Soldiers Like Rules:
An Examination of the Necessity and Desirability of ROE to Soldiers in the Field

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(Professor J. Wood)

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Rules of Engagement, or “ROE”, are the modern military answer to the question of how to provide soldiers in theatre with the guidance needed to minimize harm to civilians but also the flexibility necessary to remain an effective military force. Developed at a high level in Ottawa, they are then filtered down through the ranks, until in a very simplified form they reach the individual soldier. Ideally, they provide this soldier with clear and unambiguous guidelines for when the use of force is authorised and when it is not. Yet following the confused deployments and inconsistently defined mission in Canada’s contribution to peacekeeping in Bosnia-Croatia, and even more after the debacle of Somalia, there is some question as to whether these rules and guidelines are indeed the most effective way to regulate Canadian soldiers in theatre, particularly for those individuals forced to abide by them. The aim of this paper is to ascertain the practical usefulness of ROE and other guidelines to soldiers on the ground, using both interviews with those who have worked under them and scholarly analyses after the fact.

Four veterans provided their insights to the development of this paper. The first veteran interviewed was retired Captain Terry Swan, who served in the military for ten years including time in the Canadian Airborne Regiment. When he retired from the Regular Force Mr Swan moved to Victoria as a part of the Reserves, working in the JAG and eventually retiring from the Forces entirely after serving as the Area Legal Advisor (Pacific). Mr Swan provided many insights on the regulations governing soldiers while deployed in Cyprus. Following Mr Swan was retired Sergeant William Willbond, the only former non-commissioned member interviewed for this paper. Mr Willbond spent a
large part of his career as a paratrooper with the Airborne, with service overseas in Cyprus and at home in Canada during the FLQ Crisis, and offered an NCO’s perspective on the ROE. Retired Colonel Jim Kempling also offered his expert opinion in the matters of ROE, having completed a graduate course on the Laws of Armed Conflict at the Royal Military College during his career and holding strong opinions on the Somalia Affair. Finally, retired Lieutenant-Colonel Barry Phillips discussed the changes in the nature of ROE over the course of his career and on two major deployments, both times as the Officer Commanding of his unit. All four gentlemen provided a slightly different perspective on issues of the ROE and the nature of peacekeeping for the Canadian Forces past and present.

In early peacekeeping missions such as UNDOF in the Golan Heights and UNFICYP in Cyprus, no formal ROE existed; instead, in-theatre commanders put regulatory Standard Operating Procedures in place. However, as the complexity of operations increased, ROE become more and more necessary, with one veteran comparing the mission in Cyprus to more complicated modern missions. Yet these sources also cautioned that the successful application of ROE is entirely contingent on the training and discipline and thus the leadership of the force, and on leaders’ ability to successfully communicate the ROE to their troops; requirements that were not met in the Somalia mission, with disastrous consequences. Furthermore, clear and public examination of completed missions is key to ensuring that the Canadian Forces’ successes are recognised and understood so that they can be repeated, and, more importantly, that its failures can be learned from and any flaws in the implementation of

1 Terry Swan, personal interview, 9 November 2009.
ROE swiftly corrected. In conclusion, the opinions expressed by former soldiers align with the opinions of the scholars and historians: clear and appropriate Rules of Engagement are a valuable and effective tool in the hands of a disciplined, well-led military force.

Not all lessons regarding the conduct of peacekeeping operations and the usefulness of ROE come from official peacekeeping missions. The Canadian Forces could have learned many lessons useful for general peacekeeping after participating in quelling the terrorist activities of the Front de libération du Québec (FLQ) in the October Crisis of 1970. The FLQ had previously engaged in an extended bombing campaign in Quebec and Ontario, targeting government officials and buildings, and had perpetrated several robberies, many to obtain dynamite and weapons. They had then escalated their campaign, one terrorist cell abducting the British trade commissioner, Mr James Cross, and later a different cell abducting Mr Pierre Laporte, who was the Quebec minister of labour. In exchange for the release of their hostages the FLQ made several demands, including the release of several “political” prisoners, most of whom had been convicted of FLQ-related robberies or murders. Their demands being initially refused, the FLQ murdered Mr Laporte and left his body in the trunk of a car outside Montreal, leaving instructions on how to find it for the police.

After some debate, the Trudeau government enacted the War Measures Act for only the third time in Canadian history, the first two instances having been during the

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3 Ibid., 135.
5 Ibid., 142.
First and Second World Wars.\textsuperscript{6} Military personnel were called up to act as guards on government and other important facilities, guards and escorts for government officials, and to support the police in their searches and arrests.\textsuperscript{7} The Act was used because it was believed to be the swiftest and simplest way to broadly empower the police and supporting military personnel to act against the situation of “apprehended insurrection” as set forth by the Act. The use of the WMA was, however, delimited by a set of regulations that dictated the extent to which police and the military were permitted to act.\textsuperscript{8} Polls at the time showed broad public support in both Quebec and the rest of Canada for the Prime Minister’s use of the WMA.\textsuperscript{9}

Those soldiers involved remember everything running smoothly and that the public was, for the most part, friendly and supportive. Mr Kempling recalls that “generally speaking the people in Montreal were very...supportive of the level of military intervention,” and Mr Willbond likewise recalls strong support for the military’s presence and no problems interacting with the public.\textsuperscript{10} Both veterans remember that a great deal was dependent on the good sense and restraint of the individual soldiers involved, there being little in the way of specialised orders or training for the operation. A desire for more structured training and preparation is certainly evoked by the remembered instruction that “if you see somebody on a rooftop or in an upper story window who appears to have a rifle, and they are not wearing a maroon beret, shoot them.”\textsuperscript{11} Still, no

\textsuperscript{6} Ibid., 81.
\textsuperscript{7} William Willbond and Jim Kempling, personal interviews, 18 and 19 November 2009.
\textsuperscript{8} Tetley, \textit{October Crisis}, 81.
\textsuperscript{9} William Willbond, email correspondence, 19 November 2009.
\textsuperscript{10} William Willbond and Jim Kempling, personal interviews, 18 and 19 November 2009.
\textsuperscript{11} Jim Kempling, personal interview, 19 November 2009.
serious incidents are recorded to have arisen between military personnel and civilians, and the soldiers involved in quelling the FLQ behaved in exemplary fashion.

However, the highly disorganised manner in which the police handled the arrest of well over 400 people,\textsuperscript{12} some guilty of nothing worse than being friends with FLQ sympathisers, severely damaged perceptions of the operation. After the fact, public opinion on the use of the military in Montreal and the capital dipped sharply.\textsuperscript{13}

Soldiers participated in a very stressful operation, expecting what Mr Kempling described as “a continuum of violence...start off with demonstrations and bombings and then selective assassination.”\textsuperscript{14} He further remembered that “the perception was that we were at the selective assassination stage,”\textsuperscript{15} and that as a result the soldiers were on high alert and expecting the worst throughout their mission. Yet these soldiers have gone completely unrecognised by their government, and many harbour deep resentment and anger. Mr Willbond often mentions that “the sad thing about that is they should have recognised those young paratroopers,” going on to say that “it’s not a big deal, you know, it’s just the SSM, the Special Service Medal, with Op Essay on it, that’s all, that’s all they need.”\textsuperscript{16} These soldiers went unrecognised because the government elected to forget the mission, with all its lessons, failures, and moments of outstanding performance, rather than find a way to sell it to the Canadian public.

Currently, the use of the military during the FLQ Crisis is often construed to have been an instance of military Aid to Civil Power, rather than a WMA deployment. While

\textsuperscript{12} \textit{October Crisis}, 96-98.
\textsuperscript{13} Ibid., xix.
\textsuperscript{14} Jim Kempling, personal interview, 19 November 2009.
\textsuperscript{15} Ibid.
\textsuperscript{16} William Willbond, personal interview, 18 November 2009.
some troops were initially called in under the authority of an Aid to Civil Power, the later tasks involving escorts, cordon and search, and various other operations were performed under the authority of the WMA.\textsuperscript{17} This was clearly understood at the time. Yet because of the government’s political need for smooth relations with French-speaking Canada, and the fact that no Canadian government wishes to admit that Canada ever had a real problem with domestic terrorism, the misunderstandings surrounding this military action have been largely left unresolved. As Mr Willbond recalls, “after it was over and things quieted down, they swept it under the rug.”\textsuperscript{18}

As a result, Canada’s largest domestic counter-terrorism operation has remained largely unstudied, and whatever lessons could be learned from it for future use are buried. Canada’s later experiences with ROE in peacekeeping operations show how important it is to learn from past operations, and demonstrate what can happen when that learning is not achieved. The FLQ Crisis represented an example of a missed opportunity for learning; a peacekeeping-like operation that was successful, and an instance in which public opinion and soldier recognition were mishandled.

The first official peacekeeping operations in which Canadians participated were relatively simple affairs, where Canadians participated as UN forces maintaining a zone of separation between two belligerent powers that had previously agreed to a ceasefire. One such mission, in which Canada played a key role, was UNDOF, or the United Nations Disengagement Observer Force. It was established in 1974 to observe and to a limited extent enforce the ceasefire and buffer zone between Syrian and Israeli forces in

\textsuperscript{17} Ibid., 61-65.
\textsuperscript{18} William Willbond, personal interview, 18 November 2009.
the Golan Heights. Mr Barry Phillips recalls that his unit in the Golan “developed our own rules of engagement in theatre, within…the general guidelines of the UN.” He recalls that the mission itself was uncomplicated, both the Syrians and the Israelis being professional armies and behaving as such. Furthermore, the peace that the Canadians of UNDOF were tasked to preserve had been agreed upon by the belligerents themselves. As Mr Phillips remembered, “everything was relatively quiet, because Syria and Israel had agreed on a ceasefire.” In a way, the UN forces in the Golan were there simply to be neutral parties with no investment in colluding with either side, thus providing a feeling of security for the Syrians and Israelis. UNDOF involved straightforward peacekeeping with little chance of significant misunderstanding and very good communication between all parties involved.

Another early peacekeeping endeavour in which Canadians played a significant role is UNFICYP, or the United Nations Peacekeeping Force in Cyprus. The mission was originally established in 1964 to prevent further internal fighting between Greek and Turkish Cypriots, yet after the Turkish invasion of 1974 the force’s mandate was extended. It was feared that such a war would threaten to involve the two NATO nations of Turkey and Greece in conflict, and wished to prevent that occurrence.

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21 Ibid.
Yet the very involvement of these two nations was part of what made Cyprus a “pretty clear and straightforward”\textsuperscript{23} mission. In the words of Mr Kempling, who was a Company Commander at the time of his deployment to Cyprus, in Cyprus there was “a uniformed army on both sides of the line who understood war in the way that NATO armies understood war, understood what the Rules of Armed Conflict were, and you had a high degree of confidence that the only people that were going to shoot at you were people that were specifically ordered to do so.”\textsuperscript{24} Because both sides of the conflict had agreed upon the ceasefire and the presence of UN troops, few instances of direct armed conflict were encountered by the Cyprus peacekeeping troops in the memory of those interviewed, an impression confirmed by the only fifteen casualties suffered by UN Peacekeepers due to “Malicious Acts” throughout the entirety of the ongoing mission.\textsuperscript{25}

The worst problems all of the veterans described were the heat, the food, and the feral dogs – two soldiers remembered having to carry sticks to beat the dogs away as they attempted to attack soldiers seated in jeeps.\textsuperscript{26} While, as Mr Swan recalls, “there was always shooting at night,” he goes on to say that “ninety-nine percent of that was Greeks taking shots at Turks and Turks taking shots at Greeks over the Green Line.”\textsuperscript{27} UN forces themselves were not the targets of aggression.

No Ottawa-developed, pre-written ROE were developed for Cyprus, but the commander of the Nicosia district, Colonel Clayton Beattie, at least, developed a simple

\textsuperscript{23} Jim Kempling, personal interview, 19 November 2009.
\textsuperscript{24} Ibid.
\textsuperscript{25} Department of Peacekeeping Operations, “United Nations Peacekeeping Fatalities by Mission and Incident Type,” (United Nations, 2010).
\textsuperscript{26} Terry Swan and William Willbond, personal interviews, 9 and 18 November 2009.
\textsuperscript{27} Terry Swan, personal interview, 9 November 2009.
set of “Rules for Firing” that directed the soldiers as to when and how they were permitted to use force. Mr Swan recalled the helpfulness of these guidelines and made clear that the soldiers appreciated them, saying succinctly: “soldiers like rules.”

He stressed that the soldiers’ regular training and common sense were, more often than not, fully sufficient to the task before them. Mr Kempling remembers that the individual knowledge every soldier had about his specific responsibilities was exceptional, and in particular that “each [Observation Post] that was taken over, there was written instructions...an individual soldier had to be able to stand up and give a briefing” on his duties there.

Mr Willbond recalled an incident where a soldier under his command slightly exceeded these rules by chambering a round in order to back down a Turkish soldier who was being deliberately provocative, though Mr Willbond recalls that after chambering the round the soldier immediately flipped the safety on his weapon. While this is not an example of ROE being strictly adhered to, it demonstrates that the professionalism of all involved was sufficient to prevent a serious incident even when the rules were set aside.

Cyprus was, in most senses, a simple peacekeeping mission wherein all parties involved were professionals and could be mostly relied upon to act as such, yet it is clear that the growing complexity of peacekeeping made the “Rules for Firing” very welcome among soldiers.

The Canadian public, for its part, had remained staunchly supportive of the concept of peacekeeping in general and Canadian peacekeeping in specific since Canada

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28 Ibid.
29 Ibid.
30 Jim Kempling, personal interview, 19 November 2009.
31 William Willbond, personal interview, 18 November 2009.
contributed to UNEF, the first UN peacekeeping mission in the Middle East.\textsuperscript{32} Correctly or erroneously, Peacekeeping came to be seen by the Canadian public as the natural employment of their Canadian Forces,\textsuperscript{33} and so these early peacekeeping missions were rarely in danger of the kind of forgetfulness experienced by the Forces in the wake of the FLQ Crisis.

Later UN peacekeeping missions have grown steadily more complex, involving fewer such quiet ceasefire-observer missions between professional armies and more often taking the form of peacemaking or peace-enforcement missions, trying to impose an external peace upon non-professional belligerents who had not yet agreed to cease hostilities and might resent UN interference. In the former Yugoslavia, the Bosnian War involved a confusing tangle of belligerents, chiefly Croats and Bosnian Serbs, attempting to wrest territorial control from one another.\textsuperscript{34} The United Nations Protection Force or UNPROFOR was a large multinational force, sent to the area in 1992 to create conditions for peace talks.

No conclusive peace agreements yet existed, although some agreements about the presence of UN troops were obtained.\textsuperscript{35} Even prearranged agreements on troop movements and withdrawals were occasionally not honoured or were disregarded by belligerents in the field, as happened in Operation Medak Pocket. Here, Croatian


\textsuperscript{34} David Bercuson, \textit{Significant Incident: Canada’s Army, the Airborne, and the Murder in Somalia}, (Toronto: McClelland and Stewart Inc., 1996), 137.

authorities agreed to withdraw and allow Canadian UN troops to take over the area to facilitate ceasefire.\textsuperscript{36} These orders, however, were either not communicated to Croatian troops on the ground or were ignored, and the Croats instead opened fire on the advancing Canadians. The Canadians returned fire and allegedly killed more than twenty Croat soldiers, although Croatian authorities have denied the entire incident,\textsuperscript{37} perhaps due to the evidence – and outright accusations by the peacekeepers on-scene - that their resistance was in order to allow enough time to ethnically cleanse the villages in the Medak area.\textsuperscript{38} Whatever the reason, this lack of clear accountability among the belligerents made the situation far more unstable and potentially dangerous for the peacekeepers.

Over the following months, UNPROFOR experienced a phenomenon known as “mission creep,”\textsuperscript{39} where the aims and mandate of the mission slowly expanded and changed while underway, first expanding to cover control of the “Pink Zones”, areas that surrounded the UN Protected Areas and ensured their safety and logistical support, then to some limited border control and port access, then to protection of humanitarian aid, and finally to the protection of refugees,\textsuperscript{40} a significant change from the original mission to “supervise the retreat of the Yugoslav People’s Army, demilitarize the parties, and ensure protection of three protected areas of Croatia.”

\textsuperscript{36} Ibid.
\textsuperscript{39} Allen G. Sens, \textit{Somalia and the Changing Nature of Peacekeeping: The Implications for Canada}, (Ottawa: Minister of Public Works and Government Services Canada, 1997), 56.
\textsuperscript{40} Légaré and Tanguay, “Use of Force.”
Supporting these later claims of mission creep and unstable mandate are the experiences of those on the ground, as individual unit taskings also changed suddenly and without warning. Mr Phillips recalled that when he was preparing for his logistical support mission, the Canadians were supposed to be in one geographical area that would have been fairly simple for his logistics unit to support, but that shortly after its arrival the second Canadian contingent was redeployed far to the south near Sarajevo, and he was thus forced to split his own unit to carry out his support mission.\(^{41}\)

While it may sometimes become necessary to swiftly adapt to changed circumstances, as in Cyprus after the Turkish Invasion, constantly changing and redefining the mission on the ground is a dangerous tendency, particularly in a multinational force where contributing nations may soon find their soldiers operating beyond the agreed-upon parameters.\(^{42}\) With such a complex and unstable situation, it becomes even more important for soldiers to know exactly what their ROE are, and ever more difficult for those ROE to be developed. Rules of Engagement are developed at a high level in order to support the overall aims of the mission. With shifting aims, the ROE become less specific, and are issued with less and less time for the individual unit commanders to interpret them and pass the simplified version to their troops. This leads to confusion in the field.

As Mr Phillips stated emphatically, the late receipt of orders and the confused fashion in which his unit was formed and deployed was incorrect. Had the Canadian troops encountered significant opposition, or an incident such as the Medak Pocket, in their initially disorganised state, the strong likelihood is that they would have been in

\(^{41}\) Barry Phillips, personal interview, 19 November 2009.

\(^{42}\) Sens, Somalia, 57.
very serious trouble. Mr Phillips recalls that he “blistered the radio waves between Croatia and Ottawa saying ‘this is definitely the wrong way to do this, this is dangerous, we are going to lose people if we keep doing it like this’.“43 Furthermore, though the soldiers were expected to protect civilian refugees, they were not to engage with Croatian or Serbian forces unless directly attacked. As a result they faced a serious dilemma as ethnic cleansing occasionally happened right before their eyes, which by their orders and sense of human decency they should prevent – yet because of their ROE, they were prevented from acting. Mr Phillips recalled that “they’d block you, then they'd go in and slaughter everyone in a village.”44 This confusion of orders led to tragedy and resentment on the ground, as soldiers began to question the point of a mission that forced them to sit idle as atrocities were committed.45 In the end, Mr Phillips said that while he got his unit in order and well-trained in their duties, “it should've been dealt with earlier, [we] should've known all that.”46

The soldiers themselves served long and grueling deployments to Bosnia-Croatia and, for the most part, dispatched their duties with competence and aplomb. The Canadian contribution to UNPROFOR had enjoyed solid support from Canadians, though few Canadians seemed to care overmuch about this mission overseas. Whatever reaction the Canadian public might have had to Bosnia, however, and whatever long-term lessons might have been learned from that deployment, were all but wiped from the public consciousness by news from the other major UN operation in which Canadians were

44 Ibid.
involved, taking place in Somalia.\textsuperscript{47}

Despite almost a year of Canadian officers reporting such problems of preparation and unclear orders, Canada’s mission in Somalia suffered even more pronouncedly from confused orders and ROE. The unit sent to Somalia, the Canadian Airborne Regiment, had been struggling with endemic discipline and leadership issues during the months prior to deployment, the mission itself was poorly defined, and the ROE for the mission were ill-considered and only imperfectly understood by soldiers on the ground. Any one of these problems might have been dealt with in isolation – in Bosnia, Mr Phillips and other commanders dealt with the confused situation through the discipline of their troops and effective in-theatre training. But taken altogether, the situation in Somalia was a disaster that did not wait long to occur.

The Canadian Airborne Regiment, or Airborne, was officially activated on April 8, 1968.\textsuperscript{48} The brainchild of Lt-Gen Jean-Victor Allard, the Airborne was designed to be an elite unit that could be used to respond quickly to requests for military support until regular units could be mobilised and brought to bear. The Airborne’s structure at its inception was an oddity, the regiment being a command unit under the regimental CO, a full colonel, but with each Commando also acting as a command unit under its respective CO, a major. With this structure – a command unit encompassing other command units – the Airborne behaved organisationally much like a very small brigade.\textsuperscript{49} This structure meant the officer commanding exerted considerable direct authority over the troops within the unit, and the command of the Airborne was a prestigious slot much sought

\textsuperscript{47} Windsor, “The Medak Pocket,” 1.
\textsuperscript{48} Bercuson, \textit{Significant Incident}, 177.
\textsuperscript{49} Ibid., 178.
after by new colonels. It also ensured that officers experienced in large-unit command were always in command of the Airborne.

In the years and months leading up to Somalia, however, the Airborne had been the subject of increasing concern, as a restructuring of the Airborne and change in its personnel and status had resulted in some serious discipline problems. More importantly, the quality of officers and soldiers coming into the Airborne was diminishing as it lost its status as a plum assignment. Mr Kempling’s opinion is that in Somalia “there was a…gross failure in leadership…the senior leadership on the ground didn't exercise effectively their duty to make sure that the ROE were workable,” and he recalls that before Somalia “they downgraded the status of the unit and it became much less attractive to go into a command position.”

The downgrade in status Mr Kempling discusses here refers to the 1992 Land Forces Command decision to reduce the unit’s strength and restructure the Airborne like a regular infantry battalion. As such the three commandos effectively lost their status as “units”, and the Airborne overall would be commanded by a lieutenant-colonel, rather than a colonel as had been the case in the past. With the change, the regiment became eligible to be commanded by COs with no previous experience in leadership at that level, a risky proposition for an elite unit of aggressive soldiers in need of strong and capable guidance. Many of those in the junior NCO ranks were veterans of several stints in the Airborne, and even Captains commanding the companies, let alone junior officers with extremely limited military experience, were increasingly unable to exert the level of

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50 Sens, *Somalia*, 105.
51 Jim Kempling, personal interview, 19 November 2009.
53 Ibid., 201.
control necessary to ensure adequate discipline.\textsuperscript{54}

Despite its disciplinary issues, the Canadian Airborne Regiment was slated and trained to participate in UNOSOM, the United Nations Operation in Somalia, which was a standard Chapter VI peacekeeping mission.\textsuperscript{55} Days before the Airborne departed for Somalia, however, UNOSOM was downgraded at the request of the US and on this short notice the Airborne was deployed instead on Operation Deliverance, a Chapter VII peace-enforcement mission under the US-led UNITAF (United Task Force).\textsuperscript{56} National Defence Headquarters had already been suffering from serious confusion and indecision over what ROE to give the soldiers,\textsuperscript{57} and now that the mandate of the mission had changed completely, these had to be completely re-written. As a result, the Airborne arrived in Somalia with little understanding of their ROE, which then proceeded to change and be reinterpreted in various ways, until several inconsistent versions of the ROE card (a palm-sized, simplified breakdown of the ROE handed out to each soldier) circulated the camp.\textsuperscript{58} Indeed, some soldiers claimed never to have seen the ROE at all, only listened to the many and constantly changing briefings by officers who rarely, if ever, drilled them on the details.\textsuperscript{59}

Both Mr Kempling and Mr Phillips repeatedly stressed the importance of explaining ROE to the soldiers and constantly drilling, Mr Kempling stating that

\textsuperscript{54} Ibid., 204.
\textsuperscript{55} Ibid., 222.
\textsuperscript{56} Ibid., 228.
\textsuperscript{58} Donna Winslow, \textit{The Canadian Airborne Regiment in Somalia: A Socio-Cultural Inquiry}, (Ottawa: Minister of Public Works and Government Services Canada, 1997), 208.
\textsuperscript{59} Ibid.
“company commanders, platoon commanders, [and] senior NCOs need to really understand [the ROE] so that the instructions to soldiers are delivered in clear, soldierly terms.” Yet there is little evidence that any such training took place in Somalia. As a result, soldiers had no consistent idea of how to interpret expressions like “hostile intent” as set forth in the complex ROE, and few or inconsistent briefings on how to deal with thieves approaching, fleeing with objects, or fleeing empty-handed. This, coupled with the stress of the environment and endemic problems of leadership and discipline, inevitably led to the orders given by Major Anthony Seward to catch a Somali thief and “make an example of him” - the first steps leading ultimately to the horrific torture and death of Shidane Abukar Arone. Here, confusion at the higher levels of command met confusion at the subordinate levels, resulting in a human tragedy and a national disgrace that damaged the reputation of the Canadian Forces and resulted eventually in the disbandment of the Canadian Airborne Regiment.

The testimonies of the officers and non-commissioned member with whom I spoke made it clear that no matter how brilliant the construction of the ROE, no matter how clear the guidelines, a lack of leadership on the ground would result in ultimate failure. During the FLQ Crisis, with no such orders, strong leadership and well-trained, well-disciplined troops were more than sufficient to the task of what was essentially urban peacekeeping. In the Golan Heights, little guidance was given from higher authority on any rules or regulations for engagement as the mission was assumed to be

60 Jim Kempling, personal interview, 19 November 2009.
62 Bercuson, Significant Incident, 7.
simple peacekeeping.\textsuperscript{63} Yet Mr Phillips spoke at length about the frequent, complex, and realistic training he and his subordinate officers put the troops through so as to ensure they would follow the appropriate course of action in any situation.\textsuperscript{64} With the slightly more complex situation in Cyprus, Mr Swan recalls that while no Ottawa-developed ROE were ever in place, the Canadian District Commander set about devising appropriate regulations that were then disseminated to the troops.\textsuperscript{65} Mr Willbond spoke of training in crowd-control techniques before deployment to Cyprus, using riot-shields and batons as well as concertina wire and jeeps, so as to be fully prepared for any situation on mission.\textsuperscript{66} In these situations, good organisation and planning at a higher level coupled with strong leadership was enough to ensure that troops were fully trained and prepared for their missions.

However, Mr Phillips’ testimony along with available secondary analyses made clear that in the Bosnia-Croatia mission, the competency and leadership of those operating in the field salvaged the failures of higher-level leadership and organisation to define and maintain an unambiguous mission aim, disseminate clear orders, and ensure the orderly arrival and training of the units deployed. Mr Phillips made clear that although his unit arrived piecemeal, insufficiently prepared and with no mission-specific training behind them, once on the ground he ensured that they were thoroughly trained and drilled, including detailed explanation of ROE. His philosophy on ROE was that “it has to pass the soldier-test: you had to be able to turn to the guy in the coveralls and say

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\item[63] Barry Phillips, personal interview, 19 November 2009.
\item[64] Ibid.
\item[65] Terry Swan, personal interview, 9 November 2009.
\item[66] William Willbond, personal interview, 18 November 2009.
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‘did you understand that?’ Mr Phillips accomplished this through clear instruction and constant verbal checks using realistic scenarios. Here, failures in higher command contributed to the humanitarian tragedy of ethnic cleansing carried out during the wars of the former Yugoslavia, yet competent and effective leadership ensured that the troops performed to the best of their abilities and were not disgraced.

In the Somalia mission, the failures of leadership were apparent throughout the chain of command. Very shortly before the Airborne was to deploy to Somalia, the Airborne’s Commanding Officer, Lt-Col. Paul Morneault, was relieved of his command when his superiors began to harbour serious doubts about his capability to lead the mission. This action proved far too late to solve the Airborne’s many problems, if indeed a change in CO could have accomplished the necessary leadership solutions. Mr Kempling is scathing in his criticism of Airborne leadership before and during Somalia, saying that 2 Commando, the company involved in the incident itself, “ended up with some people like Tony Seward commanding, who I wouldn’t have given command of a section to…a unit made up of very hardcore, very tough, very aggressive soldiers that need to have very strong leadership, and they just didn’t get it. And I think that was amplified up the chain.” As Mr Kempling’s interview makes clear, even former Airborne officers have a particularly low opinion of the quality of leadership in the regiment while it was in Somalia.

This lack of effective leadership, when coupled with the mass confusion of the changing mission parameters and the chaos created by multiple ROE being issued to the

68 Bercuson, Significant Incident, 226.
69 Jim Kempling, personal interview, 19 November 2009.
soldiers, could not possibly have had a happy outcome. Officers put dangerously loose interpretations on ill-conceived ROE they did not fully understand, especially disastrous in the case of the provisions for reacting with deadly force; even more damning, no scenario-driven training was done on ROE while in-theatre.\textsuperscript{70} Somalia represents a complete failure of the system to learn from either the successes of Cyprus or the mistakes of Bosnia, implement a workable plan, and support it with strong leadership and effective training, and it resulted in a murder.

The Somalia fiasco was also responsible for a long-lasting loss of faith in the Canadian Forces by the Canadian public. The backlash in Canadian media and public opinion following the Somalia Affair, particularly after the release of the photos of Trooper Kyle Brown took of himself and Master Corporal Clayton Matchee beating and torturing the teenaged Somali Shidane Abukar Arone, damaged the reputation of the Canadian Forces and its relationship with the voting public for years.\textsuperscript{71} In so doing, it cost the Forces its most elite and previously prestigious unit, which was disbanded in a move most soldiers saw as a political sacrifice to appease the angry public, and a betrayal of a unit that, following the debacle in Somalia, had come under strong and effective leadership and largely fixed its internal problems.\textsuperscript{72}

The lessons of public opinion and military leadership are closely linked in a democratic country with an all-volunteer military. Had the regiment been properly trained and prepared for Somalia, had the chain of command learned from UNPROFOR the

\textsuperscript{70} Winslow, \textit{Canadian Airborne}, 209.
\textsuperscript{72} James R. Davis, \textit{The Sharp End: A Canadian Soldier’s Story}, (Vancouver: Douglas & McIntyre Ltd., 1997), 264.
importance of clear ROE, there exists the possibility that even with the sloppy discipline among the troops, Arone’s murder could have been prevented and the damage to the Forces’ reputation averted. Failing that, had the Canadian Forces and the government been immediately honest and transparent with the Canadian public about the problems in the Airborne and the incident in Somalia, and explained the ways in these issues they were being addressed, there is the possibility that the backlash and accusations (wrong or right) of a “cover-up” would have been far less severe and the Canadian public would not have felt so betrayed by its government and its military. Had the Canadian Forces been more cognisant of the major internal issues exposed by the incident and taken immediate action, the Airborne might have been preserved and former maroon berets would not now feel so betrayed by the government, the Forces, and the public. It is to be remembered that retired soldiers become members of the public, whose memories will influence their opinions and political will. As a volunteer army in a democratic society, the Canadian Forces depends on the public’s goodwill, and as such cannot afford to marginalise or ignore its veterans.

When in the hands of a well-trained military with strong leadership, Rules of Engagement are invaluable and highly effective. They developed out of the realisation that peacekeeping operations were becoming far more complex and needed solid, clear guidelines for soldiers to react appropriately under trying circumstances, guidelines that are desired by the soldiers themselves. While ROE are an irreplaceable tool for soldiers and commanders in the field, they cannot compensate for a lack of training and discipline, and effective field leadership must be present in order for the ROE to be useful. Finally, after-action reviews conducted in exhaustive detail, both for the military
and for the public, are an essential part of any mission in order to ensure that military both retains the goodwill of civilians and soldiers and learns from the past. One of the hallmarks of a professional army is that it carries with it an institutional memory, a collection of ‘Lessons Learned’ from which it develops a greater understanding of how to succeed. If operations like the FLQ Crisis or Somalia are ignored and forgotten, no matter how politically embarrassing or institutionally painful, they will not be learned from and the Canadian Forces will once again risk their repetition.

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