

Rules Of Engagement As A Force Multiplier  
CSC 2000  
Subject Area – Strategic Issues

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## EXECUTIVE SUMMARY

**Title:** RULES OF ENGAGEMENT AS A FORCE MULTIPLIER

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**Thesis:** Are rules of engagement a force multiplier when developed in consonance with coherent policies and achievable mission statements?

**Discussion:**

The case studies presented demonstrate the significance of cooperation and coordination between the Statesman and the General. Vietnam and Beirut illustrate how much worse failure can become when both are not synchronized. Conversely, DESERT STORM and UPHOLD DEMOCRACY illustrate that great success can be achieved when both are synchronized.

A common characteristic of the case studies is the degree of involvement by those that had no vested interest in the application of ROE. In the failures of Vietnam and Beirut, politicians and senior military leaders continuously tinkered with the ROE instead of addressing the strategies. The results speak for themselves, especially when viewed through the lens of the Beirut barracks bombing. During the successes of DESERT STORM and UPHOLD DEMOCRACY, politicians and senior military leaders used a hands-off approach. They allowed those that had to execute the ROE the ability to develop the ROE. This contributed greatly to the individual unit commander's freedom of action to work towards mission accomplishment.

**Conclusion:**

The ROE for a given operation can be a force multiplier for the commander because an individual's actions as he executes a particular ROE establish the foundation of legitimacy at the tactical level. The democratic principles of life, liberty, and dignity are resident in the sound application of ROE. Violations of ROE only serve to undermine efforts at achieving legitimacy. These positive efforts at the tactical level feed upward towards achieving operational legitimacy. Working from the strategic level down, a national policy that is supported by a well-defined national strategy utilizing all elements of national power establishes legitimacy in the international arena. The linkage between these two levels is the interpretation of national strategy at the operational level and ultimate translation to achievable military objectives. Leaders at all levels must join efforts to ensure national strategic policy is clear and just, military objectives support policy and are achievable, and the force authorized and employed affords maximum freedom of action.

## **SECTION 1**

### **INTRODUCTION**

The Law of War (LOW) was developed to reduce the atrocities against combatants and protect non-combatants on the battlefield. Over time, conflict has become so much more than war. Today, the LOW does not fit all situations given the entire spectrum of conflict. Therefore, rules of engagement (ROE) based on fundamental principles of dignity and respect for human life have been developed to act as guideposts when the LOW does not apply. These ROE are not absolute; they change with the policy, the mission, and the situation. There in lies the critical relationship. If the national policy, military objectives, and associated ROE are consistent, a synergy of legitimacy develops which acts as a significant force multiplier for the employed military forces and the cause itself. Any inconsistency will have a debilitating effect, almost ensuring mission failure.

This thesis studies the relationship and linkage between policy, mission, ROE, and subsequent mission success or failure. Of utmost concern to the commander is the answer to the following question: Are rules of engagement a force multiplier when developed in consonance with coherent policies and achievable mission statements?

History and analyses support an answer in the affirmative.

The study begins with a broad discussion identifying where ROE fit within the context of the LOW. Legitimacy and the necessity for the U.S. as a world leader to abide by the moral aspect of international law are also discussed. The discussion then moves into the arena of how ROE are developed once the policy and mission statements are identified. This part also covers the responsibility of the commander when the ROE does not match the mission statement.

The general points are examined more closely through the analysis of several successful and unsuccessful wars with respect to policy, mission, and ROE being in agreement. Vietnam and DESERT STORM are discussed in order to address limited wars fought to achieve limited gains. Beirut and Haiti are examined in order to address military operations other than war. The former category is more within the scope of the LOW. The latter is not generally covered by the LOW; hence, more reliant on ROE.

## SECTION 2

### THE LAW OF WAR

#### BACKGROUND

Fortunately, the law of armed conflict (*law of war*) is based on a commonsense view of how wars are fought and how forces engage one another, rather than on impractical restrictions.<sup>1</sup>

The Law of War (LOW) is based on customs, traditions, treaties, and alliances that have been signed into document, primarily embodied by The Hague and Geneva Conventions of 1949. Numerous countries have signed these treaties that govern a belligerent's activities during times of war. Over time, the LOW changes; however, it can neither cover all aspects and incidents on the battlefield nor address the full spectrum of modern conflict.

At the core of the concept of international law and the LOW is the applicability to sovereign states only. Yet, the most likely future conflicts and military interventions involve situations where one of the participants is not a sovereign state: humanitarian relief, nation building, peace keeping, terrorism, asymmetrical warfare, etc. Recent comments by world leaders concerning

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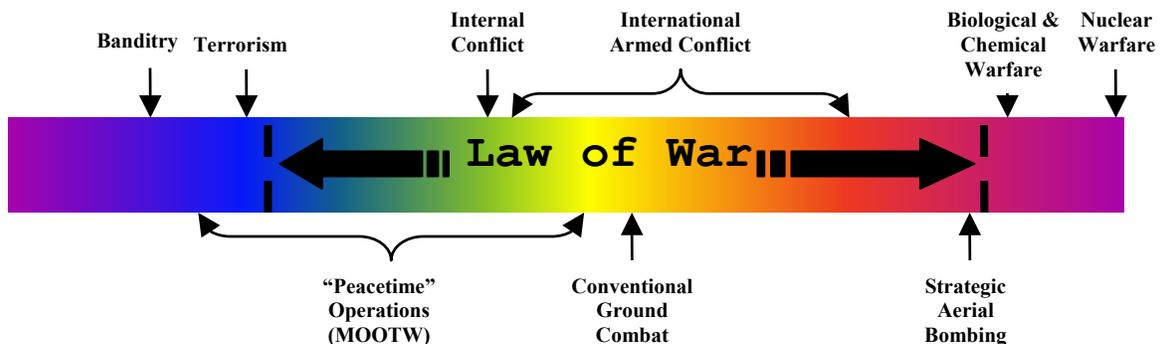
<sup>1</sup> LtCol John G. Humphries, USAF, "Operations Law and the Rules of Engagement in OPERATIONS DESERT SHIELD and DESERT STORM" *Airpower Journal* 11, no. 3 (Fall 1992): 36.

intervention, regardless of sovereignty, only complicate the issue.

### **THE SPECTRUM OF CONFLICT**

The spectrum of conflict, as it is known today, covers a broad range of possible conflicts where military forces may be employed. The definitive nature and magnitude of war, as demonstrated by the World Wars, are no longer. Today's Statesman and General must understand the implications and consequences, intentional and unintentional, when involved anywhere across the spectrum. Figure 1 illustrates the relationships across the spectrum of conflict. The dividing lines between conflicts are not absolute; they blend and fade just as the spectrum of color does. The placement of the different conflicts along the spectrum is not exact, but simply serves to illustrate relationships.

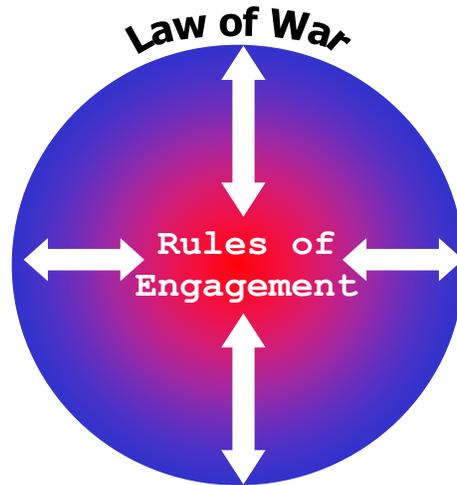
**Figure 1. Spectrum of Conflict and Law of War Relationship<sup>2</sup>**



<sup>2</sup> Stephen J. Shi, "Law of War," lecture presented at Marine Corps University Command and Staff College, Quantico, VA, 24 September 1999.

Compounding the Statesman and General's understanding of the use of force across the spectrum is the concurrent application of the LOW. (See Figure 1.) At the same time, however, the LOW does not cover the entire spectrum of conflict. Those conflicts not covered by the LOW are addressed through the application of ROE. Prior to Vietnam, violence on the battlefield fit "nicely" within the LOW. Compared to the LOW, ROE are a contemporary development. Until Vietnam, wars were fought very closely to the parameters of the law of war. See Figure 2. Vietnam initiated the practice of fighting for limited political and military objectives using overly restrictive military means. Although the LOW "authorized" more, the one-sided and self-imposed restraints on political grounds directly tied the importance of policy, mission, and the new term "ROE" together for the first time. The ROE will never allow more "violence" than the LOW. As conflict slides to the right along the spectrum of conflict, ROE expands until total war occurs, resulting in ROE and LOW being nearly one and the same. See Figure 2 for a graphic representation of this relationship.

Figure 2. Expansion and contraction of ROE within the LOW as conflict approaches total war.



## SECTION 3

### LEGITIMACY

#### DEFINED

Legitimacy: n. The quality or fact of being legitimate.<sup>3</sup>

Legitimate: adj. 1. In compliance with the law; lawful. 2. In accordance with established or accepted patterns and standards.<sup>4</sup>

#### OVERVIEW

"Why adhere to the Law of War? Clearly, it is in our national interests to do so."<sup>5</sup>

As a world leader, the U.S. must maintain the legal and moral high ground, even if this means entering a conflict at a *perceived* disadvantage. Legitimacy is the foundation upon which all operations or wars must be built. Without a strong foundation, an operation or war will quickly meet with limited success. Generally, there are two means for the U.S. to achieve legitimacy in today's world.

1. United Nations (UN) approval. This follows a legalistic approach where a mission receives a mandate, in the form of a UN resolution authorizing the use of force under the by-laws of the UN Charter.

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<sup>3</sup> *The American Heritage Dictionary*, 2d College Edition, under the word "legitimacy."

<sup>4</sup> *The American Heritage Dictionary*, 2d College Edition, under the word "legitimate."

<sup>5</sup> LtCol James G. Zumwalt, USMCR, 46.

The consensus method marshals support across the international community with the ultimate goal of forcing the identified belligerent to feel the "weight of the world."

2. Moral righteousness. This approach is based on intangible principles, grounded in our belief that the U.S. represents all that is good and must stand to defend the oppressed peoples of the world if and when necessary. Seizing the moral high ground and not discarding the moral values and principles of a democratic society are integral to achieving and maintaining legitimacy.

### **DEMOCRATIC PRINCIPLES**

The power of democratic armed forces originates in the people's belief in the essential rightness of their cause and their expectation that it can be and must be defended within the boundaries set by democratic principles.<sup>6</sup>

Democracies possess an inextricable link between the military and the people - the fact that the citizenry fills the ranks of the military and the civilian government controls the military. This civilian control of the military is ensured by the law and the military's

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<sup>6</sup> Douglas Bland, "The Democratic Way In Warfare" *Canadian Defense Quarterly* 27, no.3(Spring 1998): 8.

acceptance of the law. The ROE for a given U.S. mission are rooted in American Judeo-Christian cultural underpinnings - dignity; compassion; and respect for life, liberty, and freedom. When U.S. forces comply with ROE motivated by these principles, the nation's interests are advanced. Therefore, it makes complete sense to abide by the ROE and the LOW even if it places the U.S. at a marked disadvantage tactically. As described later, OPERATION UPHOLD DEMOCRACY in Haiti is a perfect example of how compliance with ROE significantly enhanced the Marines' ability to achieve mission success.

The democratic people the military represents must believe in the cause. Without this belief - stemming from a feeling of legitimacy - the actions on behalf of the cause will quickly lose momentum. Consequently, military forces placed in a situation where they are not supported by the people will ultimately fail. Vietnam proves this point. Additionally, the people of a fledgling nation must regard as legitimate the efforts of an assisting nation's military. If these people do not believe, the efforts of the best intentioned of nations will never receive legitimacy. Beirut and Vietnam prove this point as described below by one former Marine officer.

Initially, when we went into a village, it was for the best of intentions because the Vietcong or North Vietnamese were there. The combat escalated with each instance. The dynamic changed each time we went out and came back. In the end, the people we were there to protect and to save turned against us because they reverted to the culture they new most—the Vietnamese culture. So in the end it all worked against us.<sup>7</sup>

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<sup>7</sup> John B. Matthews, Dr., LtCol, USMC (Ret), interview by author, 18 January 2000. Dr. Matthews served two combat tours in Vietnam. The first as a Rifle Platoon Commander in 1965 and the second as Company Commander in 1972. He was also the former Commanding Officer of Battalion Landing Team 3/8, 24<sup>th</sup> Marine Amphibious Unit while deployed to Beirut 1 Nov 1982 – 15 Feb 1983.

## SECTION 4

### **RULES OF ENGAGEMENT**

#### BACKGROUND

Why focus on ROE? The LOW is based on the sovereignty of states, and wars are fought between states. What about conflicts that occur within a state, between nations, or between non-state actors? ROE is all you have since the LOW does not apply.

The problem of war "not of an international character" is most thorny. Civil and colonial wars were, until the Geneva Convention of 1949, left entirely to the regulation of the national law of the states concerned. This meant in practice that rebels had no legal status—other than that of criminals.<sup>8</sup>

This passage leads to a very important question in today's interventionist world: Since the LOW does not apply, what rules govern the conduct of forces engaged in conflict towards the lower end of the spectrum of conflict? There is no exact answer; however, foremost are the respect for life and the treating of combatants humanely. This conduct provides great strength in the form of moral righteousness, as previously discussed.

Rules of engagement have been and always will offer the potential to be the bane of a mission commander's existence. They need not be, but rather should be viewed as effective tools for the planning and execution of the mission assigned. ROE are intended

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<sup>8</sup> Morris Greenspan, *The Modern Law of Land Warfare* (California: University of California Press, 1959) 18.

to assist the individual faced with a potential threat in deciding whether or not an armed response is necessary; no amount of rules can substitute for the judgment of that individual, and ROE are not intended to do so.<sup>9</sup>

This passage clearly illustrates the double-edged sword ROE represents. Given inconsistencies between policy, mission, and ROE, the probability that a mission will be accomplished is significantly reduced. These inconsistencies directly correspond to the frustrations felt by commanders and the individual who has to eventually operate within the parameters of the ROE. Conversely, consistencies between policy, mission, and ROE foster harmony and understanding - a sense of purpose - at all levels. This alone focuses efforts and contributes significantly towards successful mission accomplishment.

Before discussing what ROE are and how they are developed, the reader must understand two constants.

1. ROE are one-sided. In theory, conflicts to the left along the spectrum of conflict and below the threshold of the LOW could occur without rules. However, this violates the fundamental principles respecting humanity. Therefore, each side determines which set of "rules" it will "play" by. These rules are not coordinated or agreed upon by

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<sup>9</sup> Col W. Hays Parks, USMCR, "Righting the Rules of Engagement" *United States Naval Institute Proceedings* 115, no. 5 (May 1989): 93. Colonel W. Hays Parks, USMCR, a recognized expert in the development of ROE, has been involved with the writing of ROE for almost 20 years. His résumé includes serving as the Chief of International Law in the Office of the Judge Advocate General of the Army and lecturing on ROE at all the service, staff, and war colleges.

each side, hence the disparate amount of violence and protection of non-combatants practiced by each. Conflicts to the right along the spectrum have horrific consequences for mankind. Nothing addresses them specifically; society simply **hopes** never to have to deal with them again.

2. ROE are self-imposed. No international governing body decides on and imposes ROE. States and non-states engaged in conflict decide if ROE will be followed, when it will be followed, and when it will be changed.

These two constants are key to the development of ROE. The first is embedded in the culture, values, and beliefs of a participant--state or non-state. The second rests in the policy, ultimately reflected in the military mission, of the participant.

#### **THE DEVELOPMENT OF ROE**

The development of ROE for a given situation has many competing interests and influences. The following is a synopsis and discussion of a method used to evaluate criteria for developing ROE.<sup>10</sup>

**Domestic Law.** Any military force reflects the values of the society it protects. In the case of the United States, the military obtains its strength from its citizens. The US military are professionals, **and** citizens. As mandated by the Constitution, civilian authority exerts

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<sup>10</sup> Col W. Hays Parks, USMCR, 86-93.

control over the military. This relationship is inextricably linked when US forces are placed in harm's way, regardless of position along the spectrum of conflict. Consequently, the military must answer to the citizens it represents. Embodied within the military are the fundamental laws that ensure the inalienable rights of life, liberty, and the pursuit of happiness guaranteed in the Declaration of Independence. Because democracy is founded on the principles of freedom, the rule of law, right to trial, and individual rights, military forces from a democratic society will generally employ ROE that support the humane and just treatment of combatants.

**National Security Policy.** This includes more than military considerations. The National Command Authority considers all four elements of national power - political, economic, military, and information. Without sound policy, legitimacy will be questioned, thus neutering the capabilities of forces employed.

**Operational Concerns.** These cover the operational level applications of ROE. Each situation is different; therefore, a cookie-cutter process of determining ROE that work in all situations is impossible. Additionally, operational concerns cover military specifics that are not

generally addressed by higher authority at the strategic level.

**International Law.** As previously identified, the LOW provides the initial framework for the development of ROE. Fundamental to ROE is the internationally accepted right of self-defense. All ROE begin with words to this effect describing this inherent right.

**Higher Authority Interest.** This may have a disproportionate effect on ROE. The following passage concerning the U.S. Marine Corps' mission in Beirut in 1982-84 encapsulates this idea.

The detailed control of the Marine peacekeeping force in Beirut by members of the National Security Council, the Department of Defense, the JCS, USCinCEur, and the U.S. Ambassador in Lebanon - with a continuous stream of congressional "fact finders," newsmen, and other kibitzers visiting the unit superimposed over an already-crowded scene - attested to the extreme political sensitivity of the mission assigned to the Marines, and had a debilitating effect on mission performance and ROE.<sup>11</sup>

History has shown that this excessive involvement by individuals not in the chain of command significantly undermined the Marines' ability to execute the assigned mission. This is discussed later in the case study.

**Risk of Capture of U.S. Personnel.** American hostages or prisoners of war captured during a conflict are the last

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<sup>11</sup> Col W. Hays Parks, USMCR, 90.

thing politicians want to see on the TV screens of America. This potential situation can, and has, influenced the targeting process. For example, to reduce the risk to aviators, target engagement may be restricted to coastal sights instead of inland targets. The reader only has to look at the recent Kosovo bombing campaign. To reduce risk of being shot down and possible capture by the Serbians, aviators generally flew well above the integrated air defense ranges designed to thwart an attacker. Bombing from this altitude influenced which targets were to be engaged, as well as positive target identification criteria. People have argued that this policy was counterproductive in that the amount of non-combatant casualties increased unnecessarily.

**Political Sensitivities, Actual or Perceived.**

Targeting, weaponeering, ROE, and other mission parameters may be affected by political sensitivities. The most common example of this phenomenon occurs in conjunction with policy and ROE regarding the employment of riot control agents, whether tear gas (CS) or pepper spray (OC). Both are chemical agents; however, they are designed only to incapacitate. The political debate centers on the U.S. policy concerning the first-use of chemical munitions. The tactical debate supports the use of incapacitating agents

because of their useful and humanitarian application in situations warranting less than lethal responses. On a side note, an example that illustrates the differences between domestic and international law is the recent riots at the meeting of the World Trade Organization in Seattle, WA. Seattle police liberally used OC spray to break-up rioters. A similar situation, yet international in character, occurs during a humanitarian relief effort. Politics would most likely preclude the use of riot control agents in a humanitarian mission because of their "chemical" nature.

In today's ever-changing world of conflict and the joint operations required of U.S. forces, standardizing the process of ROE development has increased in priority within the joint community. Currently, Joint Publication 1-04, *Joint Tactics, Techniques, and Procedures for Legal Support to Military Operations* is in draft form. This joint publication discusses the process of ROE development during mission planning at the joint task force (JTF) level. (See Table 1.) Each step of the planning process is paired with concerns that must be addressed and questions that must be answered by the JTF staff in order to develop coherent ROE that enable mission accomplishment without overly restricting the freedom of action of employed forces.

**Table 1. Draft Joint Publication 1-04 ROE Development Process.**<sup>12</sup>

Step	Responsibility	Duties
<b>Mission Analysis</b>	Identify legal considerations and provide them to other planners.	<ul style="list-style-type: none"> <li>• Consider assigned mission, current situation, next higher commander’s intent, UNSCRs, SROE, theatre-specific ROE, approved supplemental ROE, and allied or coalition ROE.</li> <li>• Research applicable domestic, international, and foreign laws, policies, treaties, and agreements.</li> <li>• Summarize relevant legal considerations (authorities and constraints) and provide them to the joint planning group.</li> <li>• Recommend the J3/J5 establish the ROE planning cell.</li> </ul>
<b>Initial Planning Guidance</b>	Assist the joint force commander (JFC) in identifying and articulating legal considerations that should be taken into account when planning the operation.	<ul style="list-style-type: none"> <li>• Review the JFC’s planning guidance for compliance with applicable laws, policies, treaties, and agreements.</li> <li>• Reconcile any inconsistencies by seeking clarification or amendment of the planning guidance or requesting authorizations, exceptions, or waivers to support the planning guidance.</li> <li>• Incorporate appropriate legal considerations and instructions for developing ROE in warning orders.</li> </ul>
<b>Course of Action (COA) Development</b>	Ensures COA is within legal constraints.	<ul style="list-style-type: none"> <li>• If COA is not within legal constraints, the joint force SJA should seek clarification or amendment of the COA or recommend that the JFC request appropriate authorizations, exceptions, or waivers.</li> <li>• Determine if the SROE are sufficient to accomplish the mission, and, if not, which supplemental ROE measures are needed and why.</li> <li>• Test each COA to ensure it is acceptable <ul style="list-style-type: none"> <li>o Think two levels down.</li> <li>o Consider the operational environments (maritime, air, land, space, and special) and operating systems (C2, maneuver, intelligence, firepower, protection, and support).</li> <li>o Consider inputs from counterparts at higher, lower, and adjacent headquarters.</li> <li>o Reconcile any inconsistencies by seeking clarification or amendment of the COA or requesting authorizations, exceptions, or waivers to support the COA.</li> </ul> </li> </ul>
<b>COA Analysis (Wargaming)</b>	Wargame friendly actions, threat reactions, and friendly counteractions.	<ul style="list-style-type: none"> <li>• Continue to refine legal considerations and ROE requirements for each COA.</li> <li>• Wargame friendly actions, threat reactions, and friendly counteractions.</li> <li>• Determine whether any friendly actions or counteractions require approval by higher authority.</li> </ul>
<b>COA Comparison</b>	Develop comparison criteria that focuses on factors critical to the success of the operation.	<ul style="list-style-type: none"> <li>• Evaluate the need to minimize loss of life.</li> <li>• Evaluate the need to minimize damage to civilian infrastructure.</li> </ul>

<sup>12</sup> *Draft Joint Publication 1-04, Joint Tactical Techniques, and Procedures for Legal Support to Military Operations* (Washington, DC: Joint Staff), II-20 – II-27.

Step	Responsibility	Duties
<b>COA Selection</b>	Summarize the significant legal considerations and ROE requirements for the recommended COA.	<ul style="list-style-type: none"> <li>• Brief the legal considerations and ROE requirements for the recommended COA.</li> <li>• Determine legal support requirements.</li> </ul>
<b>Operations Order (OPORD) Development</b>	Write appropriate legal sections of the operations order.	<ul style="list-style-type: none"> <li>• Prepare the legal considerations paragraph of the “base plan.”</li> <li>• Prepare the legal appendix.</li> <li>• Assist the J3/J5 in preparing the ROE appendix.</li> <li>• Assist the J3/J5 in preparing supplemental ROE request and authorization messages.</li> </ul>
<b>Issue and Synchronize OPOD</b>	Review the higher, lower, and adjacent OPODs and ROE authorization messages to ensure they are correct, complete, and consistent.	<ul style="list-style-type: none"> <li>• Crosswalk the CinC’s, JTF’s, and components’ OPODs and any ROE authorization messages to ensure they are correct, complete, and consistent.</li> <li>• Recommend fragmentary orders (FRAGOs) to correct ant errors or omissions.</li> </ul>
<b>Rehearsal</b>	Check each commander’s understanding of the applicable legal constraints and ROE.	<ul style="list-style-type: none"> <li>• Ensure friendly actions and counteractions are consistent with legal constraints and the ROE.</li> <li>• Reconcile any inconsistencies by seeking clarification or amendment of the proposed action or requesting authorizations, exceptions, or waivers to support the proposed action.</li> <li>• Provide predeployment ROE and country law briefings to the JFC and staff.</li> <li>• Provide guidance for ROE situational training exercises and rehearsals.</li> </ul>

The Staff Judge Advocate (SJA) plays an ever-increasing role; however, it is not to the detriment of mission accomplishment as some would think. The SJA’s role ensures commanders can execute their assigned missions within applicable ROE and the LOW, thus maintaining the legitimacy and the moral authority within the domain of public opinion.

The SJA is integral to the process of developing ROE. It is obvious when looking at Table 1 that the SJA is incorporated at all steps; his responsibility is to ensure

that actions remain within defined legal parameters. Most importantly, he has to serve as the commander's "interpreter" of the legalese that can so easily encroach upon ROE development. One of the significant lessons learned from OPERATION UPHOLD DEMOCRACY in September 1994 follows and should never be forgotten.

There exists a major chasm between those who participate in intellectual academic discussions about ROE and those who "walk the last 100 meters." We had better not be building an exam for Legal Justice School when drafting ROE. Calling "audibles" and adjusting to uncertainty is something quite different in an emotionally charged, darkened, and potentially deadly street, when decisions must be made instantaneously. In short, the development of ROE is the business of those who appreciate the realities of deadly force and the situations requiring its use.<sup>13</sup>

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<sup>13</sup> Col Thomas S. Jones, USMC, "Review the Ingredients: Commander's Insights From Cap-Haitien" *Marine Corps Gazette* 79, no. 2 (July 1995): 57. Col Jones commanded Special Purpose Marine Air Ground Task Force Caribbean during OPERATION UPHOLD DEMOCRACY in September, 1994

## SECTION 5

### LIMITED WAR TO ACHIEVE LIMITED OBJECTIVES

#### VIETNAM

#### VS.

#### OPERATION DESERT STORM

### OVERVIEW

The first principle of war is the principle of *The Objective*. It is the first principle since all else flows from it. How to determine military objectives that will achieve or assist in achieving the political objectives of the United States is the primary task of the military strategist, thus the relationship between military and political objectives is critical.<sup>14</sup>

The purpose of discussing Vietnam and DESERT STORM is to analyze the consistencies and inconsistencies between strategic policy, military objectives, and resultant ROE. These wars are polar opposites when analyzed with respect to consistencies between strategic policy, military objective, and the application of force, translated into ROE. Vietnam clearly illustrates the consequences when policy and military objectives do not match. Conversely, DESERT STORM clearly illustrates the consequences when policy and military objectives do match. The ROE corresponding to each of these wars assisted in defining the level of "success" of each. The "success" of each manifested itself in the legitimacy perceived and defined

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<sup>14</sup> Harry G. Summers, Jr., Col, USA (Ret), *On Strategy: A Critical Analysis of the Vietnam War* (California: Presidio Press, 2d ed., 1995), 185.

by the American public during Vietnam and the international arena during DESERT STORM.

It is a well-known fact that the military leaders of DESERT STORM vowed not to make the same mistakes as in Vietnam concerning the linkage of policy and military objectives. They vowed that military objectives would support **clearly defined** political objectives. The result amply demonstrates this lesson was learned. Additionally, these leaders, from their experiences in Vietnam, understood that ROE are inextricably linked with a commander's ability to achieve operational and tactical success, which ultimately translates to strategic success.

## **VIETNAM**

After a while, it became apparent to us that there wasn't any real policy. We kept going back into the same places. Sweep and clear. Move out. Move back in again. Kind of like a treadmill. Everybody kept saying, "What the hell is going on?"<sup>15</sup>

Much has been written about the "why" and "because" of strategic policy, military objectives, and resultant ROE, depending on the situation and period of time examined during Vietnam. Generally, the consensus view is that the link between strategic policy and military strategy was

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<sup>15</sup> John B. Matthews, Dr., LtCol, USMC (Ret), interview.

broken. The **policy** of stopping the spread of Communism throughout Indochina was not translated into a coherent **strategy**, and then into obtainable military objectives. Although the policy remained relatively constant, the "soft" strategy shifted continuously. Because of this shifting strategy, military strategy could not identify military objectives that would support and achieve the policy. Consequently, the resultant ROE the military applied to prosecute its effort was not synchronized with the assigned mission, regardless of level analyzed. Ultimately, the very person expected to apply ROE towards achieving an objective had a different understanding of its application than his peers or commander. These differences in understanding quickly amplified and caused confusion, which rippled through the chain of command, eventually making their way back to the American people. This began a vicious, never-ending cycle from which America could not break free, undermining the war's legitimacy.

The following passage illustrates this dichotomy. "On 20 May 1964, the JCS, in a message to CINCPAC, reaffirmed that the U.S. policy in Vietnam was that U.S. military would not take part in combat."<sup>16</sup> The logical question then

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<sup>16</sup> Headquarters, Pacific Air Forces, Directorate of Tactical Evaluation, *Evolution of the Rules of Engagement for Southeast Asia 1960-1965*. Contemporary Historical Examination of Current Operations Project Report. 1965, 27.

follows, "How can a nation employ military forces to achieve a policy, which probably will include combat against insurgents, when it mandates these forces not become engaged with the enemy?" The answer is obvious now, but was completely missed by the political and military leadership during the Vietnam War. The ROE that flowed from these decisions was disastrous.

In the now declassified report, Headquarters, Pacific Air Forces, Directorate of Tactical Evaluation, *Evolution of the Rules of Engagement for Southeast Asia 1960-1965*, all published ROE during this period are analyzed using specific examples. The common thread that runs throughout is the stifling nature of varying interpretations of ROE applied to the mission at hand. Additionally, the commander or individual on the scene had no flexibility to act according to the necessity of the moment.

Regarding the OP (operational) procedural messages, CINCPAC told his subordinates that, under current ground rules, missions required approval by State, Defense, and JCS. Missions had to be flown exactly as listed in the OP-00 and approved by JCS/CINCPAC. If deviations were desired, they had to be submitted as an OP-00 MOD and the mission was not to be flown until the request for deviation was acted upon.<sup>17</sup>

In the epilogue section of this report, keeping in mind the final date of the report, which only amplifies how

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<sup>17</sup> Headquarters, Pacific Air Forces, Directorate of Tactical Evaluation, 40.

early inconsistencies were recognized, the following conclusions were identified.<sup>18</sup>

1. A constraints policy (*read: ROE*) must be fashioned which will minimize the risk of major escalation but which will permit use of enough measured force to assure attainment of our objectives - to check North Vietnamese support of insurgency in South Vietnam and Laos.
2. Several of the constraints (*read: ROE*) that still exist, however, limit the capability of our forces to conduct a campaign that will achieve the desired objective.
3. The repeated discussions and exchanges that have been generated at all levels by these constraints have centered mainly on the specific proscriptions (*read: ROE*) rather than on the fundamental policy considerations (*read: policy and strategy*) that underlie them.

These conclusions highlight the inconsistencies between stated policy and military objectives. The third conclusion clearly states that the U.S. military leadership focused and addressed the symptoms rather than the cause. More importantly for the discussion of this paper's thesis, the continually changing ROE significantly degraded an individual's ability to operate effectively. This minimized the potential for ROE acting as a force multiplier, in harmony with assigned missions.

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<sup>18</sup> Headquarters, Pacific Air Forces, Directorate of Tactical Evaluation, 75-76.

## OPERATION DESERT STORM

What happened in the Persian Gulf War was that ordinary wisdom prevailed. President Bush, as Commander in Chief, and the other national command authorities provided general guidance on the prosecution of the war and then delegated the planning and execution of wartime operations to military professionals.<sup>19</sup>

The most successful operation since World War II is OPERATION DESERT STORM. When analyzing the stated national policy, national military objectives, assigned missions, ROE, and subsequent results, it is clearly evident that all levels agreed. (See Table 2.)

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<sup>19</sup> LtCol John G. Humphries, USAF, 26.

	<i>PHASE I</i>	<i>PHASE II</i>	<i>PHASE III</i>	<i>PHASE IV</i>
<b><i>NATIONAL OBJECTIVES</i></b>	PRESIDENT BUSH, 8 AUGUST 1990 <ul style="list-style-type: none"> <li>• WITHDRAWAL OF IRAQI FORCES FROM KUWAIT</li> <li>• RESTORATION OF LEGITIMATE KUWAITI GOVERNMENT</li> <li>• DEFEND SAUDI ARABIA</li> <li>• PROTECT THE PERSIAN GULF</li> </ul>	PRESIDENT BUSH, 8 NOVEMBER 1990 <ul style="list-style-type: none"> <li>• WITHDRAWAL OF IRAQI FORCES FROM KUWAIT</li> <li>• RESTORATION OF LEGITIMATE KUWAITI GOVERNMENT</li> <li>• PROTECTION OF LIVES OF HOSTAGES</li> <li>• RESTORATION OF SECURITY AND STABILITY IN THE PERSIAN GULF</li> </ul>	PRESIDENT BUSH, 16 JANUARY 1990 <ul style="list-style-type: none"> <li>• COMPLIANCE WITH ALL RELEVANT UN RESOLUTIONS</li> <li>• WITHDRAWAL OF IRAQI FORCES FROM KUWAIT</li> <li>• RESTORATION OF LEGITIMATE KUWAITI GOVERNMENT</li> <li>• SECURE, STABLE PERSIAN GULF</li> </ul>	PRESIDENT BUSH, 7 MARCH 1991 <ul style="list-style-type: none"> <li>• SHARED RESPONSIBILITY FOR SECURITY</li> <li>• CONTROL WEAPONS OF MASS DESTRUCTION</li> <li>• NO RESIDUAL GROUND FORCES LEFT IN THE REGION</li> <li>• JOINT / COMBINED MILITARY EXERCISES IN THE FUTURE</li> <li>• CONTINUED NAVAL PRESENCE IN THE GULF</li> <li>• NEW OPPORTUNITIES FOR PEACE</li> </ul>
<b><i>MILITARY OBJECTIVES</i></b>	SECRETARY OF DEFENSE CHENEY AND GEN POWELL, CJCS, 8 AUGUST 1990 <ul style="list-style-type: none"> <li>• DETER FURTHER IRAQI AGRESSION</li> <li>• IMPROVE SAUDI ARABIAN MILITARY AND DEFENSIVE CAPABILITIES</li> <li>• DEFEND SAUDI ARABIA</li> </ul>	SECRETARY OF DEFENSE CHENEY, 8 NOVEMBER 1990 <ul style="list-style-type: none"> <li>• DETER FURTHER IRAQI AGRESSION</li> <li>• DEFEND SHOULD DETERRENCE FAIL</li> <li>• <u>ENFORCE SANCTIONS</u></li> <li>• <u>DEVELOP OFFENSIVE CAPABILITY</u></li> </ul>	SECRETARY OF DEFENSE CHENEY AND GEN POWELL, CJCS, 16 JANUARY 1990 <ul style="list-style-type: none"> <li>• DESTROY IRAQI OFFENSIVE MILITARY CAPABILITY</li> <li>• DESTROY IRAQI WEAPONS OF MASS DESTRUCTION</li> <li>• MINIMIZE COALITION MILITARY, IRAQI AND KUWAITI CIVILIAN CASUALTIES</li> </ul>	<ul style="list-style-type: none"> <li>• DEFEND AND BEGIN TO REBUILD KUWAIT</li> <li>• ORIENT, SUPPORT, AND HANDOFF DMZ TO UNIKOM</li> <li>• PROTECT AND SUPPORT DCs, MOVE TO REFUGEE CAMP AT RAFHA</li> <li>• PROVIDE RESIDUAL FORCE IN KUWAIT</li> <li>• CONDUCT REDEPLOYMENT</li> <li>• PREPARE POMCUS</li> <li>• CAPTURE DESERT SHIELD/DESERT STORM EXPERIENCE</li> </ul>
<b><i>MISSION</i></b>	USARCENT WILL EMPLOY FORCES TO DEFEND THE APODs, SPODs (VIC DHAHRAN, AD DAMMAM, AL JUBAYL) AND CRITICAL OIL FACILITIES (VICINITY ABQAIQ) AND TRANSITION TO A DEFENSE IN SECTOR.	USARCENT WILL EMPLOY FORCES TO DEFEND THE APODs, SPODs (VIC DHAHRAN, AD DAMMAM, AL JUBAYL) AND CRITICAL OIL FACILITIES (VICINITY ABQAIQ) AND <u>CONTINUE TO GENERATE COMBAT POWER</u>	USARCENT ATTACKS G-DAY, H-HOUR IN ZONE TO DESTROY REPUBLICAN GUARDS FORCES COMMAND (RGFC) AND DEFEAT IRAQI FORCES IN KUWAIT.	USARCENT ASSISTS IN THE DEFENSE AND RESTORATION OF KUWAIT, WHILE PREPARING FOR AND EXECUTING REDEPLOYMENT TO HOME STATIONS

**Table 2. Hierarchy of National Objectives, Mission, and Military Objectives during OPERATIONS DESERT SHIELD and DESERT STORM.<sup>20</sup>**

<sup>20</sup> LGen John J. Yeosock, USA(Ret). “DESERT STORM Symposium,” lecture presented at Marine Corps University Command and Staff College, Quantico, VA, 14 December 1999. During DS&DS, LGen Yeosock was Commander United States Army, United Kingdom, and French Army Forces, Kuwaiti Theatre of Operations.

The President of the United States articulated the policy clearly and did not drift from it over time. The Secretary of Defense and Chairman of the Joint Chiefs of Staff (CJCS) effectively translated policy into achievable military objectives. The Commander in Chief, Central Command (CinCCent), in turn took them and determined and assigned missions. At each of these levels, the reader can easily see the consistency maintained from start to finish.

The execution of DESERT STORM differed significantly from Vietnam. The point was made by Adm U.S. Grant Sharp, USN (Ret), who was Commander in Chief, Pacific Command during much of the Vietnam War, "If I had the same sort of freedom that Gen Schwarzkopf had, the Vietnam War would have been over in 1966. We would have defeated North Vietnam, saved hundreds of American lives, and won the war."<sup>21</sup> No one knows if this would have been true, since it is quite easy to rewrite history through hindsight; however, it does illustrate the restraints placed on the military during Vietnam.

Additionally, Adm Thomas H. Moorer, CJCS from 1970-1974 concurs with this view by saying, "The United States could have won that war within a year of unleashing unconstrained American airpower."<sup>22</sup> To this day, unconstrained airpower, by itself, has

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<sup>21</sup> LtCol John G. Humphries, USAF, 25-26.

<sup>22</sup> LtCol John G. Humphries, USAF, 26.

not proved decisive in war termination; however, these quotes by two prominent leaders during Vietnam illustrate the radical differences between civilian involvement in Vietnam and DESERT STORM. A major reeducation effort began after Vietnam. Analyses were conducted and lessons were learned. Specifically, inconsistencies at all levels were addressed. This post-Vietnam lesson was manifested in the consistency of policy and objectives issued by the civilian and military leadership during DESERT STORM. (See Table 2.)

In addition to DESERT STORM, a brief analysis of the ROE for DESERT SHIELD is warranted. Each covered distinct periods and required distinct ROEs. DESERT SHIELD used a set based on peacetime constraints. While maintaining the inherent right of self-defense, the overarching consideration was avoiding a premature engagement that initiated full-blown hostilities between Coalition Forces and Iraq. LtGen Yeosock summed it up best, "There were no formal, written agreements. Nothing was published. Rules of engagement were worked at the highest levels for coordination among Coalition Forces."<sup>23</sup> DESERT STORM used a set of ROE based on wartime conditions that matched, for all intents and purposes, the LOW. (See Figure 2.) As an artillery platoon commander, the author never received an ROE

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<sup>23</sup> LGen John J. Yeosock, USA(Ret).

brief during DESERT SHIELD and DESERT STORM. It was well understood that all actions would be executed within the constraints of the LOW. In Gen Boomer's words, "There was no ROE. I didn't ask because I didn't want to know. Additional ROE would have made it more difficult. For us (the Marines) the ROE equaled the LOW."<sup>24</sup> (Naval operations are a separate topic because of the complexities of international maritime law, which is well beyond the scope of this thesis.)

Fundamental to the success at all levels of military operations during DESERT STORM was the freedom of action enjoyed by commanders. The consistencies in policy, military objectives, and mission statements, combined with reasonable ROE, allowed commanders the ability to execute missions while maximizing unique capabilities to the fullest extent possible. "Not once did Pentagon officials reverse decisions from the Black Hole (CENTCOM targeting cell) about what weapons to use, what targets to strike, and how and when to attack them."<sup>25</sup> This is the ideal situation. Just as lessons were learned from Vietnam as far as how not to conduct war, lessons must be learned from DESERT STORM as far as how to conduct war at the strategic and operational levels.

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<sup>24</sup> Gen Walter E. Boomer, USMC(Ret). "DESERT STORM Symposium," lecture presented at Marine Corps University Command and Staff College, Quantico, VA, 14 December 1999. During DS&DS, then LtGen Boomer was Commanding General, U.S. Marine Forces Central Command and First Marine Expeditionary Force.

<sup>25</sup> LtCol John G. Humphries, USAF, 31.

The culmination of all efforts at all levels post-Vietnam to learn from that war and the application of those lessons to DESERT STORM can be seen in the following example. Compliance with ROE sets a visible example of the values democracy promotes and defends. When an adversary sees this, he is more likely to lay down his arms and assist us.

In DESERT STORM, we saw how such adherence directly impacted on the enemy's will to fight. Correctly perceiving they would be well treated by their American captors, Iraqi troops surrendered in droves. Those prisoners who voluntarily surrendered went on to provide us with invaluable intelligence about Iraqi morale, food shortages, force disposition, etc. which proved to be highly reliable.<sup>26</sup>

This is the ideal situation. The amount of lives saved on both sides cannot be quantified. This is the epitome of the force multiplying capability of ROE when they are consistent with policy and military objectives.

### **SUMMARY**

The Vietnam War was a failure from the US perspective because it never achieved any semblance of legitimacy, either with the American public or the South Vietnamese public. Although a policy existed, no overarching strategy was developed to provide the framework for the development of a realistic military strategy. Moreover, military and political leaders at

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<sup>26</sup> LtCol James G. Zumwalt, USMCR, "The Law of War—Bringing Civility to the Battlefield" *Marine Corps Gazette* 79, no. 2 (February 1995): 46-47.

the highest levels attempted to fight the war at the tactical level instead of allowing the appropriate level subordinates to fight it. Additionally, Vietnam proves that when strategic level leaders keep a hand on the ROE "rheostat" only makes the small unit commander's efforts at achieving mission success all the more difficult.

DESERT STORM achieved international and domestic legitimacy early in the campaign. The lessons learned from Vietnam were correctly applied. Policy, strategy, and military objectives were aligned. The established ROE provided the small unit commander maximum freedom of action, affording him the highest probability of success, unlike Vietnam.

## SECTION 6

### MILITARY OPERATIONS OTHER THAN WAR

BEIRUT, 1982-1984

VS.

OPERATION UPHOLD DEMOCRACY (HAITI), SEPTEMBER, 1994

#### OVERVIEW

For the purposes of this thesis, the relationship between these two operations is analogous to the one between Vietnam and DESERT STORM. As in Vietnam, the inconsistencies in Beirut policy, military objectives, and restrictions on the use of force defined by the ROE had adverse effects on the "success" of the mission, ultimately resulting in the deaths of 241 service members on 23 October 1983. Conversely, the success of UPHOLD DEMOCRACY can be attributed, in similar manner as to DESERT STORM, to the consistencies at all levels regarding policy, military objectives, and the use of force.

The character of these two operations - peacemaking and humanitarian assistance - falls to the left along the spectrum of conflict. (See Figure 1.) Consequently, one could argue on the one hand that the LOW does apply, and on the other, that it does not. Therefore, it is safe to postulate that any given ROE would be more significant in these situations than the LOW.

Both operations enjoyed success at the tactical levels by strictly adhering to the ROE; however, Beirut only achieved initial tactical success. The hearts and minds of the local

populaces - the very people they were expected to protect - quickly succumbed and accepted the presence of the Marine forces. At the initial tactical level, both operations achieved significant legitimacy. However, unlike UPHOLD DEMOCRACY, the Beirut policy and military objective were so vague that the Marine presence received no political legitimacy from the people protected. Without this, even the greatest tactical legitimacy cannot compensate for lack of strategic legitimacy.

#### **BEIRUT, 1982-1984**

The day of the bombing there were three different ROE in effect. There was a permissive ROE for the embassy that authorized a round in the chamber. There was one for the outer posts of the BLT compound that authorized a magazine inserted but no round in the chamber. There was one for the inner posts of the BLT compound that required no magazine inserted and no round in the chamber. This created a mindset for the Marines that it was far more dangerous to stand post at the embassy than the inner posts of the BLT compound at the airfield. The ROE did not allow for good security at the airfield.<sup>27</sup>

The Palestine Liberation Organization (PLO) had been using Lebanon as a base of operations against Israel for the previous six years. Israel finally had enough and attacked into Lebanon, eventually encircling the PLO, which was holed up within Beirut. The U.S. policy was to defuse the situation by leading a multinational force (MNF), which included Italy and France, and

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<sup>27</sup> John B. Matthews, Dr., LtCol, USMC (Ret), interview.

evacuate the PLO. From 25 August - 10 September 1982, the 32<sup>nd</sup> Marine Amphibious Unit (MAU) was assigned the mission of landing in Beirut as part of a MNF to oversee the evacuation of the PLO guerrillas.<sup>28</sup> Diplomats brokered a deal that allowed the evacuation to occur in a tense, yet benign environment. Although the Marines executed the operation in a permissive environment, the ROE associated with this operation was restrictive since the diplomats and senior military leaders did not entirely understand the situation in Beirut.

The 10 September withdrawal by the 32<sup>nd</sup> MAU was earlier-than-anticipated and earlier-than-agreed upon than the one by other members of the MNF -Italians and French. This led to the MNF's rapid dissolution. The primary cause of this early withdrawal was President Reagan's acknowledgment that the U.S. "had no strategic interests in Lebanon and would thus refrain from leaving troops there."<sup>29</sup>

On 29 September, the 32<sup>nd</sup> MAU redeployed to Beirut in response to a change of U.S. policy with regard to Lebanon. Three events caused this change: 1) the assassination of Lebanese President-elect Bashir Gemayel, 2) an Israeli push into Moslem West Beirut, and 3) the massacre of 800 Palestinians by

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<sup>28</sup> Benis M. Frank, *U.S. Marines in Lebanon 1982-1984* (Washington, DC: History and Museums Division, Headquarters, U.S. Marine Corps, Historical Report, 1987), 149.

<sup>29</sup> Eric M. Hammel, *The Root: The Marines in Beirut, August 1982 - February 1984* (San Diego, CA: Harcourt Brace Jovanovich, 1985), 33-34.

Christian militiamen at the Sabra and Shatila refugee camps.<sup>30</sup> The new U.S. policy was based on guilt, disguised as one of commitment to the reestablishment and strengthening of the legitimate Lebanese government in the wake of the destructive Lebanese civil war. Additionally, the MNF would be reformed and remain in support of the Lebanese government until the Lebanese Armed Forces (LAF) could maintain security of the capital.<sup>31</sup>

The primary reason for the return of the MNF was the massacre at the Sabra and Shatila refugee camps. A major disconnect occurred between the policy makers and the military forces (the MAU) tasked with executing the policy decisions.

None of the MAU commanders ever knew the assurances [*protection of the PLO refugees at the camps*] were made. The Marines had no mandate to go down to the Sabra and Shatila camps. The Palestinians never forgot it [*the assurances by the politicians and the eventual massacre*] and the Shiites never forgot it either. During the second MNF mission, Marines were walking the streets of Sabra and Shatila and the people knew full well these guys reneged on a promise.<sup>32</sup>

A policy based on guilt is far different from one based on specific strategic objectives. Therefore, it is no wonder the Marines and the MNF had difficulty executing their assigned mission.

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<sup>30</sup> Benis M. Frank, 149.

<sup>31</sup> Eric M. Hammel, 34-35.

<sup>32</sup> John B. Matthews, Dr., LtCol, USMC (Ret), interview.

In the span of 19 days, the U.S. went from having no strategic interest in the affairs of Lebanon to having one. The policy as a result of this shift resulted in the following mission for the 32<sup>nd</sup> MAU: "***establish a presence*** (bold and italics added) in Beirut that would in turn help establish the stability necessary for the Lebanese government to regain control of their capital."<sup>33</sup> This was the first time "establish a presence" had been assigned to a military force. The 32<sup>nd</sup> MAU staff, and subsequent staffs, struggled with the translation into some tangible military mission statement subordinate units could understand and execute. "The closest translation was 'interposition' from international law. In this, a major power provides military assistance in the form of troops at the request of a legally constituted and established government unable to protect foreign citizens and property."<sup>34</sup> Although this was the closest legal translation each staff over the three-year period in question had its own interpretation, depicted below.

Physically being there became the mission. The 32<sup>nd</sup> MAU viewed it as providing stability to the Lebanese government. 24<sup>th</sup> MAU interpreted it as being a cop on the street. 22<sup>nd</sup> MAU came back and it went back to providing stability. The 24<sup>th</sup> MAU came in and interpreted it as showing the flag. They were all different in interpretation and actions. We were quickly told that it

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<sup>33</sup> Benis M. Frank, 22-23.

<sup>34</sup> Benis M. Frank, 23.

was to be a passive presence and not an active presence. Over time, we became just another militia sitting at the airport.<sup>35</sup>

These interpretations were further translated into security operations within the U.S. sector of Beirut, humanitarian assistance, especially medical, for the local populace, "show the flag" type exchanges with other members of the MNF, and significant training programs for the LAF that would build unit integrity and confidence as a legitimate force. This situation is analogous to Vietnam where a policy existed, but not a defined strategy.

By the very nature of the difficult translation of the "establish presence" mission, it is easy to see the Beirut operations were significantly more diplomatic in nature rather than military. Consequently, the ROE did not adequately address the security of the Marines, nor did it realistically address potential actions when confronted by any one of numerous possible events given the political climate and religious disagreements between the players the MNF was ordered to keep separated. The following is case-in-point.

The MAU went ashore armed with unloaded individual and crew-served weapons, for a deliberate decision was made to demonstrate that the Americans were on a peacekeeping mission. Additionally, they had to show that they trusted the LAF to maintain security. The rules also dictated that the on-scene commander had the right to determine what the

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<sup>35</sup> John B. Matthews, Dr., LtCol, USMC (Ret), interview.

appropriate response would be if there was a hostile act committed against Marines.<sup>36</sup>

Under historical analysis, this decision was catastrophic. How could the Marines realistically trust the LAF to maintain security? The LAF's failure at this very task brought the MNF to Beirut in the first place. For all intents and purposes, the ROE disarmed the Marines and required them to consult with higher-ups to find out what response to employ in a given situation.

A complete analysis of this operation must include some discussion of Muslim "Hama Rules" as they relate to ROE. In *From Beirut to Jerusalem*, Thomas L. Friedman devotes a chapter to explain Hama Rules. Briefly, Hama Rules are: rule or die; consent or submit. Arab culture believes there is only one opportunity to make a statement to an adversary that tells him you are not to be harassed or intimidated. That opportunity is the first presented. Turning the other cheek or responding in kind is a sign of weakness and gives an adversary license to continue unabated. Hama Rules call for one to respond quickly, violently, and ruthlessly because one's very existence is at stake. Any less of a response is unacceptable.<sup>37</sup>

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<sup>36</sup> Benis M. Frank, 17.

<sup>37</sup> Thomas L. Friedman, *From Beirut To Jerusalem* (New York, NY: Doubleday Publishing, 1995), 76-105.

How do Hama Rules apply to the operation in Beirut? Hama Rules and ROE are based on two different cultures. The ROE are an extension of the LOW, which is grounded in western, Judeo-Christian cultures. These cultures believe in the chivalrous conduct of warfare, responding in kind and never using excessive and unnecessary force against an adversary. From a western perspective, this is a very clean and honorable way to fight. On the other hand, Hama Rules do not believe in graduated response, which is what ROE are. Hama Rules state that if given the opportunity - one does not vehemently defend what is his - an adversary has free reign. This is exactly what happened in Beirut. Two cultures clashed; each followed a different set of rules. Neither side understood the other. The Marines met challenges to their presence and authority with a graduated response as defined by the ROE, an extension of their culture. The Muslims saw this as a sign of weakness, through the lens of their culture. The pressure on the Marines continued until the climax on 23 October 1983 when a terrorist truck bomb slammed into the Battalion Landing Team's barracks, killing 241 service members. After the bombing, the Marines changed the ROE. "We were following Hama Rules after the bombing."<sup>38</sup> Unfortunately, this revelation came at the expense of 241 American lives. Four months later, after ever-increasing engagements between Marines

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<sup>38</sup> John B. Matthews, Dr., LtCol, USMC (Ret), interview.

and Islamic forces, the mission ended when the 22<sup>nd</sup> MAU left Beirut on 26 February 1984. The ROE still had not changed appreciably to address this increasingly hostile environment. Historical analysis reveals that the mission was doomed from the beginning because of the vague policy and resultant mission statement of "establish presence." Additionally, the U.S. clearly sided with the Christian Lebanese. This represents the cultural aspect of U.S. involvement. Because the U.S. is a Judeo-Christian culture, it more readily and comfortably associated with the Christian Lebanese.

Not only did the United States not understand the Muslim culture, they gravitated to the one culture that they felt comfortable with - the Christian culture of east Beirut. At the strategic level, the U.S. sent the signal of backing the Christian government. At the tactical level, the Marines unwittingly associated with the Christian people in east Beirut. This sent a strong signal to everyone else, especially the Muslims. This alienated the Muslims. The ROE reflected that. Our mission of presence meant to only patrol west Beirut, the Muslim sector.<sup>39</sup>

Although many good things were accomplished at the tactical level - training LAF forces and humanitarian assistance - legitimacy was never established. The many factions within Lebanon did not believe in the U.S. mission and history has shown the U.S. did not believe in the mission either.

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<sup>39</sup> John B. Matthews, Dr., LtCol, USMC (Ret), interview.

## OPERATION UPHOLD DEMOCRACY, SEPTEMBER, 1994

"Without question. The policy, mission and ROE were all in agreement."<sup>40</sup>

This was the response of the Commanding Officer, Special Purpose Marine Air Ground Task Force Caribbean (SPMAGTF Carib) when asked if the policy, mission assigned, and published ROE were consistent throughout OPERATION UPHOLD DEMOCRACY. This operation was unique in that the initial intent was to execute a hostile landing in order to restore order, followed by humanitarian assistance. As forces embarked landing craft to execute this hostile landing, a political agreement was reached, and the hostile landing became an administrative landing. The potential for catastrophe was extreme. Under the auspices of a hostile landing, the use of force, particularly deadly force, is quite clear. However, once changed to an administrative landing, the definitive nature concerning the use of force quickly clouded over. Now those considered the enemy a few minutes before the landing would now greet the landing force "with open arms." Nonetheless, the true success of this operation within the Marine sector can be attributed to the close relationship between the Commander's intent and the ROE.

The Commander's intent was so much more than the textbook solution consisting of purpose, method, center of gravity,

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<sup>40</sup> BGen Thomas S. Jones, USMC, Former Commanding Officer, Special Purpose Marine Air Ground Task Force Caribbean, OPERATION UPHOLD DEMOCRACY, interview by author, 8 November 1999.

critical vulnerability, and end-state discussions. It transcended these elements and inspired Marines to do the right thing. (See Figure 3.)

**Figure 3. Commander's intent for OPERATION UPHOLD DEMOCRACY.<sup>41</sup>**

**Commander's Intent from SPMAGTF Caribbean Operation Order:**

Attack and overwhelm the enemy with absolute force and resolution, while treating the populace with dignity, fairness, and compassion. Win and maintain the "Hearts and Minds" of the Haitian people! Immediately capture - to hold - the port and airfield, using surprise, shock, and simultaneity of execution. Maintain security of the force always; all maneuver and movement of forces must be accomplished within the framework of absolute security! Rapidly paralyze the (deleted); consequently the (deleted) is the center of gravity and must be controlled quickly. Secure all objectives using non-lethal force to the maximum extent possible. However, once deadly force becomes necessary, it must be used decisively and unhesitatingly. Prepare a reservoir of "audibles" for every planned/expected action. We will comport ourselves always as liberators, not dominators. Mental and physical toughness must be our watchwords; be prepared to do what others couldn't, wouldn't, or shouldn't. UPHOLD ALWAYS the standards of our Corps and legacy of those who have gone before us.

From this intent, Marines understood the importance of acting within the confines of the established ROE. They also understood that if the situation warranted a life or death decision, they should make it decisively and without hesitation. This intent and the way ROE were executed significantly contributed to the success of the mission.

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<sup>41</sup> Maj Thomas C. Greenwood, USMC, "Commander's Intent: The Seed of Haitian Success" *Marine Corps Gazette* 79, no. 2 (February 1995): 44.

At the same time, you have to understand the humanitarian mission is coupled with the fact that the people know we are there to protect them. If you abuse your standing as a force multiplier, the people will think you have gone well beyond the scope of the ROE, eventually undermining your abilities.<sup>42</sup>

The humanitarian mission centered on re-establishing much needed services. For a considerable length of time prior to the Marines' arrival, there were severe shortages of food, medical care, and fresh water. Electrical facilities had to be rebuilt and electricity re-established. Sanitation was extremely poor. Most of all, and covered extensively in the press prior to the execution of the operation, the Haitian people were oppressed to the point where they had no hope for a future. Given these circumstances, ROE that respects life and human dignity is, without question, a force multiplier. Consequently, the hearts and minds of the masses were quickly won by the Marines, which ultimately increased the operational security of the forces.<sup>43</sup>

UPHOLD DEMOCRACY was not without its tense moments concerning ROE. On 24 September 1994, a Marine night patrol led by a Second Lieutenant, who had checked into the Battalion approximately 30 days prior to embarking from North Carolina, was involved in a firefight. The patrol came across several FAD'H members (Haitian Army). Words were exchanged. One of the FAD'H made a sudden move. The 2ndLt reacted, followed by his

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<sup>42</sup> BGen Thomas S. Jones, USMC, interview.

<sup>43</sup> BGen Thomas S. Jones, USMC, interview.

squad. In the end, all of the FAD'H were dead. These actions were in consonance with the ROE and the Commander's intent. The 2ndLt acted decisively and unhesitatingly.<sup>44</sup>

This tactical event had strategic implications. It also received visibility at the highest of levels. Then LGen Shelton, the current CJCS, and Gen Cedras, the Haitian military commander flew to meet with Col Jones. Col Jones summarized how this one event changed the course of the operation.

LGen Shelton, the task force commander, backed us completely. He flew in with Cedras to discuss the matter. Cedras demanded my relief. LGen Shelton unequivocally supported me and commenced to teach Cedras on ROE, the use of deadly force, and the UN charter. This set the tone for Haitian operations. It changed the mindset of the FAD'H.<sup>45</sup>

The Haitian people already knew the Marines meant business. Now the FAD'H also finally understood completely. This also spread from the Marine sector at Cap-Haitien to the Army sector at Port-au-Prince.

For the Marines involved in UPHOLD DEMOCRACY, the ROE were straightforward. "Rules of engagement must be understandable to be executable. The two are inextricably linked."<sup>46</sup> From this principle, it is easy to link decisiveness and unhesitating

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<sup>44</sup> BGen Thomas S. Jones, USMC, interview.

<sup>45</sup> BGen Thomas S. Jones, USMC, interview.

<sup>46</sup> BGen Thomas S. Jones, USMC, interview.

actions to concise ROE. If ROE fails this principle, hesitation and second-guessing are introduced.

If we can't get ROE reduced to the lowest common denominator, one that we can pass to subordinate commanders eyeball to eyeball, then you have a too complicated ROE. If you build your ROE around the one salient factor of force protection, the commander will give his subordinates enough latitude to operate within the ROE.<sup>47</sup>

On every battlefield from every war or conflict, hesitation and second-guessing has invariably caused unnecessary deaths to combatants and non-combatants.

UPHOLD DEMOCRACY is a textbook example of the force multiplying effect ROE can have when it is consistent with the mission and the policy. The policy was grounded in the fundamentals of democratic principles, and these were reflected in the ROE. The Haitian people quickly embraced the Marines as liberators and not as dominators. The Marines used this to their advantage that only served to increase their collective security.

### **SUMMARY**

The US policy concerning Beirut in 1982-84 was based heavily on the guilt felt from the aftermath of the Sabra and Shatila refugee camp massacres. The re-introduction of Marines into the Beirut fighting was the first attempt at modern day

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<sup>47</sup> BGen Thomas S. Jones, USMC, interview.

peace-making. To this day, the international community still has not figured out how to conduct such operations. The current Beirut situation illustrates this. A well-defined national strategy 18 years ago was next to impossible to achieve, even by today's standards and experiences. Without a defined strategy, the Marine commanders could not determine appropriate military objectives that would ultimately support the policy of a peaceful Lebanon. The ROE employed by the Marines in an effort to achieve mission success without "picking sides" became the operational Achilles heel. The Marines were placed in a situation where their Judeo-Christian culture naturally moved them from the idyllic "center" to the side of the Lebanese Christians. For all these reasons, legitimacy was never achieved; hence, the mission failed.

Everything that the operation in Beirut lacked, OPERATION UPHOLD DEMOCRACY possessed. The US policy was clear and concise concerning the peacemaking and humanitarian assistance required. The strategy was sound in that it employed all elements of national power. The military objectives were well-defined and supported the policy. A testament to the strength of these objectives was the ability of the military forces to change stride from a mandated offensive action to one of humanitarian assistance. The ROE was simple and easy to understand, which allowed the individual at the lowest level to make rapid

decisions concerning the application of force. Legitimacy was achieved quickly internationally, domestically (US), and locally among the Haitian people.

## **SECTION 7**

### **CONCLUSION**

The ROE for a given operation are a force multiplier for the commander because an individual's actions as he executes a particular ROE establish the foundation of legitimacy at the tactical level. The democratic principles of life, liberty, and dignity are resident in the sound application of ROE. Violations of ROE only serve to undermine efforts at achieving legitimacy. These positive efforts at the tactical level feed upward towards achieving operational legitimacy. Working from the strategic level down, a national policy that is supported by a well-defined national strategy utilizing all elements of national power establishes legitimacy in the international arena. The linkage between these two levels is the interpretation of national strategy and ultimate translation to achievable military objectives.

The case studies presented demonstrate how important it is that the Statesman and the General work together. Vietnam and Beirut illustrate how bad failure can become when both are not synchronized. Conversely, DESERT STORM and UPHOLD DEMOCRACY illustrate how great a success can become when both are synchronized.

A common characteristic of the case studies is the degree of involvement by those that had no vested interest in the application of ROE. In the failures of Vietnam and Beirut, politicians and senior military leaders continuously tinkered with the ROE instead of addressing the strategies. The results speak for themselves, especially when viewed through the lens of the Beirut barracks bombing. During the successes of DESERT STORM and UPHOLD DEMOCRACY, politicians and senior military leaders used a hands-off approach. They allowed those that had to execute the ROE the ability to develop the ROE. This contributed greatly to the individual unit commander's freedom of action to work towards mission accomplishment.

A goal of US involvement in international affairs is the spread of democratic principles. For these principles to take root and flourish in developing countries, other countries must have an example above reproach, maintaining the highest standards. The US must always take the high road, even at the expense of fighting from a perceived disadvantage. Leaders at all levels must join efforts to ensure national strategic policy is clear and just; military objectives support policy and are achievable; and the force authorized and employed affords maximum freedom of action. These combinations will make the soldier, sailor, airman, or Marine charged with executing

national policy "while walking the last 100 meters" the ultimate ambassador and example of liberty and freedom.

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