troops that went ashore, but also in the planning, command structure, and nature of the mission. Let's examine the last point in more detail.

When the "invasion" was called off one important change that occurred was the security environment in which the troops were forced to operate. If the airborne assault had taken place, U.S. troops would have been in firm control. Instead, they were forced to cooperate with an intact government and legal system.[15]

This situation posed a threat because it left many armed personnel available to cause trouble for the U.S. forces.

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13. Taw and Peters, 1995: 22-23.

14. David A. Fulghum. "Massed Airborne Forces Aimed at Heart of Haiti," *Aviation Week and Space Technology,* 10 Oct 1994: 71-72.

15. By "intact," we mean a government and legal system that had to be respected, at least initially, by U.S. forces, even though the Haitian military and government were in tatters.

Initially, the U.S. troops left the policing and enforcement of Haitian law to the Haitian police. This changed as the Haitian military and police forces disintegrated, were taken down by U.S. forces for excessive violence, or simply disappeared. The ensuing vacuum, particularly in the countryside, left much of the policing functions in the hands of the U.S. military simply because no one else was available to fill the vacuum.

The Marines, from the outset, took a hard line with the police and others in authority. This was done to ensure force security, and to establish a safe and secure environment. On the day they landed, the Marine commander met with the Haitian police commander in Cap Haitien and explained that the Marines would not tolerate beatings and shootings of civilians. The next day, when a Haitian police officer brandished a weapon in front of a crowd, Marines trained their rifles on him.[16] The Marine confrontation with the police in Cap Haitien culminated in the firefight on the 26 September that left 10 Haitian policemen dead.

The Army initially took a less publicly confrontational approach toward the Haitian police and military. The ROE were perceived to be in conflict with any intervention between Haitian civilians and the Haitian police and military. The U.S. troops were tasked to provide for self-defense and defense of certain critical areas, but not to intervene in Haitian-on-Haitian violence.[17]

Indeed, the Army appeared to be more closely in line with Washington policy regarding policing. According to Secretary of Defense Perry, the agreement negotiated with the Haitian military allowed the it "to continue to perform its policing missions until the military steps down or until October 15, whichever comes earlier..."[18]

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16. Eric Schmitt. "How a 15-Second Shoot-Out Left 10 Haitians Dead," *New York Times*, 27 Sep 1994: 16.

17. See, for example, Col. David H. Hackworth. "Dealing with Rotten Cops," *Newsweek*, 3 Oct 1994: 32; John H. Cushman. "The GIs and the 'Rules of Engagement,'" *New York Times*, 22 Sep 1994: 13; James Rupert. "GIs at Odds on How to Police Police," *Washington Post*, 22 Sep 1994: 36.

18. Thomas W. Lippman. "U.S. Isn't Creeping Toward Expanded Role by Seizing Police Stations, Perry Says," *Washington Post*, 27 Sep 1994: 15.

In reaction to the Haitian-on-Haitian violence in Port-au-Prince, President Clinton deployed 1,000 Military Police (MPs) to Haiti on 21 September. The role of the MPs was to "moderate the conduct of Haitian security forces without assuming their responsibilities."[19] This resulted in MPs and the International Police Monitors (IPMs) patrolling with the Haitian military and police, but without any authority or responsibility for intervention.

There appeared to be confusion about the role of the military both in the U.S. government and within the U.S. military itself. The executive and Congress were adamant that there should be no mission creep, but the Marines in Cap Haitien demonstrated that considerable latitude existed in how the ROE and policy guidance could be interpreted.

This suggests that policy regarding mission creep may be dynamic. It can originate both from the top and the bottom. Political decision-makers set policy and, as we will see again in the next section, that policy can significantly affect the troops' perception of their mission. Similarly, individual unit commanders can be flexible, within limits. And, as long as that flexibility is successful, they can (by power of demonstration) affect changes in the overall policy of the operation.

The policing question is a difficult one. The U.S. Army in Haiti was reluctant to engage (and sometimes legally prohibited from engaging) in policing activities. The legal status of the government and the forces was unclear, at least to the soldier on the ground.[20] Although the mission was to "create a safe environment," Haitian police and officials, often the problem, were still left to enforce Haitian law.

No mission creep

> We are resisting, and will continue to resist, mission creep.—Defense Secretary William J. Perry[21]

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19. Douglas Jehl. "Clinton Says U.S. Will Deter Abuses by Haiti Police," *New York Times*, 22 Sep 1994.

20. Rogers Worthington. "Haiti Turns U.S. Soldiers Into Cops," *Chicago Tribune*, 30 Oct 1994: 21.

Changes in the military forces' actions during a complex humanitarian emergency can have a variety of meanings:[22]

- *Mission creep.* Adding tasks necessary to achieve the initial objectives, but not necessarily foreseen during planning.

- *Mission shift:* Adding tasks that expand the original mission.

- *Mission transition.* Changing the objectives of a mission.

- *Mission leap.* Radically changing the mission, and therefore the tasks associated with the mission.

In Haiti, most of the issues or pressures the military and civilian forces faced fit into one of these categories. The important point here is not that additional tasks were undertaken by the military, or that changes occurred in the mission. In fact, both the U.S. civilian leaders and the military leaders had a fundamental bias to resist those changes.

Resistance to change in tasking or the mission, combined with a planning process that may not take into account all of the variables found in a country once it's entered, can gridlock the ability of the forces on the ground to succeed.

The necessity for someone to take over policing and justice functions in Haiti is a good example. At the highest levels of the Department of Defense, policy was set that troops were not to engage in policing functions: only "'monitor' police activities."[23] However, in the countryside, the Special Forces had to improvise, even if it included improvising on matters of justice.[24] Sometimes this even meant "stamping papers for the sale of a pig; issuing market permits; settling marital

21. Lippman, 27 Sep 1994.

22. These categories are from Adam B. Siegel. *Requirements for Humanitarian Assistance and Peace Operations: Insights from Seven Case Studies,* Mar 1995 (CNA Research Memorandum 94-74).

23. Lippman, 27 Sep 1994.

24. Worthington, 30 Oct 1994.

spats."[25] Special Forces and regular Army units also participated in rescue and clean-up during rain-caused floods.[26]

The Marines also became involved in fulfilling some of the basic needs and expectations of the Haitian people. In Cap Haitien, they cleaned the streets and delivered medical supplies.[27]

The rule of "no mission creep" implied that troops should not get heavily involved in nation building or relief operations. However, in many cases, the situation called for providing relief or building operations, not warfighting. And no other force was available.

How can this fundamental conflict be resolved? How was it resolved in Haiti? The Marines, regular Army, and Special Forces all resolved it differently. Which resolution was most effective? Sometimes doing anything creates unrealistic expectations. Doing little or nothing, however, can cause other problems.

No nation building

During Uphold Democracy, a policy decision was made not to engage in nation building. The term, "nation building" was never precisely defined, but it generally referred to rebuilding the Haitian infrastructure or providing food assistance. In Haiti, nation building was seen by the U.S. leadership as mission creep, and inconsistent with the overall objective of the mission.

However, nation building occurred throughout the countryside as Special Forces intervened to restore basic services and provide some measure of justice.[28] It also occurred to different degrees in Cap Haitien and Port-au-Prince.[29] The entire program of identifying Haitian

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25. Kevin Fedarko. "Walking a Thin Line," *Time*, 10 Oct 1994.

26. Susanne M. Schafer. "Special Forces Rescue Haiti's Flood Victims," *Washington Times*, 16 Nov 1994: 15.

27. Eric Schmitt. "From the Shores of Haiti into the Hearts of the People," *New York Times*, 22 Sep 1994: 13; William Booth, "A Haitian Hospital Transformed," *Washington Post*, 23 Sep 1994: 30.

28. Worthington, 30 Oct 1994.

refugees at the Guantanamo Bay Naval Base, training them for police duty, and monitoring the police through the MP presence, International Criminal Investigative Training Assistance Program (ICITAP), and the International Police monitors, was a form of nation building done to create a police force that would work to stabilize Haiti.[30]

One important issue, if the military is going to engage either directly or indirectly in nation building, is resource allocation. The military is understandably reluctant, and sometimes legally prohibited, from using its funds for "nation-building" operations. However, many of the other U.S. Government agencies that participate in these operations have limited funds earmarked for such operations, and they may or may not (as was the case in Haiti) have a major stake and say in the planning process.

Nation-building operations can also be seen as providing a measure of force protection. The more the military is seen by the population as helping them, the less likely they are to attack it. Further, many "nation-building" activities, such as building or repairing bridges and roads, can help the U.S. military forces achieve its primary mission.

In many cases in Haiti, small amounts of money could have made a significant difference in the forces' ability to provide assistance to the Haitians early in the operation. Force security and public good will are improved when generators and hospitals begin functioning.

The difficulty of connecting dollars with needs is compounded by the fact that the people who know where the resources are needed—the people on the ground,—often do not talk directly to the national-level decision-makers who can allocate resources. Reports of the situation on the ground are often funneled either through the chain of command or the media. Both can distort and filter the information needed by senior decision-makers to make the best decisions.

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29. Schmitt, 22 Sep 1994; Booth, 23 Sep 1994.

30. Eric Schmitt. "U.S. Scrambles for Recruits to Bring Order to the Streets of Haiti's Two Largest Cities," New York Times, 7 Oct 1994.

No casualties[31]

> On the other side [of the debate about intervention] were
> Deutch, Secretary of Defense William J. Perry and many
> senior military officers. They were reluctant to expose U.S.
> troops to even slight risk of harm in Haiti, where they felt it
> was unlikely that democracy could flourish anyway.[32]

During the planning and execution of Uphold Democracy, policy-makers emphasized the need to minimize casualties. This was because it was perceived that the military might lose support for a mission that was not widely supported by the public.[33]

The need to keep casualties to a minimum can affect the way an operation is conducted. It can mean minimizing the interaction between the troops and the general population. Patrols go out heavily armed, and limit the amount of time they spend in any one place. And soldiers are kept in compounds where their security can be ensured.

This means that much of the interaction necessary to establish dominance and provide relief services cannot take place. During the early phases of Uphold Democracy, this was illustrated by the different deployments of the troops in Port-au-Prince and the Special Forces in the countryside.

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31. Michael R. Gordon. "Pentagon's Haiti Policy Focuses on Casualties," *New York Times*, 6 Oct 1995: 8.

32. Ann Devroy and R. Jeffrey Smith. "A Split Administration Debated Invasion Risks," *Washington Post*, 25 Sep 1994: 1.

33. Public opinion polls suggest that the American public feels that using force is the "right decision" when the following conditions are met: (1) "Vital interests are at stake"; (2) "Military force can provide humanitarian assistance without becoming engaged in a protracted conflict"; and (3) "They are swayed by Presidential leadership." Polls showed only a 41 percent favorable rating for intervention in Haiti, with a 52 percent negative rating. This compares to 74 to 21 percent for Somalia; 77 to 15 percent for Iraq/Kuwait; and 72 to 18 percent for Panama. (Andrew Kohut and Robert C. Toth. "Arms and the People," *Foreign Affairs*, Nov/Dec 1994: 47-61).

In Port-au-Prince, the Army troops were limited in their day-to-day interaction with Haitians. One officer was quoted as saying "We're totally cut off from the population, just like we were in Somalia."[34]

In the countryside, the Special Forces lived in small detachments scattered across the country (backed up by quick-reaction forces).[35] Although this made them more vulnerable, it also gave them an on-scene appreciation for the local mood and what could be done to make the lives of the Haitians and the U.S. forces more secure.

What changes occur in operations because of an emphasis on minimizing casualties? Do these changes affect complex humanitarian operations more than they affect conventional operations? Commanders may become less aggressive, and troops may become nervous, thinking that casualties are likely because of all the precautions being taken to minimize them. This situation could hamper the military's ability to pursue courses of action that might seriously affect the humanitarian mission.

Does aggressiveness itself provide some measure of protection for forces? The Marine Corps firefight in Cap Haitien provides one example of aggressive behavior creating a more benign environment. Similarly, the Special Forces (who could be aggressive when necessary) appeared to be quite secure despite their living and operating arrangements in the countryside close to the population.

Get the troops home

During Uphold Democracy, many efforts were under way to bring the U.S. troops home as soon as possible. On 20 September, the day after the operation began, the House and Senate both passed resolutions calling for the withdrawal of U.S. forces as soon as possible.[36] As it

34. Janet Reitman. "Frustration Growing for U.S. Troops," *New York Daily News*, 2 Oct 1994: 9.

35. Michael Hedges. "Watching Over Small-Town Haiti," *Washington Times*, 18 Oct 1994: 1.

36. Major Garrett. "Congress Seeks Date to Return Troops," *Washington Times*, 21 Sep 1994: 15.

became apparent that the operation was successful, however, the pressure for setting a deadline for withdrawal became less intense. Still, efforts were made to set various withdrawal dates (such as March 1),[37] and Congress suggested that many soldiers be withdrawn by Thanksgiving.[38]

Connectivity

Tremendous communications resources were brought to bear in Uphold Democracy.[39] However, an increase in telephone, video, and fax traffic also increases the opportunities for the war to be run remotely from Washington or elsewhere. It also increases the likelihood that communications failures could significantly affect the operation. One indication of the opportunities and dangers involved in using this improved technology is the frequency of requests for information the JTF received from higher echelons (USACOM/JCS/NCA)

What connectivity is important and what is irritating in these operations? It would have helped if the on-scene commanders could have passed requirements and requests back to the decision-making level in the chain of command. But this would violate the normal military procedures, in which each individual in the communications path affects the nature of the communication according to his own priorities, not those of the on-scene commander.

37. Michael Ross. "Panel Backs Deadline For Troops," *Los Angeles Times*, 29 Sep 1994:10; Doug Jehl. "Clinton Exults in Swift Success of U.S. Military Force in Haiti," *New York Times*, 7 Oct 1994: 14.

38. Edward Cody. "U.N. Leader Discounts GIs Quitting Haiti Soon," *Washington Post*, 16 Nov 1994: 20.

39. Bradley Graham. "Nerve Center at Sea For Land Operation," *Washington Post*, 25 Sep 1994.

Accounting for culture

> It is as if the United States believes that the mere presence of its armed forces is somehow therapeutic.[40]

Does culture matter?

In complex humanitarian operations such as Uphold Democracy, at least three cultures intersect: the culture of the country where the operation occurs, the military culture of the U.S. armed forces, and the culture of American society. In addition, more cultures than these may intersect if, as in Haiti, a multinational force is used.

Conventional war often obscures relationships between cultures with the immediate requirements of military and political action. In conventional war, culture matters, but only in the sense of how it can be exploited for the benefit of military operations.

In operations where military actions are secondary to humanitarian or political actions, the cultures of the participants are more important. U.S. military forces and political decision-makers need to understand the culture they are trying to help, and realistically evaluate their own culture and how it interacts with other cultures.

What effect does this intersection of cultures have on complex humanitarian operations?

In our focus on culture, an examination of Operation Uphold Democracy is especially interesting for the following reasons:

- The United States has had a long and complex relationship with Haiti.

- Problems in Haiti arise from social and political forces that have been institutionalized for decades, or even centuries.

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40. Bob Shacochis, "The Immaculate Invasion," *Harper's Magazine*, Feb 1995: 44–62.

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- Uphold Democracy occurred at a time when the U.S. military was wrestling with its roles as a warfighter and a humanitarian organization.

Do the cultures of the various participants in a complex humanitarian emergency matter? How can the military make the best use of the effects of culture to help it complete its mission?

How did culture matter in Haiti?

In Haiti, the cultures of those involved mattered in both direct and indirect ways.[41] By "direct," we mean those factors that affected the day-to-day ability of the U.S. forces to operate. By "indirect," we mean expectations and assumptions that were either understood or misunderstood that could have affected the success of the operation.

Legal

Because the Haitian governmental and legal institutions remained in place in the Carter agreement, considerable confusion arose concerning legal matters. The U.S. troops had little or no working knowledge of the Haitian legal code, and were in an awkward position to enforce the code even if they had been familiar with it.[42] In the countryside, Special Forces troops had to resort to using their own judgment in adjudicating local disputes.[43]

These judgments were further clouded by the value system of rural Haitians, and the brutal and localized strong-man system that was in place. Haitians attempted to use U.S. forces to settle civilian disputes under the guise of criminal charges, and to demand redress out of proportion to what U.S. or Haitian law would normally allow.

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41. Many of the insights and observations in this section are based on my conversations with Adam Siegel, a CNA research analyst, who observed operations first-hand in Haiti from 5 through 29 Oct 1994.

42. Larry Rohter. "Legal Vacuum in Haiti is Testing U.S. Policy," *New York Times*, 4 Nov, 1994: 32.

43. Kidder, 17 Apr 1995.

Social

The presence of U.S. troops changed, but did not stop, the political violence in Haiti. One effect it had was to make the supporters of President Aristide bolder.[44] As these supporters became more confident, they formed into crowds and occasionally attempted to attack their former oppressors.

However, at the same time, Aristide supporters exhibited considerable restraint and respect for the U.S. forces. They helped to disarm the Haitian military, and tended to attack the military regime's symbols, instead of members of the regime.[45]

Aristide proclaimed his goal for the transition to be one of reconciliation and justice.[46] By reconciliation, Aristide meant not seeking retribution against the Haitian military, and by justice, he meant taking legal action against the military criminals. This dynamic of hopeful expectation and reconciliation, combined with a desire for "justice" (whether legal or mob justice) appears to have been an important social dynamic during the early phases of the operation.

Haitians also communicated in unexpected ways; for example, rumors were an important means of communication. These rumors often created confusion for the U.S. forces. A seemingly benign act in one part of the country would quickly become distorted and then communicated to other Haitians at great distances. This sometimes resulted in U.S. forces being totally unaware of what was motivating the actions of the local population.

Historical

The history of Haiti's political and military troubles has been extensively reviewed elsewhere.[47] Much of Haiti's current problems are the

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44. Edward Barnes. "In the Midst of Trouble," *Time*, 10 Oct 1994.

45. Fedarko, 10 Oct 1994.

46. Wilentz, 26 Dec/2 Jan 1995.

47. Gaddis Smith. "Haiti: From Intervention to Intervasion," *Current History*, Feb 1995: 54–58; Sidney Mintz. "Can Haiti Change?," *Foreign Affairs*, 74:1, Jan/Feb 1995: 73–82.

result of a long and complex history of repression and rule by a small military and economic elite. In addition, Haiti has had a long-standing relationship with the United States that has not always been positive.

The Marines who landed in Cap Haitien were well aware of the Marine Corps' historic role in Haiti, and many were determined to "do it right this time." Historical factors are often considered in intelligence assessments and briefed at high levels in the chain of command; for example, Haiti's origin in a slave rebellion and its strong sense of nationhood. In the case of the Marine contingent in Haiti, the historical perspective was understood by most in the officers' ranks, and by some of the enlisted Marines.

Another historical aspect of the Haitian operation involved the recent history of U.S. migrant interception operations. Uphold Democracy occurred in the context of a series of ongoing joint operations held throughout the Caribbean that included drug and migrant interdiction, and migrant-camp operation. The migration problem was one of the events that contributed to the United State's willingness to intervene.

A third historical context for the operation was the immediate history of the units involved. Troops from the 10th Mountain Division had recently returned from Somalia, where they had been engaged in another complex humanitarian operation. These soldiers often referred to their experience in Somalia as a guide or yardstick for Uphold Democracy.

Political

Understanding the political and economic culture in Haiti is essential to understanding the current situation. One could argue that understanding the political culture in Haiti was vital for "getting the intervasion right." The coalition forces could have swept a major player in Haitian politics, the military, off the map. But instead they left it intact, at least initially.

The operation also left the Haitian elite intact. Most interpretations of Haitian politics have the Haitian elite responsible for much of the

repression and violence, either directly or indirectly. The elite are certainly responsible for much of the economic repression. Although much was written about this problem, little direct action was taken, or could be taken, by the U.S. military to find a solution.[48]

The problem was a Haitian problem that had to be solved by Haitians. Aristide did attempt to reconcile with the elite. He invited them to the Presidential Palace and tried to make them feel a part of the revolution. Whether this will work in the long run remains to be seen.

Can we take culture into account?

Of course, military forces do consider a country's culture when they go into an operation. Our intelligence operations gather cultural facts and provide very detailed descriptions of them. We know, for example, who is in charge, where they are, and what they are capable of doing. But this focus on facts sometimes comes at the expense of building relations between the facts.

What we know or understand is often limited by our own culture, which colors all our perceptions. The military has its own organizational and institutional culture; in fact, each service has its own particular culture. And these cultures, in turn, exist within the context of the broader American culture.

These perspectives may limit the range of options that planners make available to themselves, which can be a self-limiting process. We are bound by our own culture to perceive others in ways that are not necessarily consistent with how the other cultures perceive themselves, or us. Those perceptions are then used to formulate plans and policies that may or may not address the real issues in another country.

When we talk about culture, we include history, language, literature, and a host of other factors that make up a particular culture. In Haiti, history was important, as were social class and the relationship between the police, the military, and civilians.

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48. Mintz, Jan/Feb 1995.

Planners and policy-makers must be given the cognitive tools that will allow them to determine the real problems, which will enable them to develop realistic and more effective courses of action.

Section 2: Panel discussion

The CNA 1995 Annual Conference examined the military's role in response to complex humanitarian emergencies. It consisted of three sessions, the first of which included three concurrent case-study panel discussions of operations in Bosnia, Haiti, and Somalia. This section of our paper presents an edited summary of the Haiti panel discussion.

The panel for the Haiti discussion included:

- Lieutenant General George A. Fisher, Jr., Chief of Staff of the U.S. Armed Forces Command, served as Commander, Multinational Force (MNF), Haiti. LTG Fisher discussed the military role of the MNF and the balance between traditional military missions and nontraditional missions that contributed to the overall success of the operation.

- Dr. Michel-Rolph Trouillot, the Kreiger/Eisenhower Distinguished Professor of Anthropology at Johns Hopkins University, is the Director of the Johns Hopkins Institute for Global Studies in Culture, Power, and History. He is related to Ertha Pascal-Trouillot, who served as interim president of Haiti in 1990. Dr. Trouillot spoke on the cultural context of intervention in Haiti, and how perceptions by the Haitians of the need for and ultimate goals of intervention contributed to the success of the operation.

- Lieutenant Colonel Gilles Lavergne, Director of Official Language Review and Policy at the Canadian National Defense Headquarters in Ottawa, served with Canadian Land Forces, United Nations Military, Haiti (UNMIH). LTC Lavergne discussed the UN mission in Haiti that followed the MNF intervention, and the importance of civil affairs projects in supporting the operation.

- Lieutenant Colonel Michael A. Sheehan, the Director of International Organizations and Peacekeeping for the National Security Council, was deployed to Haiti as Special Advisor to the Special Representative to the United Nations Secretary General. LTC Sheehan spoke on the U.S. political context of the operation and those political factors important to its success.

Overall, the panel viewed Operation Uphold Democracy as a success. It was viewed as such because of the coincidence between

- U.S. perceptions of the problems in Haiti

- Political and military planning for the operation

- Actual requirements of the operation and how the military intervention forces satisfied these requirements

- Perception of the problem by the Haitian people themselves.

Although each of the Haiti panel members focused on different aspects of this success, their comments can be broadly grouped into three themes:

- The balance between traditional and nontraditional missions

- The effect of cultural differences on the mission

- The political context of the operation.

The remainder of this section presents these themes within the context of the Haiti panel discussion. Following this presentation of issues is a summary of the question and answer session that took place after the Haiti panel discussion.

Balance between traditional and nontraditional missions

Both LTG Fisher and LTC Lavergne discussed the military roles (MNF and UNMIH) in operations in Haiti and the balance between traditional and nontraditional missions. LTG Fisher focused on three main themes confronting the initial intervention force: the security situation, the judicial and prison systems, and the economic basis and nation-building efforts. LTC Lavergne discussed the role of the

follow-on forces under UNMIH, and how their civil affairs efforts supported the primary mission.

LTG Fisher

LTG Fisher began by summarizing the objectives of the military mission in Haiti as follows:

- To establish a secure and stable environment in Haiti

- To help the legitimate government in Haiti reestablish democratic processes within the country.

The General discussed the success of this military mission within the framework of three themes: the security situation, the judicial and prison system, and the economic basis and nation-building efforts.

The security situation

In reestablishing a stable security situation, the military's first priority was to prevent an organized threat to the legitimate government of Haiti. The key component in restoring security in Haiti was getting weapons off the streets.

One of the problems the multinational force encountered was the necessity of policing the country without a lawful indigenous police force. Because the multinational force was prohibited from policing the country directly, it helped to establish an interim police force. This force consisted of members of the Forces Armee d'Haiti (FAd'H) who had no criminal record and no reported record of human rights abuses. Once established, this interim force was given six days of training and then assigned policing functions.

The charter of the multinational force permitted establishment of the interim police force as part of the task of assisting the government of Haiti (in this case, the local police force), as opposed to policing the country, which the charter prohibited. However, until the interim police force was established, the multinational force had to assume the responsibility for crime-fighting missions.

LTG Fisher stressed that the multinational force had to proceed carefully in assuming missions other than those to which it had been

explicitly assigned. Although the charter for the force did not specifically prohibit mission creep, there were specific prohibitions against assuming other than assigned missions; for example, there was no Title 10 funding for nation building.

The judicial and prison systems

When the multinational force first entered Haiti, it found a dysfunctional court and prison system. Most of the prisoners within the central prison were not serving sentences, but awaiting trial. Many had been there for more than 2 years. Conditions within the prison were barbaric. Besides the abysmal state of the prisons, the court system had essentially ceased to function.

The multinational force undertook the task of reestablishing and reforming the judicial and prison systems. This included managing and organizing the prisons; reestablishing the court system, which included holding court within the prisons themselves; and taking on associated logistics functions, such as transporting prisoners to and from their trials. Even after a functioning judicial system had been reestablished, the multinational force was faced with the problem of courts that did not have adequate throughput to handle the caseload of prisoners awaiting sentencing.

A problem that arose as a result of the renewal of the court system was public misunderstanding of the process and resultant vigilante justice. For example, in a 10-day period, the court heard 300 cases that resulted in the release of 250 prisoners. (Many of these prisoners had been charged with crimes that required a sentence that was shorter than the time they had already spent in prison awaiting trial.) Within a 48-hour period following the release of these prisoners, a number of them had been killed. These incidents prompted the multinational force to establish an information management system, using television and radio broadcasts, to reassure the public of the legitimacy of the judicial renewal process. Following this public information campaign, incidents of vigilante justice ceased.

The economic basis and nation-building efforts

Haitians expected that economic aid and private investment would flow into the country following the multinational intervention and

the reestablishment of the legitimate government. Unfortunately, such aid was not forthcoming.

A primary reason for this shortfall of aid and investment was the lack of adequate infrastructure within the country to attract such assistance. The multinational force made only those improvements to the infrastructure that were consistent with its military mission and necessary for achieving its military objectives. Money for other infrastructure improvements or direct economic assistance to Haiti was left to private sources.

LTG Fisher noted that in operations such as the one in Haiti, when private aid is expected but not forthcoming, public perceptions of the desired result of the operation are left unfulfilled. Continued public disappointment can evolve into a security problem for the intervention forces.

In addition to the three themes presented above, LTG Fisher also made the following observations about operations in Haiti, in particular, and complex humanitarian emergencies, in general:

- The General contrasted the situation in Haiti, where only a few countries provided forces for the coalition, to the situation in Somalia, where more than 40 countries contributed forces. Because of the relatively few countries contributing to the multinational forces in Haiti, fewer culture clashes occurred between the forces than in other multinational operations.

- The multinational force underestimated the population's deep hatred of the FAd'H.

- The military forces in Haiti felt very good about the mission. They were encouraged by the support of the Haitian people.

- LTG Fisher stated that military forces must train for their most taxing mission, warfighting, but routine training also should include operations other than war and humanitarian mission objectives. Military leadership requires more extensive training in these nontraditional missions, but this training can be accomplished through schooling and at home stations.

- Finally, the General discussed the effect of new technology on operations. In particular, he cited the example of a soldier who used a pen-sized camera to relay images of a riot in progress at the central prison to the General's personal computer at headquarters.

LTC Lavergne

LTC Lavergne prefaced his remarks by stating that his comments were based on his involvement with the UNMIH from March to October 1995.

LTC Lavergne began by summarizing the military mission in Haiti. He stated that the UNMIH mission was to

- Sustain the secure and stable environment in Haiti that had been established by the multinational force

- Help establish a Haitian police force

- Assist the legitimate government of Haiti to reestablishing democratic processes and facilitate elections within the country.

LTC Lavergne focused his comments on the importance of civil affairs missions within Haiti, and how military humanitarian assistance missions facilitate civil affairs and complement the work of non-governmental organizations.

The military can facilitate civil affairs missions by its command structure. In Haiti, UNMIH established a civil-military operations center, a general support team, and action officers in the field; all of which assisted civil affairs.

Also, interactions with the host government are important. A letter of agreement was signed by both the government of Haiti and UNMIH that coordinated civil affairs and nation-building projects. Unfortunately, the most urgently needed civil affairs projects in Haiti were outside the scope of the letter of agreement.

The success of a civil affairs project depends on a number of factors.

UNMIH established numerous criteria for determining the value and likely success of such projects. These projects must be

- Involved with the community

- Highly visible

- Labor intensive

- Durable and self-supporting

- Low level

- Supportable

- Valuable for training purposes.

Both the military and civilian leadership must be committed to civil affairs and nation-building projects for them to be of lasting value.

LTC Lavergne echoed LTG Fisher's comments about the conflict between the need for civil affairs operations (nation building) and the prescribed military mission. The relationship between what nation building is allowed under the United Nations (UN) mandate and the civil affairs requirements in Haiti is problematic. This is especially true of funding for civil affairs projects that are not covered by the UN mandate. The majority of funding for such projects comes from private sources, and such funding often comes with its own restrictions.

The colonel gave an example of a road-building project funded by private sources. The funding restricted the use of heavy machinery for the project and stipulated the use of manual labor. Although this restriction maximized the use of local labor, it essentially doomed the project from the start because the road would not last without the use of heavy equipment to compact and finish the surface.

LTC Lavergne also commented that starting civil affairs projects is complicated and progress is slowed by the lack of adequate communications throughout the country. Although civil-affairs projects will ultimately be transferred to the government of Haiti as part of its own nation-building efforts, UNMIH will continue to undertake such projects because it has the ability and the will to undertake these

projects, and because these projects enhance the success of its other missions and the perceptions of others concerning its mission success.

Effect of cultural differences on the mission

All the panelists felt that cultural interactions were important to the success of the operation, but Dr. Trouillot, in particular, felt that the cultural context of the intervention in Haiti, and how the Haitians' perceived the need for, and the ultimate goals of, the intervention contributed to the operation's success.

Dr. Trouillot

Dr. Trouillot began his discussion with the disclaimer that it was difficult for him to balance his feelings for the events in Haiti as a Haitian and as a professional anthropologist.

Dr. Trouillot's first point was that the permissive entry into Haiti that resulted from the last-minute agreement between the United States and the FAd'H leadership was important to the success of the intervention. The nonviolent entry of the U.S. and coalition forces was important in coloring the Haitians' opinion of the intervention, particularly in view of Haiti's history of foreign intervention. Dr. Trouillot returned to this point later in his comments when talking about Haitian perceptions of the success of the operation and the role of the coalition forces in the country.

By 1994, the Haitians realized the need for intervention. This acceptance by the people of the necessity of intervention, as opposed to acceptance by the rulers of Haiti, was not present before 1994. According to Dr. Trouillot, Haitian public opinion had evolved to understand that an invasion, or intervention, was morally inevitable, politically feasible, and materially necessary.

Morally inevitable

As a result of their history, the Haitian rulers and the upper class espoused an uncompromising view of Haitian nationalism. This created a moral dilemma; support for intervention was antithetical to

Haitian nationalism. However, as the situation in Haiti deteriorated, the masses began to see intervention as less threatening to Haitian nationalism. The permissive-entry agreement between the U.S. and FAd'H leadership helped to reassure the Haitian people of their own national integrity.

Politically feasible

According to Dr. Trouillot, the agreement between the U.S. and FAd'H leadership also facilitated the return of President Aristide to Haiti without political costs. Without the agreement, Aristide would have returned to power as a result of a foreign invasion of Haiti. This would have potentially compromised the legitimacy of his leadership. The deteriorating situation in Haiti, along with this agreement, allowed the Haitians to be reconciled to the return of Aristide and international intervention.

Materially necessary

More and more, the majority of the Haitian people came to believe that force was needed to purge the power structure in Haiti, and that force would not, and could not, be Haitian. Outside intervention, or possibly invasion, was therefore necessary to remove the military and upper classes from power and return democratic institutions to Haiti.

Many Haitians welcomed foreign intervention, not for the return of President Aristide, but for the departure of the military power structure. From the Haitian viewpoint, there were no enemies among the foreign intervention forces. This view was reinforced by the agreement that allowed permissive entry into the country. Given this permissive entry, the military forces had no role as warfighters in the minds of Haitians.

If the Haitian view was that the military had no warfighter role, then what was their role in the intervention? The general perception was that the intervention forces were there to provide stability and security during the transition form the previous government to the more democratic government and police the country. Given this perception, the Haitian view of the success of the operation must be based on the coalition's ability to provide policing functions.

The Haitians view of the role of the foreign intervention forces is rooted in their history. Haitian perceptions are that the separation of police and military roles is blurred and that their history has shown them that their is no separation. For the coalition forces to distinguish between warfighting and policing missions (at all levels from the overall command structure to the individual soldier on the street) did not have any meaning to Haitians. If the military was not in the country as invaders, then they must be there to be police.

Dr. Trouillot disagreed with LTG Fisher's comments as to the value of official communications (mass broadcasts of U.S. military intentions to the Haitian people) during operations in Haiti. Dr. Trouillot contended that official communications only reached the elite of Haitian society, not the masses. The behavior of the forces and individual acts of kindness were more effective in directing Haitian behavior and contributing to the image of a successful operation in the minds of the Haitians than any official television or radio communications.

Dr. Trouillot concluded his comments with an important historical observation and a question of how it applies to the future. Earlier in this century, following intervention in Haiti, the U.S. re-established the Haitian police force. They also trained the force using accepted police criteria of the day. An interim police force was started in 1926 and the Gendarmie Nationale and national police academy established in 1928. The process being used now in re-establishing the Haitian police force is similar to that used in the nineteen twenties by the U.S.

It is worth noting that the members of the first graduating class of the police academy in 1931 produced every Haitian dictator up until the election of Aristide. Also, graduates of the police academy have been involved in every military uprising in Haiti since the twenties. Haitian history has taught us that this first para-police force, while created with the best intentions, resulted in the police-military power structure that the most recent intervention sought to replace. The question Dr. Trouillot left to session participants is how can we reconcile this history with what is being done in Haiti right now.

Political context of the operation

Several of the panel members discussed aspects of the political context of the operation. Both LTG Fisher and LTC Lavergne discussed the effect of politically imposed restrictions in military operations. Dr. Trouillot spoke of the changes in Haitian politics and political opinion and how that contributed to the success of the operation. LTC Sheehan focused his discussion on the U.S. political context and those political factors that were important to the success of the operation.

LTC Sheehan

LTC Sheehan began by stating that the success of a peacekeeping mission is fundamentally a result of political decisions. Can U.S. policy makers:

- Ask the right questions about the reasons for the mission

- Make the right political judgments with regards to the mission?

In the case of Haiti, the U.S. had asked the right questions about the reasons for the mission. The U.S. also made two key political judgments that turned out to contribute to the success of the mission. The first of these political judgments was to allow the de-facto leadership a 30 day grace period to step down out of power. This decision was made just prior to the landing of elements of the 82nd Airborne Division and the planned invasion of Haiti. This decision turned out to be correct as the Haitian leadership did step aside following the grace period.

The second of these two political judgments was that President Aristide would return to Haiti as a more mature democrat than that exhibited during his previous tenure as Haitian leader. Up to the present, this judgment has also turned out to be correct.

A number of other factors contributed to the success of operations in Haiti.

- Horizontal and vertical bureaucratic integration during the Haitian operation, especially at the assistant secretary level,

contributed to the success of the operation. During the operation, departmental assistant secretaries were responsible and held responsible for specific tasks.

- The political-military plan reflected the right questions about the operation.

- The high level of cooperation between the U.S. government, the U.S. and foreign militaries, and the United Nations was important to the success of the operation.

- The political and military aspects of the Haitian operation were also well-integrated. The high degree of cooperation between the military and ambassador and his staff was another reason for success. For example, the military commander sent a lieutenant colonel to the ambassador to assist in military-embassy coordination.

- The personalities and talents of the on-scene commanders were well suited to the operation. Personalities are important to the success of humanitarian assistance and peacekeeping operations.

Ultimately, LTC Sheehan stressed that the important lessons to be learned from the Haitian operations are that policy makers must:

1. Ask the right questions.

2. Facilitate the bureaucratic and organizational coordination to support policy decisions.

3. Choose the right personalities for the operation.

LTC Sheehan concluded his comments by comparing the operation in Haiti with possible operations in Bosnia. He asked:

1. What is the key question with regard to likely missions in Bosnia?

2. What are the key political judgments that will have to be made regarding these likely missions?

Questions and answers

Following the presentations by each of the panel members was a question and answer session. Some of the questions were directed at specific panel members while others were directed at the panel as a whole. Each of the questions raised at the session is presented below (in bold text) followed by the answers given by the named panel member.

Interagency cooperation within the U.S. government may have existed at the assistant secretary level but did not exist at lower levels. An example of the results of the breakdown of cooperation is the problem encountered with judicial reform in Haiti. Would LTC Sheehan care to comment?

LTC Sheehan:

The military on-scene was faster to react to the problem of judicial reform than other agencies within the U.S. government. Once the extent of the problems with the Haitian judiciary was known, the military was able to plan for action, to include having civilians in the time-phased force deployment list for the first time. The U.S. Agency for International Development was quick to react to the problem of judicial reform with funds. Having said all that, reform of the justice system was a gap in the planning and interagency cooperation was lacking in this case. The state of the judiciary in Haiti was such that rapid reform was not possible. Judges lacked financial incentives to work, as they were paid less than teachers. Also the lack of basic infrastructures, such as ministries without even basic services or even furniture, hampered reform efforts.

An example of the problems with judicial reform in Haiti is that initially the commander of the multinational force did not even have an accurate count of the number of prisoners within the central prison. Later in the operation, LTG Fisher did have an accurate assessment of the state of the prisons and the number of prisoners. What is the justification in not conducting a more timely census to identify prisoners?

LTG Fisher:

Another explanation as to why the multinational force did not under-
take certain judicial functions initially was the problem of prioritiza-
tion of tasks. The commander on-scene had to decide which tasks to
do first and which could wait. This prioritization of essential tasks
included both the official mandated missions and those gray area mis-
sions.

LTC Sheehan:

The United Nations Resolution 940 mandate for operations in Haiti
was specifically narrow in its focus. Multinational forces were autho-
rized to assist the government of Haiti, not assume governmental
functions and administer the country. Judicial functions (as they
related to the military mission) were a gray area and did not provide
the commander on the ground with definitive guidance as to how to
proceed.

**Within a cultural context, what are the standards of legitimacy or
parameters for an intervention operation such as Haiti?**

Dr. Trouillot:

Phrasing this question in purely cultural terms assumes that the cul-
ture does not dynamically respond to events and is stagnant. Such a
question also assumes a cultural equivalency that can be translated
from one operation to another. Perhaps a better way to ask the same
question is to ask at what moment does the majority of the population
of a country phrase its political problems in terms of actions by the
United States, United Nations, or other international organizations?
For Haiti, its political problems were translated into the same terms
of action of those of the intervention forces. That's what made the
operation so successful.

**There exists specialized communities or organizations within the
United Nations, individual governments, and the international com-
munity for many types of relief efforts but not judicial reform or legal
relief requirements. Could the panel comment on this?**

LTC Lavergne:

In Haiti now, rehabilitation and reform of the judicial system is dependent on other than strictly legal inadequacies. Examples of these include material acquisitions, improvements in basic infrastructure, and general governmental organizational reforms. So legal reform is much more dependent on relief efforts from those existing specialized international organizations and not really hampered by the lack of international legal relief agencies.

LTG Fisher:

For judicial reform to be successful in Haiti, both a short term and long term approach must be taken. In the short term, we must enable those parts of the legal system that still exist to begin to operate. There are functions and abilities resident in a variety of organizations, international, governmental, military, and non-governmental organizations that could assist in this short term rehabilitation of the Haitian judicial system. What is essential is a single point-of-contact, a single administrator, to coordinate and focus the relief and reform efforts of all these organizations.

The ability to clearly articulate U.S. national interests, favorable geography, and time contributed to the success of the operation in Haiti. Can the U.S. conduct a successful humanitarian assistance operation when we don't have the time (can't dictate the time frame for the operation), have favorable geography, or clearly articulate U.S. national interests?

LTC Sheehan:

Time is much more under our control than is apparent; after all, we control the troops. There is a national interest in humanitarian assistance operations. Political leaders must articulate the national interests that are at stake, define those interests in terms of the current operation, and outline our commitment to defending those interests in the current operation.