



# THE LAND WARFARE PAPERS

No. 41 MARCH 2003

## U.S. Army Civil Affairs— The Army's “Ounce of Prevention”

Bruce B. Bingham  
Daniel L. Rubini  
Michael J. Cleary

A National Security Affairs Paper  
published on occasion by

**THE INSTITUTE OF  
LAND WARFARE**

ASSOCIATION OF THE  
UNITED STATES ARMY  
Arlington, Virginia

**U.S. Army Civil Affairs—  
The Army’s “Ounce of Prevention”**

**by**

**Bruce B. Bingham,  
Daniel L. Rubini  
and  
Michael J. Cleary**

**The Institute of Land Warfare  
ASSOCIATION OF THE UNITED STATES ARMY**

# AN AUSA INSTITUTE OF LAND WARFARE PAPER

The purpose of the Institute of Land Warfare is to extend the educational work of AUSA by sponsoring scholarly publications, to include books, monographs and essays on key defense issues, as well as workshops and symposia. A work selected for publication as a Land Warfare Paper represents research by the author which, in the opinion of the editorial board, will contribute to a better understanding of a particular defense or national security issue. Publication as an Institute of Land Warfare Paper does not indicate that the Association of the United States Army agrees with everything in the paper, but does suggest that the Association believes the paper will stimulate the thinking of AUSA members and others concerned about important defense issues.

## LAND WARFARE PAPER NO. 41, MARCH 2003

### U.S. Army Civil Affairs—The Army’s “Ounce of Prevention”

by

**Bruce B. Bingham,**

**Daniel L. Rubini**

and

**Michael J. Cleary**

This paper represents the opinions of the authors and should not be taken to represent the views of the Department of the Army, the Department of Defense, the United States government, the Institute of Land Warfare, or the Association of the United States Army or its members.

© Copyright 2003 by

the Association of the United States Army

All rights reserved. No part of this publication may be reproduced, stored in a retrieval system or transmitted in any form or by any means, whether electronic, mechanical, photocopying, recording or otherwise, without the prior written permission of AUSA’s Institute of Land Warfare, 2425 Wilson Boulevard, Arlington, VA 22201.

**Inquiries regarding this and future Land Warfare Papers should be directed to Association of the United States Army, Institute of Land Warfare, telephone 800-806-3574 570703783184100300, 229.229.**

## Contents

Foreword .....	v
Acknowledgment .....	vi
Introduction .....	1
Glad to See Them Come and Sorry to See Them Go .....	3
The Civil Affairs Mission .....	6
Bridging the Gap .....	8
Haiti .....	9
The Balkans .....	11
Afghanistan .....	12
Iraq .....	13
Summary of Civil Affairs Mission Tiers in Recent Operations (table) .....	16-17
The Exit Strategy .....	18
A Debate Continues Which Will Never End .....	19
Law by Analogy? It's Not Just a Good Idea—It's the Law! .....	21
Civil Affairs—The Army's "Ounce of Prevention" .....	22
So Where Do We Go From Here? .....	23
Endnotes .....	25
Glossary of Acronyms .....	31
Bibliography .....	33
About the Authors .....	37



## Foreword

Civil Affairs (CA) is one of the most complex and sensitive operations in which the U.S. Army can engage, involving the interface between our soldiers and the civilians in the area of operations. It is also one of the most misunderstood Army missions and—to some who see it as “unwarriorlike”—the most criticized. History, however, shows that successful Army Civil Affairs operations during and after more conventional military operations are key to moving from battlefield success to final victory.

In wartime, Civil Affairs prevents civilian interference with military operations and conducts humanitarian assistance. It mobilizes foreign civilian resources for combat support. In postwar and peace operations, CA provides specialized assistance directly to foreign governments to establish services and stabilize functions.

The roots of U.S. Army civil affairs can be traced back to the Revolution, when Montreal and other parts of Canada were under Continental Army control. Later, Army officers were appointed as Indian Agents to negotiate Indian treaties and settle disputes in the new territories. Young officers were sent to replace Spanish authorities in the Louisiana Territory; later, senior Army leaders served as governors of Mexican cities.

Finally recognized during World War II as an inherent command responsibility, Civil Affairs was initially designated as “Military Government” in the occupation of Germany, Italy, Korea and Japan. In recent postwar/peace operations, Civil Affairs soldiers have deployed to every significant operation since Vietnam—Grenada, Panama, Saudi Arabia/Kuwait (Desert Shield/Storm), Somalia, Haiti, Rwanda, Bosnia, Kosovo and Afghanistan. Civil Affairs can also be expected to play a significant part in the stabilization of Iraq if and when Saddam Hussein is deposed by U.S. and coalition forces. The authors of this paper, veterans of many of these operations, describe the proper role of the military in postwar/post disaster and peace operations.

Civil Affairs is a vital part of our Army, and its soldiers bridge the dangerous gap between the end of war and the establishment of a stable foreign government capable of providing essential services. If we are to win the peace as decisively as we win the war, Civil Affairs must be a player in the planning and execution of Army operations from beginning to end. This paper helps explain that role.



GORDON R. SULLIVAN  
General, U.S. Army Retired  
President

March 2003

## **Acknowledgment**

We are grateful for the generosity of  
Ambassador (Retired) Robert William Farrand  
and thank him for his gracious guidance.

*The Authors*

## U.S. Army Civil Affairs— The Army’s “Ounce of Prevention”

### Introduction

America is on its way to Europe. You can be as isolationist as you want to be, but that is a fact. . . . Until there is a seeming stability in Europe, our armies and our after-armies will have to stay in Europe. . . . Neither the eloquence of Churchill nor the humaneness of Roosevelt, no Charter, no four freedoms, no dreamer’s diagram . . . no treaty—none of these things can guarantee anything. Only men can guarantee, only the behavior of men under pressure, only our [soldiers].

John Hersey, *A Bell for Adano*<sup>1</sup>

First published in 1944, *A Bell for Adano*—a fictionalized story based on the real-life struggles of Major (now Colonel, Retired) Frank E. Toscani, a U.S. Army Civil Affairs Officer in occupied Sicily during World War II—won the 1945 Pulitzer Prize. Fifty-eight years later, Hersey’s words are still true, not only for military peacekeeping operations but for postwar Afghanistan and postwar occupied Iraq.

Now the United States copes with a war against terrorists around the world as well as with peace operations. Immediately, nothing else matters on the military front but the total destruction of al Qaeda and its cells and the defeat of Iraq. But the planning for defeat of the terrorists must also consider how to prevent them from ever rising again. There was no support in the current administration for “nation-building” in Afghanistan, but necessity dictated otherwise. In 1989, after the Russians were ousted, the United States walked away from its Afghan allies and gave them no significant help to build a government. The Afghans saw it as betrayal and abandonment. In 1991, after Operation Desert Storm, the United States did not fully support Iraqi and Kurdish factions rebelling against the Saddam Hussein regime. Now the United States confronts governments and individuals who subsidize and harbor a fanatical culture of destruction without limit and threaten use of weapons of mass destruction (WMD).

Even after terrorist networks and WMD capabilities are destroyed, what must be done concerning the culture that, if left alone, will only breed them again? “In the short run we have to crack down on the networks; in the long run we have to drain the swamps that spawned them. . . . In general, the Muslim world has had the most problem with modernizing.”<sup>2</sup> But this is easier said than done. Their religion and culture have been hijacked by extremism. “The problem is not that Osama bin Laden believes that this is a religious war against America. It’s that millions of people across the Islamic world seem to agree.”<sup>3</sup> The great cause of the rise of radical fundamentalism was the total collapse of political, economic and cultural institutions in the Arab world. Governments in the region deny free markets and basic freedoms to their people and encourage that their rage be

directed at Israel and the “unholy” West—a Middle East version of “NIMBY” (“not in my back yard”).

The relationship of terrorist organizations (e.g., Taliban, al Qaeda) to a government (e.g., Afghanistan) is defined by the weakness of that government and its willingness or inability to withstand being co-opted to achieve terrorist goals. Now that they are defeated and dispersed in Afghanistan, the terrorists’ center of gravity shifts to cells operating throughout the world and wherever other weakness in governments exist (Yemen, Somalia, the Philippines). The Philippine government is weak in controlling certain regions. The Iraqi government is personified in its dictator, Saddam Hussein. While ruthlessly strong, he is completely identified with the goals of terrorism and has developed WMD capabilities. Even now, as the Taliban has been driven from power, the interim Karzai government is too weak to act as a counterbalance to the terrorists’ subversive activities. So there are two parts to the ongoing Afghan mission: to eliminate the terrorists and the environments that foster terrorism and to build up the government.

The United States must address emphatically in its policy how to negate the political effects of tactically successful terrorism. Dr. Colin S. Gray writes in *Parameters* that, although they may damage the nation economically, psychologically and with loss of prestige, the Osama Bin Ladens cannot defeat the United States. Only ill-judged U.S. policy can bring about defeat. Bureaucracies—military and civilian—that reward rule-following are inherently ill suited to think innovatively about asymmetrical threats. The U.S. military has only a handful of such people among their substantial special operations forces who truly can think “outside the box.”<sup>4</sup> According to Gray, the military response readily available tends to be unduly heavy-handed, if not plainly irrelevant, while the policy hunt for the carefully measured and precisely targeted reply all too easily can be ensnared in a lengthy political process which inhibits any real action. Should coalition forces “burn out the pirates’ lair”? Yes, where possible. The hard-core adversary must be killed or permanently detained. Ideally that task can be left to their enemies or to U.S. allies. Underreaction is seen as weakness. Nonetheless, a low-key response is preferable to heavy-handed action that risks alienating public opinion. So far, the United States has used symmetric force on an asymmetric threat. The United States needs policies that build terrorist illegitimacy and in a way that the terrorists do not expect. These policies must be politically and morally tolerable to U.S. culture in context of the law of war as well as the CNN factor.<sup>5</sup>

What response does the United States shape beyond searching for and destroying the terrorists and ousting Saddam Hussein? The nation must have culturally sophisticated profiles of foes to understand what might best discourage them. What does the foe value highly? The challenge to military policy is not where there is a military option but where there is not. How shall the military behave in ways different from that expected by the enemy?<sup>6</sup> These strategies must effect a cultural and political change to open their societies and to govern for the benefit of the governed.

Iraq is a different matter. Only overwhelming force will bring about the regime change, but what change will be made? Both Gray and Fouad Ajami state that, after removing the Hussein government and destroying the terrorist networks, the United States clearly needs a strategy nothing short of a new political order with a plan of reform

that invokes diplomatic, economic and military elements.<sup>7</sup> Currently, the administration contemplates a U.S.-led military occupation of Iraq for about two years.<sup>8</sup>

Jay Tolson wrote in *U.S. News & World Report* that America recoils from the concept of “empire.” U.S. foreign policy is conflicted between isolation and humanitarian intervention. The nation has agonized over not being principled enough while engaged in “realpolitik” with the state of mind of a country that has not decided what it wants to be on the world stage.<sup>9</sup> The U.S. military intensely dislikes its involvement in “nation assistance.” As disagreeable to some who regard American imperialism as the root of all evil as it is to others who believe that the world beyond U.S. shores is not the nation’s business, there is a basic truth—that there are many people who owe their freedom to the exercise of American military power.<sup>10</sup> Just recently Italian Prime Minister Silvio Berlusconi said to President Bush, “[The Italian people] will never forget that we owe our freedom . . . our wealth to the United States.”<sup>11</sup>

This debate will never end, but the United States cannot afford to abdicate its responsibility again. The nation has for too long turned a blind eye on Middle Eastern regimes that have suppressed human rights.<sup>12</sup> “What concentrated the minds of the Bush team was the long-standing call for the U.S. to develop a comprehensive strategy for the post-Cold War era.”<sup>13</sup>

U.S. military history is filled more with postwar/postdisaster recoveries and peace operations than it is with war.<sup>14</sup> And the U.S. military has a unique capability in the Civil Affairs branch with its military government heritage in the post-World War II occupation of Germany, Japan and Italy. The Bush administration is currently focused on waging and winning a war, but they must become focused on securing the victory. This is difficult to apply to the Middle East because western involvement is resisted by Arab governments and by anti-Western rage. Fareed Zakaria wrote in *Newsweek* that if Muslims do not take it upon themselves to open their societies and stop their religion from falling prey to radicals, nothing any outsider can do will save them.<sup>15</sup> However, after the war in Iraq, a U.S.-led military occupation will result in direct U.S. involvement in an Arab government.

### **Glad to See Them Come and Sorry to See Them Go<sup>16</sup>**

Well before the 11 September 2001 attacks on the United States, Richard Newman wrote in *U.S. News & World Report* about U.S. peacekeeping operations in Bosnia, “Throughout America’s armed forces, there is mounting evidence that conventional combat skills—and the [conventional] warrior ethic that goes with them—are being eroded by a combination of downsizing, budget cuts and widespread commitments to non-combat operations in Bosnia, [Haiti], and elsewhere. The . . . military has a uniquely demanding job today. Instead of preparing for territorial defense, U.S. troops must safeguard vaguely defined American and global ‘interests’ in an increasing number of far flung places.”<sup>17</sup> In a reply to the *U.S. News* editor, Mr. Fred Hutchinson of Dublin, Ohio, wrote, “An answer to your dilemma seems to jump off the pages of your article. . . . Establish peacekeeping forces as a separate branch of the military. . . . Individuals on peacekeeping assignments must be part soldier, part policeman . . . part social worker, and part diplomat. Such troops must have a jack-of-all-trades versatility and

resourcefulness. They should be a special breed with training, temperament and skill quite different from combat soldiers.”<sup>18</sup> Take heart, Mr. Hutchinson. The United States does have such a force. And in fact, the U.S. military has engaged in these nontraditional operations throughout its history, far more than it has waged conventional warfare.<sup>19</sup> After the Mexican War, General Winfield Scott’s occupation was such a model of excellence that Ulysses S. Grant remarked that the Mexicans regretted Scott’s departure almost as much as they hated to see his arrival.<sup>20</sup>

The Civil Affairs branch of the Army originated as Military Government during World War II to meet requirements for military specialists to administer areas liberated from German and Japanese occupation and to govern areas in Germany and Japan occupied by the U.S. Army during and after the war. Military personnel with appropriate civilian skills and education were formed into military government units to assure law and order and provide essential services to the populations of territories administered by the U.S. Army. After World War II, these units were renamed “Civil Affairs” (CA). In its postwar mission of military government in Germany, Japan and Italy, U.S. Army Civil Affairs became the world’s model for maintaining stability, restarting democratic civilian governments and preventing future wars. Unfortunately, CA in Korea remained a hit-or-miss, come-as-you-are operation until the last few months of the war. Few, if any, of the lessons of World War II had been learned. “The Army desired to put Korea behind it and go back to its preferred strategy, the defense of Europe against the Soviet hordes.”<sup>21</sup>

By the early 1960s, almost all (97 percent) of the U.S. Army’s CA capability was in the Army Reserve, where it remains today. This was (and remains) appropriate because the professional competence of CA personnel is derived principally from their civilian careers.<sup>22</sup> In Vietnam, the concept of “winning the hearts and minds of the people” was attributed to Special Forces and constituted civilian support and stability operations. After America’s failed nation-building efforts in Vietnam, the Army swore “never again” and prepared to “win” wars, not to “contain.” However, certain important experiences were forgotten again. Lessons learned about winning hearts and minds (i.e., civilian support and stability operations) faded to black. Enlightenment focused on achieving victory. Securing the victory was taken for granted. There was no thought given to what must be done after the shooting stopped. CA slid into the backwaters of the Army’s priorities—that is, until Panama.

Then Chairman, Joint Chiefs of Staff General Colin Powell said, “We are going to eliminate Noriega and the PDF [Panamanian Defense Forces]. If that succeeded, we would be running the country until we could establish a civilian government and a new security force.”<sup>23</sup> In January 1990, Sam Donaldson of ABC News asked then Secretary of Defense Richard Cheney, “What are you doing about the civilians in Panama City?” Secretary Cheney replied that the United States had Civil Affairs units on the scene. Because involuntary mobilization under Presidential Select Reserve Call-up (PSRC) had been considered too sensitive politically, only fragments of units and individual CA volunteers from many scattered units were actually in Panama. This resulted in the right Civil Affairs skill sets not being available. “The Panamanians were totally unprepared to govern, let alone make democracy work. Despite these handicaps, one Panamanian businessman remarked, ‘You [the United States] got the police working; not too well, but

working, and you got the government ministries working’.”<sup>24</sup> But General Powell later concluded, “We did not plan well enough for reintroducing civil government.”<sup>25</sup>

Then came Operations Desert Shield and Desert Storm. In a statement following the start of the air war in January 1991, President George H. W. Bush mandated large-scale involvement of Civil Affairs: “Our objectives are clear. . . . The legitimate government will be restored to its rightful place and Kuwait will once again be free.”<sup>26</sup> And so began the most significant effort of CA planning and execution in 25 years. Despite indifference or outright opposition on the part of key U.S. military players, the Kuwait Task Force (KTF), made up of senior CA officers, was established. It worked closely with the exiled government of Kuwait (GOK) to plan and prepare for Kuwait’s liberation.<sup>27</sup> KTF CA advisors had a positive influence on Kuwait’s political leaders and helped smooth the transition from war to peace.<sup>28</sup> Military occupation in the World War II style was not needed as CA advisors worked with the Kuwaiti ministries to “jump-start” the GOK functions and to prevent human rights abuses. CA was instrumental in transition from military control to civilian control by the GOK after war’s end. While the struggle for human rights went on in the region, the U.S. military was instrumental in preventing widespread bloodshed between the Kuwaitis and the Palestinians, who were accused of collaborating with the Iraqis.

In Haiti in 1994, Operation Uphold Democracy once again placed demands on CA for specialized talent to work with heads of a foreign government at the ministerial level in Civil Administration. “Haiti showed that the Kuwaiti Task Force was no fluke.”<sup>29</sup> “Once Lieutenant General [Henry H.] Shelton and his troops set foot in Haiti . . . we ran the place.”<sup>30</sup>

About Bosnia, Richard Newman wrote in *U.S. News & World Report*,

As the multinational force [Implementation Force, or IFOR] . . . was waiting to enter Bosnia in 1995 . . . Army Civil Affairs soldiers [drank very bad whiskey with local chieftains] . . . listening to their concerns that IFOR might disrupt their communities. . . . Ten years ago, integrating these unorthodox warriors into a major mission from the start would have been unthinkable. But today Special Operations Forces (SOF), which includes Civil Affairs . . . are becoming the military’s most sought after troops. . . . The unique capabilities and accomplishments of SOF appeal to ambassadors and [military commanders] alike. As a result, SOF missions have nearly tripled since 1991.<sup>31</sup>

Unlike Desert Storm, Haiti and Bosnia, CA in Afghanistan was confined to logistical aspects of humanitarian aid. But the mission has been expanded, and newly formed Provincial Reconstruction Teams are now recommending and coordinating projects that have impact at the national level, to bolster the Karzai government.<sup>32</sup> Once again, there is heated debate on the extent of U.S. military involvement in postwar reconstruction in Afghanistan and occupied Iraq. Many civilians and many military personnel believe that warfighting is the only appropriate role of the military and, beyond exerting control, reconstruction must be done by civilians. They believe that the concept of military “occupation” is obsolete and that peace operations are essentially a misuse of soldiers and resources.<sup>33</sup> No matter how constricted the military mission at the outset, Afghanistan and

all of the failed-state peace operations have forced an expanded military role to give momentum to rebuilding efforts. Necessity has so dictated.

Likewise, the war in Iraq will mandate a U.S.-led occupation. Every sizable military operation since World War II has repeatedly demonstrated that necessity, not doctrine, dictates policy.<sup>34</sup> U.S. Army Civil Affairs is the most qualified and competent entity to initiate and manage reconstruction efforts immediately after hostilities. No one else can immediately undertake this task. The United Nations, the nongovernmental organizations (NGOs) and private volunteer organizations (PVOs) and the international donor community play a key role in distributing humanitarian assistance in high-risk areas in collapsed states. The civilian aid organizations play a huge role in nation-building (when the military has control or where a functioning state exists).<sup>35</sup> But at the end of hostilities, even when civilian organizations are already in country, they do not have the coordinated effort of a military organization to assume responsibility for starting the new post-hostility phase.

### **The Civil Affairs Mission**

Civil Affairs is inherently a responsibility of command. There are four mission areas for Army CA, each having significant operational law guidelines:

1. Conventional operations
  - support for combat operations by minimizing civilian interference and mobilizing human and natural resources for combat support.
  - humanitarian and life-sustaining operations
  - assessments to determine the status of the foreign nation (FN) infrastructure
2. Support for special operations—unconventional warfare and foreign internal defense
3. Civil administration—nation-assistance, usually involving specialized advice and assistance to foreign nation officials based on CA expertise in any of the functional specialties listed below
4. Military assistance to domestic civil authorities—domestic emergencies such as natural disaster and civil disturbance.<sup>36</sup>

The CA capabilities of other branches of the U.S. armed services are limited. The interests of the Air Force are in the Air National Guard providing—primarily legal—military assistance to domestic civil authorities. The Air National Guard is creating a CA capability and training its senior legal advisors to provide CA as well as legal support.<sup>37</sup> The service interests of the U.S. Marine Corps are in support of conventional USMC amphibious-based combat operations, and their CA units are in the Reserve. The U.S. Navy does not have CA assets.

Title 10 grants authority for military contact to foreign nation/host nation (HN) officials to Special Operations Forces (SOF), which includes CA.<sup>38</sup> Each of the major regional combatant commanders has a CA Reserve Command and subordinate units in its WARTRACE alignment:<sup>39</sup>

- U.S. Pacific Command (Asia and the Pacific) – 351<sup>st</sup> CA Command, Mountain View, California
- U.S. Southern Command (Central and South America, Caribbean, Azores) – 350<sup>th</sup> CA Command, Pensacola, Florida
- U.S. European Command – 353<sup>rd</sup> CA Command, Staten Island, New York
- U.S. Central Command (Africa, Middle East, South Central Asia and Southwest Asia) – 352<sup>nd</sup> CA Command, Riverdale, Maryland.

Referring to peace operations, then Chairman of the Joint Chiefs of Staff General Henry H. Shelton asked,

Besides conventional war threats posed by North Korea and Iraq, what do we prepare for? . . . We face threats which have no viable conventional military or clear national centers of gravity, as illustrated by Somalia, Rwanda and Haiti. Here threats are subnational groups, disintegrating social structures, disease and environmental degradation. Some classify them as fourth-generational warfare. The [conventional] forces that are needed to fight a nation-state are usually not appropriate to address these later threats.<sup>40</sup>

But Bernard Trainor, writing for *The Wall Street Journal*, was more critical. He said the military has trouble coming to terms with this post-Cold War phenomenon: peacekeeping in places like Somalia, Haiti, Bosnia and Kosovo. It is easy to understand the military's unease. U.S. soldiers are trained to close on the enemy and destroy him with the utmost violence. This is the way it was in the Persian Gulf War. Postwar stability and peace operations, on the other hand, require restraint and a minimum use of force. It is difficult to ask young American soldiers to be both warrior and policeman.<sup>41</sup>

What does CA offer that is not found in the rest of the armed forces? It is the soldier capable of being a warrior/diplomat and possessing technical skills needed to build or manage a country's infrastructure—sanitation, public transport, rule of law, health care systems and other public services. This can be done only by soldiers with unique and appropriate civilian backgrounds. Highly skilled personnel from the reserve component have performed such jobs in Panama, the Persian Gulf, Haiti, Bosnia, Kosovo and Afghanistan, and will soon do so in Iraq, and they offer expertise that exists only in the Reserve CA units.<sup>42</sup> The challenge to the Army is determining what CA products or deliverables the world will need in the future. The trend for deploying CA soldiers will probably continue and must now be developed to help rehabilitate failed states like Afghanistan and ousted governments like an occupied Iraq. The balanced application of CA's two missions (civil-military operations, or CMOs, and the civil administration/ministerial advisory work) has improved CA's client understanding and its utilization within the U.S. Defense establishment. Providing civil-military operational advice to a commander of a battalion, brigade or division is something that could clearly be done by either active or reserve components. But when the mission calls for an investment banker with fifteen years of Wall Street experience or someone who runs schools or a health care system, or an engineer who has built national road systems, the mission planner cannot go to the active component and say, "Give me one of these people." By their very nature, these positions require civilian-acquired skills and must come from the reserve

components because the Defense establishment cannot maintain them in the active component. CA's true value is its ability to access the necessary civilian-acquired skills, put those soldiers in uniform and deploy them to do specific technical missions.<sup>43</sup> In the Balkans, National Guard and Reserve forces have rotated into missions previously done by the active component. National Guard and Reserve soldiers have assumed major command assignments up to major general level, as well as significant staff assignments. The National Guard and the Reserve have been particularly effective in relating to the civilian-oriented needs in postconflict and peace operations because they bring to the table all of the wealth of experience gained in their own civilian jobs and lives *and* in Guard and Reserve training.<sup>44</sup>

The work of Civil Affairs is divided into functional specialties (these civilian specialties are not the equivalent of active component career specialties):

- Government – Legal, Public Administration, Public Education, Public Safety, Public Health
- Economic – Economic Development, Food and Agriculture
- Public Facilities – Public Communications, Transportation, Public Works and Utilities
- Special Functions – Cultural Relations, Civil Information, Dislocated Civilians, Emergency Services, Environmental Management.

General Wayne Downing, then commander of U.S. Special Operations Command, said that Special Operations Forces (SOF) and Civil Affairs can be critical components of a regional or country plan (crafted by the military commander or ambassador for a specific country) designed to alleviate the problems that cause instability. Working with foreign governments, foreign militaries and various civilian organizations, SOF (which includes CA) can assist the host nation in creating programs that will reduce the potential for conflict. And if conflict does arise, SOF's knowledge of the area, its people and its institutions, gained through frequent deployments to these countries, can provide valuable information to the military commander as he devises his campaign plan. A commander has a moral and legal obligation to protect civilians caught in a conflict. Often a root cause of conflict, especially in peace operations, is a failure of civil authorities to meet the needs of the population. In war, CA units can look after displaced persons and help to get the local infrastructure functioning again. In postwar and peace operations, they can help create a capable infrastructure or assist in times of natural disaster where the infrastructure has been overwhelmed.<sup>45</sup>

## **Bridging the Gap**

There is a dangerous gap between the end of war (or intervention in peace operations) and the establishment of a stable FN government capable of providing essential services. The gap is “**instability**” in which victory on the battlefield can be lost to upheaval, violence and disintegrating social structures. Military operations must continue to prevent anarchy and to support both short-term and long-term recovery. After victory is achieved, the end-state now becomes “**stability.**” Even after Department of State (DoS) and the U.S. Agency for International Development (USAID) resume their responsibilities as

lead agencies, the military is still needed during that dangerous time to bridge the gap between “victory” (or intervention) and “**stability.**” With increasing frequency, host nations request help from Civil Affairs. Afghanistan and the likely occupation of Iraq require it. Civil Affairs is the gap filler. Wartime occupation concepts are unchanged, but for host nations, CA has taken “occupation” by force of arms and recast it as “advice and assistance.”

In the long-term plan for recovery, there are three tiers to the CA mission that move the operation across the “**Bridge to Stability**”:

1. **Civil-military operations and humanitarian assistance** – CA generalists prevent civilian interference with military operations (e.g., assembling refugees), mobilize civilian resources to support military operations (e.g., Foreign Nation labor, materials to be used by the military), emergency operations to sustain life (e.g., distribution of food and water).
2. **Functional Team Assessments** – CA specialists determine the status of the FN infrastructure, develop short-term and long-term project and recovery plans, set project priorities (e.g., report on conditions of FN water sources and food production, recommend projects to enhance production of food and potable water), analyze necessity and “benefits versus risk” for Civil Administration mission to achieve stability.
3. **Civil Administration** – CA specialists work directly with the FN ministries and the Inter-Agency Task Force to develop plans, develop human resources to lead the government, jump-start government services, implement reforms, determine relations among the ministries (e.g., agriculture, veterinary and water experts consult with ministers of agriculture and public facilities to develop comprehensive plans for water treatment plants and farming systems). CA, at the strategic level of Ministerial Advisory Team (MAT) mission, is a tool of the commander and/or the ambassador to maintain stability, to assist in accomplishing U.S. foreign policy objectives, and to fulfill the commander’s legal obligations. This mission develops human resources in the FN, mentors reformers and establishes an ethic of governing for the benefit of the governed.

This lesson is learned with each operation, only to be forgotten with the next operation: CA must be deployed across the spectrum from civil-military operations to civil administration for success of the stability operation.

## **Haiti**

In Haiti, in addition to the deployment of tactical CA elements, CA Reservists with high-level professional qualifications were assigned to the Ministerial Advisory Team to advise and assist the Haitian ministries. The CA MAT was formed to work directly with the top levels of the Haitian government in cooperation with the U.S. Embassy and USAID to assist the government of Haiti (GOH) in developing a functional governmental operation. In concept, the MAT worked in support of DoS and USAID and served as the bridge between the GOH and the U.S. government until the USAID and donor nations development programs could be brought on line. MAT objectives served U.S. foreign

policy objectives in the broad sense. Specifically, MAT pursued the objectives of the U.S. Ambassador and the military commander to establish a safe and secure environment and promote conditions for economic growth. The MAT mission was to:

1. provide start-up assistance to the new GOH ministries using CA technical advisors to perform initial assessments and assist in organizational planning;
2. recommend strategies that would facilitate linkages with USAID and other long-term providers of development assistance;
3. ultimately provide for a seamless transition from MAT missions to civilian contractors and then to the host nation (the hand-off).

Thirty-four CA professionals were assigned to MAT and deployed to Haiti. In civilian life they were urban development specialists, environmental scientists, educators, engineers, doctors, lawyers, bankers, business leaders and law enforcement experts. They held PhDs, MDs, Juris Doctor and Master's degrees. For more than five months, the MAT soldiers devoted their years of experience in civilian careers to generate momentum to restart and reform the GOH. These CA soldiers completed assessment reports for 12 of the ministries, to include justice, finance and banking, commerce, education, foreign affairs, agriculture, health, public works, interior and others.

CA Ministry Advisory Teams were the military's executive agent in working with the Haitian Ministries. From October 1994 through February 1995 the first MAT provided basic organizational assistance and prepared technical assessments and plans. Team members worked with the Ambassador's Inter-Agency Task Force (IATF) and helped ministries start to manage long-term projects effectively while completing numerous short-term and interim tasks. The coordination with the IATF led to development of priorities and criteria for hand-off back to USAID. The MAT did not get involved in "running the government." The military did not provide funding for any projects, and team members managed the expectations of the GOH ministers so as not to anticipate more than the mission would allow.

The Ministerial Advisory Teams are successful as a jump-start to reestablish or reform essential government services and to develop human resources. But by itself, this effort withers like cut flowers if not sustained by the HN government's committing itself to reform. Further, CA plans for the hand-off of its mission to DoS/USAID as the lead agencies. In the Haiti ministry advisory mission, each CA advisor assessed each ministry's short-term, mid-term and long-term needs and authored recommendations for reforms over these time horizons. In doing so, they also composed criteria for the complete transfer to USAID or other designated entity of the assistance mission on a ministry-by-ministry basis. CA remained as a "junior partner" in the IATF and brought the unique expertise of team members to GOH ministries in fields of Justice, Disaster Assistance Planning, Public Transportation, Finance and Banking, and Customs. With DoS as the lead agency and in support of USAID in projects that the civilian agencies were not designed to accomplish, CA has refined the military's role in the IATF.

For a time, the MAT missions mentored Haitian reformers and developed an ethic among those civil servants of "governing for the benefit of the governed." But democracy has not worked as free elections returned Haitians to tyranny.

## **The Balkans**

As in prior missions, CA support to the tactical commanders marked CA's introduction to the Balkans. But the CA "generalists" by themselves were not enough to achieve stability. Stability operations were more challenging in the Balkans than in other deployments. As coalition forces moved from a post-hostility situation in Bosnia to the significantly more peaceful situation now, the skills that were needed changed. Instead of advising a battalion commander on ramifications of the conflict involving the local civilian population (an early mission), CA soldiers now focused on restoring the economy and encouraging the nascent democratic government.<sup>46</sup> There was a growing need for international lawyers, bankers, media campaign planners, economists and health plan administrators rather than for officers and noncommissioned officers with generic civil affairs skills.

The MAT mission concept was again utilized in Operation Joint Forge (Bosnia) to assist in common institution building at the strategic level. Many CA soldiers who had previously deployed to Haiti with the UN Haiti Assistance Group mission and the MAT missions, now deployed to Bosnia. Utilizing their experience from Granada, Panama, Desert Storm, Haiti and other operations, CA specialists found themselves in an environment of separated armies (later called Entities) while supporting the reconstruction of infrastructure and governments. Officially, the Office of the High Representative(OHR)/UN was charged with the responsibility of implementing the Dayton Accords. From this charge, the Combined Joint Civil-Military Task Force (CJCMTF) developed its mission and configured itself. In Operation Uphold Democracy (Haiti), the CA soldiers of the task force consisted of only U.S. soldiers. But by 1998 in Bosnia, the CJCMTF assimilated members from 21 countries. By 1999, U.S. soldiers comprised 22 percent of the task force with the goal to transition its ranks entirely to non-U.S. soldiers.

Previous rotations of the CJCMTF deployed liaison teams throughout the Multi-National Divisions (MNDs) and in Sarajevo to interface with the NGOs and international organizations (IOs). Building on this success, the CJCMTF of 1999 learned from its functional teams which ministries within the Entities required the assistance of advisors to rebuild their infrastructure and governmental structure. To this end, the task force put in place the Ministry Support Team, later redesignated Strategic Support Team (SST). As called for in Stabilization Force (SFOR) Support Plan 37407, the task force assisted in bringing about the SFOR end-state of civil implementation. To achieve this goal, the task force assigned CA soldiers with technical expertise and staff planning skills to support key civil implementation tasks of the international organizations and entity ministries.

Fourteen CA officers with high-level civilian skills were deployed to the Ministries of Justice, Finance, Education, Health, Trade and Tourism, Transportation/Communication, Waste Management, Agriculture, Forestry, Infrastructure, Social Affairs, and Displaced Persons, Refugees and Evacuees. This mission was supported by Air National Guard Judge Advocate General Corps officers working with the OHR. Civil Affairs functional teams specializing in Public Health, Engineering and Business supported the Ministry Teams.

As in prior deployments, CA soldiers had to manage expectations in the course of accomplishing this mission. The starting point for expectation management was the collection of information in the MNDs and Sarajevo. From this snapshot, the present state of Dayton Accord enforcement was gauged to determine what realistic end-state would allow a CA military handoff or a transition to civilian assistance organizations. To disseminate this information analysis, the task force met weekly with OHR to determine how the SST would interface with the Bosnian government (BiH). In accordance with OHR assistance criteria, SST would then interface with their respective ministries of both entities. Thus, once again, CA soldiers were the “gap fillers” bridging the gap between two previously warring factions and achieving stability until civilian agencies were able to assume the lead. The CJCMTF was called upon to increasingly internationalize its personnel. Under NATO Civil-Military Cooperation (CIMIC) 2000 Operations Plan, NATO CIMIC capabilities and doctrine were expanded. The CIMIC course of instruction was instituted (later expanded into a school) to teach CIMIC to SFOR soldiers, and most recently to teach CIMIC to BiH soldiers.

Thus, in Bosnia, CIMIC’s initiative in SST became OHR’s success in “bridging the gap” between building Common Institutions and achieving the end-state—an often elusive objective that envisioned civilian organizations (banking, parliament, etc.) taking responsibility for civil implementation. As learned in previous deployments, the mission would be handed off to the IOs and the NGO/PVO network, phasing out SFOR’s mission in Bosnia. The CA mission has largely been handed off to this now mature network, but if military control were to cease, violence would likely return and could destroy the peace process and the nascent governments.<sup>47</sup>

## **Afghanistan**

The active-duty 96<sup>th</sup> CA Battalion deployed teams to Afghanistan in late 2001. Their mission was focused on life-sustaining relief efforts, humanitarian assistance and civil-military operations in support of the ground force. They interfaced with local Afghan councils to plan relief efforts and coordinate with the U.S. Air Force to select drop-zones for food drops. CA’s short-term humanitarian relief mission was expanded as the 96<sup>th</sup> was replaced by teams mobilized from Army Reserve CA battalions. These teams select and recommend projects that look to both the country’s short-term sustainment and long-term recovery: medical, veterinary, agricultural, water, schools, roads, bridges. The CA teams must move about Afghanistan with Special Forces teams and are collocated with Operational Detachment Alpha teams. CA battalion teams are also deployed to Pakistan and other locations throughout the region in support of civil-military operations in Afghanistan. These missions represent the first level in the spectrum of CA capabilities. CA brigade and command personnel mobilized from the Army Reserve are assigned to planning teams and also as forward elements at U.S. Central Command (CENTCOM), Special Operations Command-CENTCOM, and U.S. Army-CENTCOM.

The CA strategy is to support the lead assistance elements, which are nonmilitary (UN, USAID, NGO/PVOs). NGO/PVOs are heavily involved and have operated in the country since the 1980s. CA presence is heaviest where no civilian agency presence exists. Coordination of resources is embodied in the “Coalition Humanitarian Liaison

Center” (based upon the Civil-Military Operations Center). CA projects that supply emergency services, meet basic needs, and increase Afghan support for the coalition effort are submitted for approval and funding to the UN/USAID Implementation Group. This is an interagency and intergovernment task force interfacing with NGO/PVOs and the Afghan coalition government.

For now, the Karzai government has limited influence outside Kabul. What the people need most urgently, and the IOs can help them obtain, is the cessation of war, the establishment of certain basic national institutions, and the possibility of pursuing basic economic activities free from brutal oppression, ethnic harassment and armed conflict.<sup>48</sup> Marina Ottaway, writing in *Foreign Policy*, says,

Even when the international community demonstrates the will to undertake nation building, it’s not always able to figure out who should shoulder the burden. The international community is an unwieldy entity with no single center and lots of contradictions. It comprises the major world powers, with the United States as the dominant agent in some situations and as a reluctant participant in others. In Afghanistan, for instance, the United States wants to have complete control over war operations but refuses to have anything to do with peacekeeping. Meanwhile, the multilateral organization that by its mandate should play the dominant role in peacekeeping and state reconstruction—the United Nations—is the weakest and most divided of all.<sup>49</sup>

A UN administration was put into place to ensure widespread international participation. But Kevin Whitelaw stated in *U.S. News & World Report* that the Bush team was unhappy with the UN’s performance in Afghanistan.<sup>50</sup> To accelerate the pace of rebuilding, CA Provincial Reconstruction Teams are now developing projects that will have a national impact.<sup>51</sup>

Unlike Panama, Desert Storm, Haiti and Bosnia, CA in Afghanistan was confined to humanitarian assistance, functional team assessments or support to the ground forces in order to ensure that the U.S. footprint was small. However, where CA is confined to these lower levels, it must expand into the civil administration mission to prevent degeneration back into the former state of dysfunction. This automatically starts the planning for the CA mission hand-off.

## **Iraq**

The result of a military invasion and Iraq’s defeat would likely be at least a short-term occupation by the U.S. military. The boot print of the first U.S. soldier on the ground in Iraq commences our legal and moral obligations for a constructive occupation. Now, what do we do with it? Several authors reviewed potential gains and obstacles in an occupation of Iraq. Strategic Forecasting, LLC (STRATFOR—a commercial intelligence analysis website) stated that the world’s only superpower has decided that the defeat and displacement of Saddam Hussein and his regime is in the national interest because of its threat of and capacity for WMD and its support to terrorists, including supplying them lethal technologies. The rewards of a successful occupation are great, but the costs of failure in terms of lives, money, and the U.S. war on terrorism are greater. STRATFOR believes the United States would then be the most powerful military force in the region.

Of what significance is that to the military occupiers? Besides stopping WMD and terrorist support, the United States has a grand opportunity at great risk and at potentially great cost.<sup>52</sup>

**Psychology.** Fouad Ajami, writing for *Foreign Affairs*, believes that beyond opening the society of Iraq, the entire Islamic world will be confronted with change. The modernization of Iraq starts the modernization of the entire region away from repression, hatred and denial of their failures. The challenge is enormous, as the Arabs see an American expedition as an imperial reach into their world to secure oil and to protect Israel. This is the road-rage of the Arab culture, which has yet to take responsibility for its self-inflicted wounds.<sup>53</sup> The analogies to German and Japanese occupation fall short. The Germans and the Japanese experienced total war, total devastation, horrible numbers of dead and wounded, and in the end faced unconditional surrender. No one in the world supported them anymore. As occupied nations, they had no option but to become democratic states. They knew defeat, not just militarily but from all the suffering. Hopefully, Iraq will be militarily defeated without such suffering. However, the Arab culture of hate and support for war against the West will not feel defeat and will continue both inside Iraq and throughout the region.

Ajami advises to pay it no deference. “The great indulgences granted to the ways and phobias of Arabs has reaped a terrible harvest . . . to us and the Arabs.” The United States can live with the distrust and proceed without shame to open Iraq’s society. Because power matters, coalition success would only embolden those who wish for the deliverance of the Arab world from retrogression and political decay.<sup>54</sup>

**Geography.** STRATFOR believes that the United States will suddenly become a major competing power in the Mid-East. It will now have bases in the region to fight terrorist organizations. It can wage war against al Qaeda without permission. The Saudi support to terrorists motivated by the fear factor of al Qaeda will be tempered by the fear factor of U.S. presence next door. Iran will no longer be insulated from U.S. power. In his State of the Union speech on 30 January 2003, President Bush proclaimed his support to the citizens in their struggle to bring an open society to Iran and condemned the hard-line anti-Western clerics. This presence in Iraq may not directly bring about change in Iran, but Iranian politics will not remain the same.<sup>55</sup>

First, STRATFOR says the establishment of control by an overwhelming U.S.-led military force must be immediate.<sup>56</sup> Then, how does the coalition achieve a successful occupation? The full range of Civil Affairs missions must be applied in Iraq’s occupation, to include the Civil Administration mission. CA Ministry Advisors develop human resources and mentor a body of reformers at the ministry level and within the civil service. This is done in cooperation and coordination with the civilian agencies and organizations with eventual hand-off to them by Civil Affairs.<sup>57</sup> Civil Affairs work is primarily done to accomplish the short-term establishment of stability, but its exit strategy and hand-off plans lead the way to the desired long-term solutions.

1. **Security, police and intelligence.** James J. Fallows wrote in *Atlantic Monthly* that Iraq is a hornet’s nest of ethnic groups, tribes and a people who are the product of decades of anti-Western, anti-Jewish propaganda. Under Hussein, they have suffered repression beyond tears. The prospects of retribution to the oppressors, eruption of

age-old rivalries and score-settling, fighting for separate states, control of oil wealth, and attacks on the occupying force is frightening in its magnitude. Establishment of control by the U.S. military and restoration of order also depends on the war's devastation and the numbers of refugees. The repressive police organizations must be disbanded and a civilianized Baathist-vetted Iraqi constabulary created. The sooner this is done, the sooner the U.S. military occupation force can transfer some of its police function.<sup>58</sup>

2. **De-Baathification.** James A. Critchfield, an Army officer and then a CIA officer in Germany at the end of World War II, raises a seldom discussed issue. He states that the Iraqi political party, the Baathists, are the Nazis of the Mid-East. They foster hatred of the West and hatred of Israel. As a political entity, he says, they must be destroyed. If they are not, there might be some short-term stability but little will be accomplished in the long run if one Baathist thug is traded for another, even a cooperative thug.<sup>59</sup>
3. **Formation of government, territorial integrity.** This will be a daunting political process to achieve the long-term goal of a de-Baathified government friendly to the West and no longer generating a culture of hatred for Israel and the West. There is no obvious choice for a leader or a legitimate source of authority that the major competing Iraqi factions will accept. Writing in *Foreign Policy*, Marina Ottaway cautions that harsh compromises will be necessary: the necessity for military coercion for a long time, and recognition that democracy is not always a realistic goal. "Consequently, the international community has to set more modest goals for nation building and then tailor those goals to each country's reality."<sup>60</sup> Whatever form of government evolves, it may be as slow a process as is now ongoing in Afghanistan. There is a difference between Iraq and Afghanistan in that Iraq has an established civil service that carries on the functions of a national government: public health, public facilities and utilities, agriculture, commerce, education, etc. Some of these civil service ministries, such as police, courts and prisons, will need more "de-Baathification" than others. The depoliticized justice system must develop concepts of fundamental fairness and due process. Cases must be tracked through the system to develop accountability. Prison sentences must be determinable and prisoners must be accounted for in the prison system. The education system needs direction away from teaching hatred. Public utilities and facilities need damage assessments with prioritization for reconstruction. Other ministries may need only a jump-start to reestablish services after years of sanctions. The role of religion in government must be redefined in a culture that traditionally merges religion and law.

Immediately upon establishment of military control but before real stability is achieved, CA soldiers start their work. CA works at the behest of the controlling military command authority in the region, advising on specialized skills of government services and resolving issues such as those listed above. CA is not a democracy creator. Political formation of centers of power in the occupied state is left to higher authorities. Military commanders must resolve to allow good CA policy to be formed. They must accept that CA planning is affected by factors that are unique to the country's environment and that this will affect how CA will perform its advisory role. While CA soldiers do not perform

### Summary of Civil Affairs Mission Tiers in Recent Operations

Operation	Centers of Gravity	Military Action	Civil Affairs Mission	Remarks
<b>Panama</b> (JustCause/ Promote Liberty)	<ul style="list-style-type: none"> <li>• Destroy Panamanian Defense Force</li> <li>• Restore legitimate government</li> </ul>	<ul style="list-style-type: none"> <li>• Invade</li> <li>• Capture Noriega</li> <li>• Establish control</li> </ul>	<ul style="list-style-type: none"> <li>• Civil-military operations/ humanitarian assistance</li> <li>• Functional Team Assessments</li> <li>• Ministry Assistance</li> </ul>	<ul style="list-style-type: none"> <li>• Significant Department of Defense vs. Department of State conflict</li> <li>• All civil affairs missions (civil-military operations, Functional Teams, Ministerial Advisory Teams) utilized upon host nation's immediate recognition of need</li> </ul>
<b>Kuwait</b> (Desert Shield/Desert Storm)	<ul style="list-style-type: none"> <li>• Terminate Iraq's occupation of Kuwait</li> <li>• Restore legitimate government of Kuwait</li> </ul>	<ul style="list-style-type: none"> <li>• Invade</li> <li>• Destroy Iraqi military ability to invade neighboring countries</li> </ul>	<ul style="list-style-type: none"> <li>• Civil-military operations/ humanitarian assistance</li> <li>• Functional Team Assessments</li> <li>• Ministry Assistance</li> </ul>	<ul style="list-style-type: none"> <li>• All civil affairs missions (civil-military operations, Functional Teams, Ministerial Advisory Teams) utilized upon Executive Branch's recognition of need</li> </ul>
<b>Somalia</b>	<ul style="list-style-type: none"> <li>• Protect UN</li> <li>• Mission expanded to capture warlord (Adid)</li> </ul>	<ul style="list-style-type: none"> <li>• Peacekeeping operation</li> <li>• Humanitarian mission</li> </ul>	<ul style="list-style-type: none"> <li>• Civil-military operations/ humanitarian assistance</li> </ul>	<ul style="list-style-type: none"> <li>• Somalis never established central government</li> <li>• Country sank into anarchy, rule by warlord</li> </ul>
<b>Haiti</b> (Uphold/ Promote Democracy)	<ul style="list-style-type: none"> <li>• Restore legitimate government of Haiti</li> </ul>	<ul style="list-style-type: none"> <li>• Permissive entry</li> <li>• Restore safe, secure environment</li> <li>• Stabilize country</li> <li>• Remove Cedras junta</li> </ul>	<ul style="list-style-type: none"> <li>• Civil-military operations/ humanitarian assistance</li> <li>• Functional Team support to international organization/ host government assessments</li> <li>• Ministry Assistance</li> </ul>	<ul style="list-style-type: none"> <li>• Strong Department of Defense/Department of State cooperation</li> <li>• Government dysfunctional</li> <li>• Mission expansion versus mission creep</li> </ul>
<b>Bosnia</b>	<ul style="list-style-type: none"> <li>• Disestablish Serbs</li> <li>• The Federation—establish strong representative central government</li> </ul>	<ul style="list-style-type: none"> <li>• Peacekeeping operation</li> </ul>	<ul style="list-style-type: none"> <li>• Civil-military operations/ humanitarian assistance</li> <li>• Functional Team Assessment</li> <li>• Ministry Support Team</li> </ul>	<ul style="list-style-type: none"> <li>• Civil affairs had capability of working in very mature environment of nongovernmental organizations/ private volunteer organizations where area of operations matured into nonviolence and civilian community assumed lead in government reform</li> <li>• NATO mission</li> </ul>
<b>Afghanistan</b>	<ul style="list-style-type: none"> <li>• Destroy al Qaeda network and Taliban control</li> <li>• Transition to civil authority</li> </ul>	<ul style="list-style-type: none"> <li>• Coalition with northern alliance</li> <li>• U.S. and allied strikes against enemy strongholds</li> </ul>	<ul style="list-style-type: none"> <li>• Civil-military operations/ humanitarian assistance</li> <li>• Functional Team Assessments</li> <li>• Ministry assistance not yet introduced</li> </ul>	<ul style="list-style-type: none"> <li>• Government nonfunctional</li> <li>• Expand mission to ministry assistance or see Afghanistan go the way of Somalia</li> </ul>

intelligence functions, they gather open-source information.<sup>61</sup> Beyond immediate humanitarian assistance and the functional team assessments, and even before an Iraqi national political entity is fully established, the CA ministry advisor can work with the corps of civil servants to reestablish a functioning ministry at the national level. This is not done to the exclusion of any of the nonmilitary entities. To the contrary, the CA mission will again be the bridge to stability in that dangerous period between the military's taking control and the nonmilitary entities' establishing themselves and bringing their programs online.<sup>62</sup> This by itself is a long way from establishing a full-fledged democracy with free markets. But it is a step in the right direction to establish safety and security and promote conditions for economic growth. The CA mission, will revitalize a government that may be the linchpin for a Mid-East renaissance and will now start to govern for the benefit of the governed.

### **The Exit Strategy**

Civil Affairs is by far the most qualified, skilled and capable entity in the inventory of the U.S. government to go into troubled areas immediately after the end of hostilities and guide a nascent democracy in starting the recovery and reconstruction process.

With that said, CA does not contemplate seeing that recovery and reconstruction through to conclusion. CA establishes the process, sets short-term, mid-term and long-term goals and objectives, and plans for the transfer of the assistance mission to mid- and long-term aid providers such as the UN, USAID, the NGO/PVO community and the host nation itself. In other words, CA works its way out of a job once stability is achieved. To have an exit strategy, one must first enter the country and determine the conditions within those ministries that must establish a rule of law, provide essential services and promote conditions for economic growth. Using the somewhat different models of Kuwait, Haiti and Bosnia, we know that even after the most basic humanitarian assistance mission (e.g., food and water distribution), CA cannot simply depart the Area of Operations. The CA soldiers must devise a transition plan and exit upon achievement of the transition criteria. Development of this transition plan starts as part of the deliberate planning in the Functional Team assessments (which is the first snapshot taken of a country to determine the status of the FN infrastructure) and continues into the ministry assistance phase. The hand-off strategy transfers missions to nonmilitary entities such as an NGO/PVO or an agency of the UN that the United States may already be augmenting. The plan must be coordinated with the transition agency as though parties to a contract. CA must develop appropriate end-state definitions for each phase and tailor a strategy to hand off its ongoing work to the successor aid provider from the civilian community.

The critics of this military role, and specifically of the CA mission, level the accusation of "mission creep." Writing in *Joint Forces Quarterly*, Adam Siegel stated that there is a difference between mission creep and changing mission which accrues more to the logic of a dynamic situation in which the original mission's success depends on picking up additional missions. The end-state of a CA mission is stability, and CA soldiers are the gap-filler to achieve it and initiate the hand-off. Military thinking must account for the end state—**stability**.<sup>63</sup> Stability operations are qualitative, not finite. Such operations require that the military work with a foreign population to break with the past.

That defies that setting of an end-date. Haitians said, “How soon you want the troops to leave depends on how soon you want them back.”<sup>64</sup>

### **A Debate Continues Which Will Never End** <sup>65</sup>

But why is this a job for the U.S. military? Isn't this the job of the Department of State? Haiti, and then Bosnia, proved that the need for ministry advisers in Panama in 1989 and Kuwait in 1991 was no fluke. Ever since Franklin D. Roosevelt confronted decisions to implement military government missions during World War II, the never-ending debate has continued. At first, President Roosevelt wanted the civilian agencies to exercise control over conquered and liberated areas. After all, wasn't this DoS business? But political preferences could not long resist the course of the war. Adverse experience in the North African campaign showed there was an immediate need for experts with critical civilian skills. These experts had to be soldiers because only soldiers could operate in conditions that existed in such devastated areas. Only soldiers collaborating with their DoS counterparts could deal with the complex issues of both military and civilian consequence. And, contrary to opinions held by most of the Regular Army, the mission was much greater in scope and complexity than mere “control” or low-level sustainment of foreign civilians. The Army had the capability to deploy such persons. The civilian agencies did not. Necessity, not doctrine propels policy. Necessity prevailed and the Army deployed military government units.

The debate on the role of the military in this occupation as well as postwar and peace operations continues unchanged and unabated. It follows the same lines as U.S. national debates over isolationism versus large-scale humanitarian assistance versus “realpolitik.” It is every bit as divisive as the debate over U.S. involvement in rebuilding other nations. The popular sentiment is that the only job of the military is to kill people and blow things up. Oversimplistic to be sure, but the military believes that its employment in peacekeeping and postwar has been a misuse of its soldiers and resources. As stated by the Center for Strategic and International Studies,

The military is not and should not be the sole or even the principle participant in reconstruction efforts. Although the military may play a crucial role in some cases, a host of civilian actors has a comparative advantage in addressing many of postconflict reconstruction's wide range of needs. Nongovernmental organizations, the private sector, international organizations, multilateral development banks, and civilian agencies of multiple donor governments all have a crucial role to play in addressing governance and participation, justice and reconciliation, and economic and social needs. . . . Given the rapid increase in the number of new international actors; the centrality of indigenous actors owning the building process; and the other demands placed on the limited international supply of disciplined, civilian-controlled armed forces, putting the military at the center of the debate and carrying over the polemics that grew out of a bygone era is plain wrong.<sup>66</sup>

While logic may be impeccable and the sentiment may be widespread, necessity will again overrule doctrine, as it has in all past operations where U.S. military involvement and the full spectrum of the Civil Affairs mission were found necessary. All elements of the nonmilitary assistance spectrum need to operate in some modicum of safety and

stability. The Civil Affairs mission is the bridge to that stability. And a war against Iraq brings back to life an old concept not expected to ever be seen again: “occupation.”

This debate over the scope and extent of the CA mission has repeated itself for every major deployment, but we can be sure that necessity will again propel policy. The Executive Branch will someday again direct the U.S. military to “restore the legitimate government of [insert country name here]” or to “establish a safe and secure environment and promote conditions for economic growth.” Like it or not, the Army will comply. It will engage its CA experts to bridge the gap and establish a stable FN government in order to avoid war or recover from chaos.

Recognize that the Civil Administration mission of the U.S. military is the bridge to stability as the civilian agencies bring their development programs online. The military will, at some point, hand the mission over to civilian administration in the postconflict environment. Civil Affairs soldiers do not work alone. The Civil Affairs mission is coordinated with the objectives of the U.S. Ambassador and USAID. Along with NGO/PVOs, CA develops the mission hand-off to the civilian agencies. Thus, the Civil Administration mission does not duplicate or subsidize the work of DoS or USAID during that “bridge” period. The opposite of what President Roosevelt said is just as true. Military force without the involvement of diplomacy and diplomatic strategy offers little beyond holding real estate and controlling civilians.

No other country has the status of “superpower” and the credentials of “honest broker.” No other U.S. government agency but the military has such a vast logistical base and broad spectrum of civil-military capabilities. In short, no one else can do the job. General Colin L. Powell said,

The U.S. public sees [postwar and] peace operations as a legitimate mission of the U.S. military. Americans are willing to commit their diplomatic, political, and economic resources to help others. We proudly and readily allow our young sons and daughters in uniform to participate in humanitarian enterprises far from home. In no other way could the Somalis, for example, have been saved so quickly from starvation in 1992.<sup>67</sup>

The American public will not accept military finger-pointing and assertions that it was some other agency’s job. The strategic political/military end-state is stability (read legitimate governance), and if not achieved, the operation will ultimately fail even if military legitimacy is successful at the operational and tactical levels.

It is the nature of the terrorist organization to attach itself to and co-opt a weak government. As terrorist organizations are destroyed, the military must engage in assistance to such a government or see it revert to chaos and terrorism revisited.

Writing for *Joint Forces Quarterly*, Robert Oakley said,

There is no sign of diminution of the troubled state phenomenon. . . . The severe problems [of troubled states] threaten world stability . . . and more tangible U.S. interests, including those of strategic importance. . . . The armed forces can anticipate being immersed in [postwar] multinational, humanitarian, and peace operations, though they may consider them as improper uses of resources or an

unwelcome diversion from what they regard as more appropriate traditional [combat] military roles.<sup>68</sup>

Thus, there is no choice but to engage in the CA ministry assistance mission to achieve stability in Afghanistan or see it go the way of Somalia . . . or Colombia. It is a very deliberate decision by policymakers to escalate the CA mission to this level of nation assistance as it triggers complex involvement. It may not always be in the interests of the United States to do so. But the consequence of not escalating the CA mission is to witness the return to instability.

### **Law By Analogy? It's Not Just a Good Idea—It's the Law!<sup>69</sup>**

During the course of operations, military lawyers have experienced substantial difficulty finding the overall regime or structure of laws that provides answers for the complex legal issues generated by these “new age and nuanced operations.”<sup>70</sup> Despite the importance of peace and stability operations and their frequent occurrence, these types of missions do not yet fit well into any specific category of either public international law or the traditional law of war. The United States has consistently complied with the Law of War in peace operations to the greatest extent feasible. But the less than perfect fit of the Law of War in the environment of peace operations is a problem. Peace operations are high-stakes affairs. This vulnerability is magnified by nearly every element of peace operations that require the application of rules and law that are not yet found in conventional doctrine.

Although occupation rules apply only during armed conflict, one could argue that many peace operations have generated conditions that come extremely close to meeting the definitional elements of formal occupation. The presence of thousands of armed troops and displacement of thousands of civilians create compelling analogies to that body of law. In the peace operations environment, where no nation is bound by law of war treaties, the United States frequently applies these treaties by analogy. The fit is not always exact. But more often than not, a disciplined review of the international conventional and customary law or any number of domestic laws provides rules that, with moderate adjustment, serve well. Because these rules are crafted to assist the commander to accomplish the mission, their application and revision must be executed with the mission statement in mind. In short, the methodology for protecting civilians is flexible while not depriving commanders of the tools they must have to accomplish the mission.

While the United States was not and is not an occupation force in places like Haiti and Bosnia, the United States has taken “firm control,” and it looks much like an occupation. The commander has many of the legal obligations of occupying power. Law by analogy is still the law and the CA MAT mission is an instrument of the commander to fulfill his legal obligations.

Civilians no longer represent a single aspect of contemporary missions, but rather have become the very object of such missions. The protection of civilians' basic human rights has been one of the primary justifications for international intervention in nearly every recent major operation. The legitimacy of these important multinational operations and, in turn, U.S. national prestige, depends upon making the right decisions relative to

HN civilians. Operational plans must include and be designed to emphasize “the political purpose and moral dominance of a situation.”<sup>71</sup>

In a nutshell, commanders must understand three things regarding civilians:

- the rules that dictate how our troops must treat the civilians;
- the degree of protection that must be provided to protect civilians from their own government and from other civilians;
- the responsibility to protect our troops from civilians.

These three obligations merely define boundaries within which hundreds of complex obligations and legal issues exist. Having taken the leadership role in the development of this important movement, the United States must continue to lead.

In attempting to learn what laws apply to U.S. conduct in an area of operations, a specific knowledge of the exact nature of the operations becomes immediately necessary. Unfortunately, the scope of many recent mission statements has been less than clear. Commanders have adapted and learned that, in the absence of well-defined mission statements, they must look to other sources:

- What has the President (or his representatives) said?
- If it is a UN-mandated operation, what does the mandate authorize?
- If the operation is based on use of regional organization forces (e.g., NATO), what statement or directives has that organization made?

Lieutenant General Henry H. Shelton, then commander of Combined Task Force 180 in Haiti, repeatedly stated that the force under his command in Haiti was not an occupation force. Nonetheless, it did gain and exercise “firm control” over Haiti and denied (to an extent) to the de facto government the ability to control many of the essential functions of self-government. The breadth of this mission created a condition of “near” occupation where the legal obligation to safeguard the civilian population was arguably greater than in other varieties of peace operations.<sup>72</sup>

In the new security environment, both legal and moral standards are essential elements of legitimacy. Providing security for persons and property is the first priority of political legitimacy. In the absence of effective civil law enforcement in the HN, the military has the moral, if not the legal obligation to establish a safe and secure environment.<sup>73</sup>

### **Civil Affairs—The Army’s “Ounce of Prevention”**

The strategic lessons learned from U.S. military history, especially since Vietnam, have taught that occupation is not an obsolete concept and operations other than war—by whatever name—are essential to protect U.S. interests postwar and in peacetime. Painful lessons have taught that traditional combat capabilities are unsuited for these noncombat operations. Dr. Stanley Sandler, a historian, said the fact that conventional U.S. officers find themselves adrift in such operations is not without a touch of irony, in that these undertakings are nothing new. Rather, the U.S. military has engaged in nontraditional

peace and stability operations throughout its history.<sup>74</sup> Why is it that the body of testimony, reflected in a series of articles in *Military Review*, suggests that lack of preparation for and resistance to stability operations continues to mount? The “warrior” mind-set so essential for combat operations can be a source of anger, confusion, frustration and failure when applied unmodified to postwar and peace operations. The warrior mind-set may be highly inappropriate, even counterproductive to the task at hand in postwar or noncombat operations. What is required, in short, is adaptability.<sup>75</sup>

In wartime, CA supports combat forces. But in postwar and peacetime, priorities are most often reversed; combat forces end up supporting CA. In a seamless Total Force, civilian soldiers are not “just Reservists,” but full partners serving with their full-time counterparts as an extension of both the U.S. military and the diplomatic corps. Much of the opposition to operations other than war has to do with their unconventional nature, which requires the unique leadership found in Civil Affairs that combines the characteristics of both the warrior and the diplomat.<sup>76</sup> Post-Cold War strategy requires military capabilities that are as constructive during peacetime as they are destructive during wartime.<sup>77</sup>

Civil Affairs is the heart of the military’s postwar and peace operation capability. The CA civil administration mission is the highest level of that capability. Nearly 58 years after the end of World War II, the Marshall Plan has been celebrated as the concept that led to stability and eventual prosperity in war-torn Europe. Civil Affairs, in its military government role, was critical to that plan in changing cultures so that the United States did not merely subsidize old ways of corruption and dictatorship. The most relevant quote remains that of Major General Thomas Matthews, then commander of the 353rd Civil Affairs Command, on Bosnia operations: “The art of war is very mature. . . . The art of peace is much newer . . . and we’re learning about it here.”<sup>78</sup> General John J. Sheehan, U.S. Marine Corps, then Commander in Chief, U.S. Atlantic Command, said, “Whether it is in Bosnia, Kuwait, Haiti or Guantanamo Bay, the lessons are all the same: we must change the way we do business. We must steer by the stars. . . . We can no longer steer by our wake.”<sup>79</sup> As David Gergen suggests, the United States likes being the world’s superpower but not its leader. The United States can continue to tell the world that their problems are not ours, or it can reengage as it did after World War II and share its technologies, its entrepreneurs and its experts.<sup>80</sup>

## **So Where Do We Go From Here?**

Progress has been made in including Civil Affairs as part of the planning process up and down the “trace” and building CA annexes into regional combatant commander operations plans and contingency plans. So what’s next? Better liaison is needed between those who are technical subject experts and force providers and those who receive/assign missions at the highest level, i.e., the Joint Chiefs of Staff (JCS) and the Department of State. The Civil Affairs officers supporting the JCS in the J-3 Special Operations Directorate are being reorganized regionally. This will work only if they stay plugged into their “force providers” at the regionally aligned Civil Affairs Commands and at U.S. Army Civil Affairs and Psychological Operations Command through U.S. Special Operations Command. There is no formal CA liaison to DoS, nor to the Department of

Homeland Security. Interagency coordination and communication with Civil Affairs operators are critical. Established, formal liaison should be the norm, yet the only personal contacts are by those who have worked together in the field, attempting to keep interagency communications alive. A specific plan for institutionalizing awareness of CA and lessons learned and for maximizing utilization of this critical resource will be the topic of a subsequent article.

## Endnotes

1. John Hersey, *A Bell for Adano* (New York: Vintage Books, 1946), foreword.
2. Fouad Ajami, "Iraq and the Arabs' Future," *Foreign Affairs*, January/February 2003; Jay Tolson, "Fight to the Finish," *U.S. News & World Report*, 1 October 2001, pp. 36–39.
3. Fareed Zakaria, "The Politics of Rage: Why Do They Hate Us?" *Newsweek*, 15 October 2001.
4. Colin S. Gray, "Thinking Asymmetrically in Times of Terror," *Parameters*, Spring 2002, pp. 5–14.
5. *Ibid.*
6. Gray, "Thinking Asymmetrically"; Kevin Whitelaw, with Thomas Omestad and Mark Mazzetti, "After the Fall," *U.S. News & World Report*, 2 December 2002, pp. 18–25; and Fouad Ajami, "Hail the American Imperium," *U.S. News & World Report*, 11 November 2002, p. 28.
7. Gray, "Thinking Asymmetrically"; and Ajami, "Hail the American Imperium."
8. Whitelaw et al., "After the Fall."
9. Jay Tolson, "The New American Empire?" *U.S. News & World Report*, 13 January 2003, pp. 34–40.
10. Michael Ignatieff, "The Burden," *The New York Times Magazine*, 5 January 2003.
11. Silvio Berlusconi, Prime Minister of Italy, Press Conference with President George Bush, 30 January 2003, <http://www.whitehouse.gov/news/releases/2003/01/20030130-10.html>.
12. Tolson, "The New American Empire?" and Eli J. Lake, "White House Aims to Reshape World," *The Washington Times/United Press International*, 30 December 2002.
13. Tolson, "The New American Empire?" pp. 34–40, quoting National Security Advisor Condoleezza Rice at p. 39; Lake, "White House Aims to Reshape World."
14. Stanley Sandler, *Glad to See Them Come and Sorry to See Them Go: A History of U.S. Army Tactical Civil Affairs/Military Government, 1775–1991* (Fort Bragg, N.C.: U.S. Army Special Operations Command, 1998).
15. Zakaria, "The Politics of Rage."
16. Discussion in this section is taken from: Sandler, *Glad to See Them Come*; Harry L. Coles and Albert K. Weinberg, *U.S. Army in World War II Special Studies: Civil Affairs Soldiers Become Governors* (Washington, D.C.: Office of the Chief of Military History, Department of the Army, 1964); Earl F. Ziemke, *The U.S. Army in the Occupation of Germany 1944–46*, Army Historical Series (Washington, D.C.: Center of Military History, Department of the Army, 1975); Paul Y. Hammond, "Directives for the Occupation of Germany: The Washington Controversy," *American Civil-Military Decisions: A Book of Case Studies*, ed. Harold Stein (Birmingham: University of Alabama Press, 1963); Major James C. McNaughton, "Half the Battle—Civil Affairs in Haiti" (unpublished manuscript, 15 March 1995), p. 37.

17. Richard J. Newman, "Can Peacekeepers Make War?" *U.S. News & World Report*, 19 January 1998, pp. 39, 40.
18. Fred Hutchinson, letter to the editor, *U.S. News & World Report*, 16 February 1998.
19. Lawrence A. Yates, "Military Stability and Support Operations: Analogies, Patterns and Recurring Themes," *Military Review*, July/August 1997, p. 51.
20. Sandler, *Glad to See Them Come*.
21. *Ibid.*, pp. 328, 336.
22. Robert Schlesinger, "Defense Set to Realign Active, Reserve Units," *Boston Globe*, 27 January 2003; John R. Brinkerhoff, "Waging War and Winning the Peace: Civil Affairs in the War with Iraq," in *Civil Affairs in the Gulf War: A Symposium. Proceedings*, 25–27 October 1991, Fort Bragg, N.C.; and Kurt E. Müller, "Toward a Concept of Strategic Civil Affairs," *Parameters*, Winter 1998, pp. 80–98.
23. Colin L. Powell, *My American Journey: An Autobiography* (New York: Random House, 1995), p. 424.
24. John T. Fishel, "The Fog of Peace: Planning and Executing the Restoration of Panama," Strategic Studies Institute, U.S. Army War College, 15 April 1992, pp. viii and 56.
25. Powell, *My American Journey*, p. 431.
26. Quoted in David Fairhall, Larry Elliot and Martin Walker, "Allied planes bomb Iraq: Kuwait's liberation begun, says U.S.," *The Guardian*, 17 January 1991.
27. Brinkerhoff, "Waging War and Winning the Peace," pp. 54–61.
28. Rudolph C. Barnes, Jr., *Military Legitimacy—Might and Right in the New Millennium* (London: Frank Cass, 1996), pp. 136, 155 and note 5 quoting Carnes Lord, Project Director, "Civil Affairs: Perspectives and Prospects," unpublished manuscript (Washington, D.C.: Institute for National Strategic Studies, National Defense University, February 1993), p. 7.
29. McNaughton, "Half the Battle," p. 37.
30. Powell, *My American Journey*, p. 602.
31. Richard J. Newman, "Tougher than Hell," *U.S. News & World Report*, 3 November 1997, p. 42.
32. David Zucchino, "Afghanistan's Toughest Battle Lies Ahead," *Los Angeles Times*, 31 December 2003.
33. Yates, "Military Stability and Support Operations," pp. 51, 52, 55, 60. See also several articles appearing in *Military Review*, July–August 1997, detailing these criticisms throughout the Haiti and Bosnia operations: Lieutenant Colonel Douglas Scalard, U.S. Army, "People of Whom We Know Nothing: When Doctrine Isn't Enough,"; Robert F. Baumann, "Operation Uphold Democracy: Power Under Control"; John T. Fishel, "Operation Uphold Democracy—Old Principles, New Realities"; and Congressman Ike Skelton, "The Constitutional Role of Congress: Lessons in Unpreparedness."

34. Coles and Weinberg, *Civil Affairs Soldiers Become Governors*.
35. Marina Ottaway, "Think Again: Nation Building," *Foreign Policy*, September/October 2002.
36. See Major Richard M. Whitaker, "Civilian Protection Law in Military Operations," *The Army Lawyer*, November 1996.
37. Barnes, *Military Legitimacy*, pp. 39, 41, 183 and note 19.
38. Title 10, United States Code, Section 167, <http://www4.law.cornell.edu/uscode/10/167.html>.
39. "Army WARTRACE Program" (formerly Army Capstone Program), Army Regulation (AR) 11-30, *Army Programs*, 28 July 1995.
40. General Henry H. Shelton [then Commander in Chief, U.S. Special Operations Command], "Reservists Involved for Every Mission," *The Officer*, September 1996, p. 52.
41. Bernard E. Trainor, "The Perfect War Led America's Military Astray," *The Wall Street Journal*, 2 August 2000.
42. General Wayne H. Downing [then Commander in Chief, U.S. Special Operations Command], "Joint Special Operations in Peace and War," *Joint Forces Quarterly*, Summer 1995, p. 26.
43. Dennis Steele, "Operational Demands Remain High for CA and PSYOP Resources: Interview with Brigadier General Bruce B. Bingham," *ARMY*, March 1999; Bruce B. Bingham, Daniel L. Rubini and Michael J. Cleary, "U.S. Army Civil Affairs Ministerial Advisory Teams Deploy to Haiti," *Military Review*, September/October 2001, pp. 53–63; and Daniel L. Rubini and Michael J. Cleary, "Judicial Intervention in Haiti," *Special Warfare*, Winter 2000, pp. 26–31.
44. Joseph S. Ziccardi, Civilian Aide to the Secretary of the Army (Pennsylvania East)/Colonel (Retired) Judge Advocate, telephone interview with Colonel Rubini, 31 January 2003.
45. Downing, "Joint Special Operations in Peace and War," p. 26.
46. Dennis Steele, "Civil Affairs: Shaping the End State in Bosnia," *ARMY*, March 1999, pp. 24–27.
47. Ottaway, "Think Again: Nation Building."
48. Marina Ottaway and Anatol Lieven, "Rebuilding Afghanistan: Fantasy versus Reality," Policy Brief No. 12, Carnegie Endowment for International Peace, 12 January 2002.
49. Ottaway, "Think Again: Nation Building."
50. Whitelaw, "After the Fall."
51. James Dao, "Pentagon Official Wants to Speed Rebuilding of Afghanistan," *The New York Times*, 15 January 2003; Andrea Stone, "Afghan Reconstruction Project is Tricky Task," *USA Today*, 25 December 2002; Zucchini, "Afghanistan's Toughest Battle Lies Ahead"; and Victoria Burnett, "Afghanistan: Rebuilding Takes on Urgency with U.S. Security Force," *Boston Globe*, 15 December 2002.

52. Strategic Forecasting, LLC (STRATFOR), "The War After Iraq," online, [www.stratfor.com](http://www.stratfor.com), 11 December 2002.
53. Ajami, "Iraq and the Arabs' Future."
54. *Ibid.*
55. STRATFOR, "The War After Iraq."
56. *Ibid.*
57. Ottaway, "Think Again: Nation Building"; and a series of articles appearing in *The Washington Quarterly*, August 2002: John J. Hambre and Gordon R. Sullivan, "Toward Postconflict Reconstruction," Autumn 2002, pp. 85–96; Scott Feil, "Building Better Foundations: Security in Postconflict Reconstruction," pp. 97–109; Michele Flournoy and Michael Pan, "Dealing With Demons: Justice and Reconciliation," pp. 111–123; Johanna Mendelson Forman, "Achieving Socioeconomic Well-Being in Postconflict Settings," pp. 125–138; Robert Orr, "Governing When Chaos Rules: Enhancing Governance and Participation," pp. 139–152; and Bill Owens and Troy A. Eid, "Strategic Democracy Building: How U.S. States Can Help," pp. 153–167.
58. James Fallows, "The Fifty-first State?" *Atlantic Monthly*, November 2002.
59. James H. Critchfield, "From Berlin to Baghdad," Commentary, *The Wall Street Journal*, 12 January 2003; and Ignatieff, "The Burden."
60. Ottaway, "Think Again: Nation Building."
61. Lieutenant Colonel Michael Cleary, "Civil Affairs: Information Collection in Kuwait City," *Special Warfare*, 11–13 April 1995.
62. Bingham, Rubini and Cleary, "U.S. Army Civil Affairs Ministerial Advisory Teams Deploy to Haiti"; Rubini and Cleary, "Judicial Intervention in Haiti."
63. Adam B. Siegel, "Mission Creep or Mission Misunderstood?" *Joint Forces Quarterly*, Summer 2000, pp. 112–115; Bingham, Rubini and Cleary, "U.S. Army Civil Affairs Ministerial Advisory Teams Deploy to Haiti"; Yates, "Military Stability and Support Operations," pp. 51, 52, 55 and 60. See also several articles appearing in *Military Review*, July–August 1997, detailing these criticisms throughout the Haitian and Bosnian operations: Scalard, "When Doctrine Isn't Enough"; Baumann, "Operation Uphold Democracy: Power Under Control"; Fishel, "Operation Uphold Democracy—Old Principles, New Realities"; and Skelton, "The Constitutional Role of Congress: Lessons in Unpreparedness."
64. Carla Anne Robbins, "Haiti Tastes Freedom, But Efforts to Rebuild Run into Roadblocks; Another Year for UN Troops," *The Wall Street Journal*, 30 October 1996, p. 1.
65. Discussion in this section is taken from: Sandler, *Glad to See Them Come*; Coles and Weinberg, *Civil Affairs Soldiers Become Governors*; Ziemke, *The U.S. Army in the Occupation of Germany 1944–46*; Hammond, "Directives for the Occupation of Germany: The Washington Controversy"; McNaughton, "Half the Battle—Civil Affairs in Haiti," p. 37; and Siegel, "Mission Creep or Mission Misunderstood?" pp. 112–115.
66. Hambre and Sullivan, "Toward Postconflict Reconstruction."

67. Powell, *My American Journey*, p. 605.
68. Robert B. Oakley, "Developing a Strategy for Troubled States," *Joint Forces Quarterly*, Summer 1996, pp. 81–82.
69. This section is substantially edited from (but not limited to) Whitaker, "Civilian Protection Law in Military Operations," note 13.
70. Barnes, *Military Legitimacy*, pp. 70, 90.
71. *Ibid.*
72. *Ibid.*
73. *Ibid.*
74. Sandler, *Glad to See Them Come*.
75. Yates, "Military Stability and Support Operations," pp. 51, 52, 55, 60. See also several articles appearing in *Military Review*, July–August 1997, detailing these criticisms throughout the Haiti and Bosnia operations: Scalard, "When Doctrine Isn't Enough"; Baumann, "Operation Uphold Democracy: Power Under Control"; Fishel, "Operation Uphold Democracy—Old Principles, New Realities"; and Skelton, "The Constitutional Role of Congress: Lessons in Unpreparedness."
76. Barnes, *Military Legitimacy*, pp. 158, 166, 167, 188, and citing *U.S. National Military Strategy 1995* (Washington, D.C.: Department of Defense, 1995), pp. 1, 8–9; and Gordon R. Sullivan and Andrew B. Twomey, "The Challenges of Peace," *Parameters*, Autumn 1994, pp. 4, 7–8.
77. Barnes, *Military Legitimacy*, pp. 139, 157, 187; and a review of *Military Legitimacy* by Robert M. Herrick (former director, Small Wars Operations Research Directorate, U.S. Southern Command) in *Low Intensity Conflict & Law Enforcement*, Vol. 5, No. 2, Autumn 1996, pp. 289–90.
78. Quoted in General John J. Sheehan, "Total Force Policy . . . Theory to Reality," *The Officer*, September 1996, p. 22.
79. General John J. Sheehan, U.S. Marine Corps, Remarks to Naval Institute Symposium, 4 September 1996.
80. David Gergen, "A Deepening Disorder," *U.S. News & World Report*, 8 April 2002, p. 60.



## **Glossary of Acronyms**

<b>BiH</b>	Bosnian government
<b>CA</b>	Civil affairs
<b>CENTCOM</b>	Central Command
<b>CIMIC</b>	Civil-military cooperation
<b>CJCMTF</b>	Combined Joint Civil-Military Task Force
<b>CMO</b>	Civil-military operation
<b>DoS</b>	Department of State
<b>FN</b>	Foreign nation
<b>GOH</b>	Government of Haiti
<b>GOK</b>	Government of Kuwait
<b>HN</b>	Host nation
<b>IATF</b>	Inter-Agency Task Force
<b>IFOR</b>	Implementation Force
<b>IO</b>	International organization
<b>JCS</b>	Joint Chiefs of Staff
<b>KTF</b>	Kuwait Task Force
<b>MAT</b>	Ministerial Advisory Team
<b>MND</b>	Multinational division
<b>NGO</b>	Nongovernmental organization
<b>OHR</b>	Office of High Representative
<b>PVO</b>	Private volunteer organization
<b>SFOR</b>	Stabilization Force
<b>SOF</b>	Special Operations Forces
<b>SST</b>	Strategic Support Team
<b>USMC</b>	United States Marine Corps
<b>USAID</b>	U.S. Agency for International Development
<b>WMD</b>	Weapons of mass destruction



## Bibliography

- Ajami, Fouad. "Hail the American Imperium." *U.S. News & World Report*, 11 November 2002: 28.
- . "Iraq and the Arabs' Future." *Foreign Affairs*, January/February 2003.
- Barnes, Rudolph C., Jr. *Military Legitimacy—Might and Right in the New Millennium*. London: Frank Cass, 1996: 136, 155.
- Baumann, Robert F. "Operation Uphold Democracy: Power Under Control." *Military Review*. July/August 1997.
- Berlusconi, Silvio, Prime Minister of Italy. Press Conference with President George Bush. 30 January 2003. <http://www.whitehouse.gov/news/releases/2003/01/20030130-10.html>.
- Bingham, Bruce B., Daniel L. Rubini and Michael J. Cleary. "U.S. Army Civil Affairs Ministerial Advisory Teams Deploy to Haiti." *Military Review*. September/October 2001: 53–63.
- Brinkerhoff, John R. "Waging War and Winning the Peace: Civil Affairs in the War with Iraq." In *Civil Affairs in the Gulf War: A Symposium*. Proceedings, 25–27 October 1991, Fort Bragg, N.C.
- Burnett, Victoria. "Afghanistan: Rebuilding Takes on Urgency with U.S. Security Force." *Boston Globe*. 15 December 2002.
- Bush, George W. Press conference with Silvio Berlusconi, Prime Minister of Italy. 30 January 2003. <http://www.whitehouse.gov/news/releases/2003/01/20030130-10.html>.
- Cleary, Lieutenant Colonel Michael. "Civil Affairs: Information Collection in Kuwait City." *Special Warfare*. 11–13 April 1995.
- Coles, Harry L. and Albert K. Weinberg. *U.S. Army in World War II Special Studies: Civil Affairs Soldiers Become Governors*. Washington, D.C.: Office of the Chief of Military History, Department of the Army, 1964.
- Critchfield, James H. "From Berlin to Baghdad." Commentary. *The Wall Street Journal*. 12 January 2003.
- Dao, James. "Pentagon Official Wants to Speed Rebuilding of Afghanistan." *The New York Times*. 15 January 2003.
- Department of the Army. "Army WARTRACE Program" (formerly Army Capstone Program). Army Regulation (AR) 11-30, *Army Programs*. 28 July 1995.
- Department of Defense. *U.S. National Military Strategy 1995*. Washington, D.C. 1995.
- DeYoung, Karen and Dan Morgan. "U.S. Plan for Iraq's Future is Challenged." *The Washington Post*. 6 April 2003: A21.
- Downing, General Wayne H. "Joint Special Operations in Peace and War." *Joint Forces Quarterly*. Summer 1995: 26.
- Fairhall, David, Larry Elliot and Martin Walker. "Allied planes bomb Iraq: Kuwait's liberation begun, says U.S." *The Guardian*. 17 January 1991.

- Fallows, James. "The Fifty-first State?" *Atlantic Monthly*. November 2002.
- Feil, Scott. "Building Better Foundations: Security in Postconflict Reconstruction." *The Washington Quarterly*. August 2002: 97–109.
- Fishel, John T. "The Fog of Peace: Planning and Executing the Restoration of Panama." Strategic Studies Institute, U.S. Army War College. 15 April 1992: viii and 56.
- Fishel, John T. "Operation Uphold Democracy—Old Principles, New Realities." *Military Review*. July/August 1997.
- Flournoy, Michele and Michael Pan. "Dealing With Demons: Justice and Reconciliation." *The Washington Quarterly*. August 2002: 111–123.
- Forman, Johanna Mendelson. "Achieving Socioeconomic Well-Being in Postconflict Settings." *The Washington Quarterly*. August 2002: 125–138.
- Gergen, David. "A Deepening Disorder." *U.S. News & World Report*. 8 April 2002.
- Gray, Colin S. "Thinking Asymmetrically in Times of Terror." *Parameters*, Spring 2002: 5–14.
- Hambre, John J. and Gordon R. Sullivan. "Toward Postconflict Reconstruction." *The Washington Quarterly*. August 2002: 85–96.
- Hammond, Paul Y. "Directives for the Occupation of Germany: The Washington Controversy." *American Civil-Military Decisions: A Book of Case Studies*, edited by Harold Stein. Birmingham: University of Alabama Press, 1963.
- Herrick, Robert M. Review of *Military Legitimacy*. In *Low Intensity Conflict & Law Enforcement*. Vol. 5, No. 2. Autumn 1996: 289–90.
- Hersey, John. *A Bell for Adano*. New York: Vintage Books, 1946. Foreword.
- Hutchinson, Fred. Letter to the editor, *U.S. News & World Report*. 16 February 1998.
- Ignatieff, Michael. "The Burden." *The New York Times Magazine*, 5 January 2003.
- Lake, Eli J. "White House Aims to Reshape World." *The Washington Times/United Press International*. 30 December 2002.
- Lord, Carnes, Project Director. "Civil Affairs: Perspectives and Prospects." Unpublished manuscript. Washington, D.C.: Institute for National Strategic Studies, National Defense University, February 1993: 7.
- McNaughton, Major James C. "Half the Battle—Civil Affairs in Haiti." Unpublished manuscript. 15 March 1995: 37.
- Müller, Kurt E. "Toward a Concept of Strategic Civil Affairs," *Parameters*. Winter 1998: 80–98.
- Newman, Richard J. "Can Peacekeepers Make War?" *U.S. News & World Report*. 19 January 1998: 39, 40.
- . "Tougher than Hell." *U.S. News & World Report*. 3 November 1997: 42.
- Orr, Robert. "Governing When Chaos Rules: Enhancing Governance and Participation." *The Washington Quarterly*. August 2002: 139–152.

- Ottaway, Marina. "Think Again: Nation Building." *Foreign Policy*. September/October 2002.
- and Anatol Lieven. "Rebuilding Afghanistan: Fantasy versus Reality." Policy Brief No. 12. Carnegie Endowment for International Peace. 12 January 2002.
- Owens, Bill and Troy A. Eid. "Strategic Democracy Building: How U.S. States Can Help." *The Washington Quarterly*. August 2002: 153–167.
- Powell, Colin L. *My American Journey: An Autobiography*. New York: Random House, 1995: 424.
- Robbins, Carla Anne. "Haiti Tastes Freedom, But Efforts to Rebuild Run into Roadblocks; Another Year for UN Troops." *The Wall Street Journal*. 30 October 1996: 1.
- Rubini, Daniel L. and Michael J. Cleary. "Judicial Intervention in Haiti." *Special Warfare*. Winter 2000: 26–31.
- Sandler, Stanley. *Glad to See Them Come and Sorry to See Them Go: A History of U.S. Army Tactical Civil Affairs/Military Government, 1775–1991*. Fort Bragg, N.C.: U.S. Army Special Operations Command, 1998.
- Scalard, Lieutenant Colonel Douglas, U.S. Army. "People of Whom We Know Nothing: When Doctrine Isn't Enough." *Military Review*. July/August 1997.
- Schlesinger, Robert. "Defense Set to Realign Active, Reserve Units." *Boston Globe*. 27 January 2003.
- Sheehan, General John J., USMC. "Total Force Policy . . . Theory to Reality." *The Officer*. September 1996: 22.
- . Remarks to Naval Institute Symposium. 4 September 1996.
- Shelton, General Henry H. "Reservists Involved for Every Mission." *The Officer*. September 1996: 52.
- Siegel, Adam B. "Mission Creep or Mission Misunderstood?" *Joint Forces Quarterly*. Summer 2000: 112–115.
- Skelton, Congressman Ike. "The Constitutional Role of Congress: Lessons in Unpreparedness." *Military Review*. July–August 1997.
- Steele, Dennis. "Civil Affairs: Shaping the End State in Bosnia." *ARMY*. March 1999: 24–27.
- . "Operational Demands Remain High for CA and PSYOP Resources: Interview with Brigadier General Bruce B. Bingham." *ARMY*. March 1999.
- Stone, Andrea. "Afghan Reconstruction Project is Tricky Task." *USA Today*. 25 December 2002.
- Strategic Forecasting, LLC (STRATFOR). "The War After Iraq." [www.stratfor.com](http://www.stratfor.com). 11 December 2002.
- Sullivan, Gordon R. and Andrew B. Twomey. "The Challenges of Peace." *Parameters*. Autumn 1994: 4, 7–8.
- Title 10, United States Code, Section 167. <http://www4.law.cornell.edu/uscode/10/167.html>.

- Tolson, Jay. "Fight to the Finish." *U.S. News & World Report*, 1 October 2001: 36–39.
- . "The New American Empire?" *U.S. News & World Report*, 13 January 2003: 34–40.
- Trainor, Bernard E. "The Perfect War Led America's Military Astray." *The Wall Street Journal*. 2 August 2000.
- Whitaker, Major Richard M. "Civilian Protection Law in Military Operations." *The Army Lawyer*. November 1996.
- Whitelaw, Kevin, with Thomas Omestad and Mark Mazzetti. "After the Fall." *U.S. News & World Report*, 2 December 2002: 18–25.
- Yates, Lawrence A. "Military Stability and Support Operations: Analogies, Patterns and Recurring Themes." *Military Review*. July/August 1997: 51.
- Zakaria, Fareed. "The Politics of Rage: Why Do They Hate Us?" *Newsweek*, 15 October 2001.
- Ziccardi, Joseph S. Civilian Aide to the Secretary of the Army (Pennsylvania East)/Colonel (Retired) Judge Advocate. Telephone interview with Colonel Rubini. 31 January 2003.
- Ziemke, Earl F. *The U.S. Army in the Occupation of Germany 1944–46*. Army Historical Series. Washington, D.C.: Center of Military History, Department of the Army, 1975.
- Zucchini, David. "Afghanistan's Toughest Battle Lies Ahead." *Los Angeles Times*. 31 December 2003.

## About the Authors

**Brigadier General Bruce B. Bingham** commanded the U.S. Army Civil Affairs (CA) and Psychological Operations Command (Airborne) from May 1997 until May 2001. He previously commanded the 358th CA Brigade from May 1993. In September 1994, he served as Civil Affairs Advisor to the Commander in Chief, U.S. Atlantic Command (USACOM) for the Haiti intervention. He instituted the Ministerial Advisory Team (MAT) mission concept with USACOM, pioneered implementation, and commanded the first MAT in Haiti. He retired in May 2001.

BG Bingham received his bachelor's degree in English from Rutgers College and his master's degree in Public and Private Management from Yale University. His military education includes advanced courses for Adjutant Generals Corps, Civil Affairs and Military Police branches, Command and General Staff College, and U.S. Army War College.

BG Bingham served in Vietnam with the 1st Cavalry Division (Air Mobile). In the Army Reserve he served with the 1st Battalion, 11th Special Forces Group as Operational Detachment-A, battalion executive officer and acting battalion commander. He also served as liaison officer for the U.S. Military Academy, as commander of the 408th Personnel Services Company and later of the 78th Training Support Brigade from October 1990 to February 1993. In January 1990, BG Bingham deployed to Operation Just Cause in Panama and worked in the Civil Military Operations Task Force. He served in the 353 CA Command as the Special Operations Command Europe Team Chief and coordinated activities in the Reforger exercises.

BG Bingham is a partner with the accounting and consulting firm of BDO Seidman, LLP in New York City.

**Colonel Daniel L. Rubini** served as assistant chief of staff of the Government Team and Special Functions Team and as brigade staff judge advocate (SJA) at the 358th Civil Affairs (CA) Brigade in Norristown, PA. He retired in February 2000.

COL Rubini earned his bachelor's degree in Political Science at Virginia Polytechnic Institute, Chartered Financial Consultant from American College, and Juris Doctor from Temple University. He served as SJA to the 304th CA Brigade. He served as SJA to the 157th Separate Infantry Brigade (Mechanized), 1175th U.S. Army Outpost, and as Trial/Defense Counsel to the 153rd Judge Advocate General Detachment. He served in Desert Shield/Storm as advisor to the Kuwait Ministry of Justice. He served in Haiti (Operation Uphold Democracy) in 1994 as Ministry of Justice Advisor and on later MAT missions II, III (Team Chief-Justice), V and VI (Team Chief-Justice) from 1995 to 1997. He served in Central America as J5 (Strategic Planning and Policy) to U.S. Southern Command's Forward Command Element for Hurricane Mitch reconstruction.

COL Rubini practiced law for 22 years and is now a U.S. Administrative Law Judge in Philadelphia, PA.

**Colonel Michael J. Cleary** was the Deputy Brigade Commander, 358th Civil Affairs (CA) Brigade in Norristown PA from July 1999 until June 2001. He served as commander of the Combined Joint Civil Military Task Force for eight months in 1998 in Operation Joint Guard

(Bosnia) and previously served as brigade G2 (Intelligence) and G5 (Plans). He retired in June 2001.

COL Cleary earned his bachelor's degree at the LaSalle College, Philadelphia, PA, a master's degree in Political Science from Villanova University and a Juris Doctor degree from the Delaware Law School. He has served in various assignments in the Army Reserve, to include the 416th Civil Affairs Battalion, 304th Civil Affairs Brigade, 358th Civil Affairs Brigade, and as an individual military augmentee. COL Cleary has deployed on numerous overseas operations. He served in Operation Just Cause in Panama and was instrumental in establishing the training program for the Panama police force. He deployed for Operation Desert Storm, where he documented human rights abuses in Kuwait City. He served in two overseas assignments in Haiti, first as a Civil Affairs staff officer in the Haiti Assistance mission in 1993 and second as part of the Ministerial Advisory Team in Operation Uphold Democracy in 1994 as Ministry of Justice advisor. He subsequently deployed to Haiti, serving on Ministerial Advisory Teams II, III and IV and as commander of Ministerial Advisory Teams V and VI from 1995 through 1997.

COL Cleary is an assistant district attorney for the City of Philadelphia.