Rivista_caserma 7.qxp:Rivista_caserma 6-02-2008 18:06 Pagina 18

Control of the Civil Population

by LTC Pierluigi Costa

Preface

In the wars of the XVIII century and before, the opposing parts involved in the fights were essentially the military forces, leaving aside the civil population, who was interested by the war events in an indirect form, mainly for sustaining the Armies and for suffering local pillaging.

In modern wars, the involvement of the civil population has been extensive, therefore its control is a basic condition for the success of the military operations. On top of that, in more recent conflicts, the merely military confrontation is undoubted in terms of foreseen outcomes, whereas the post-war management, hence the control of the population and the territory, becomes the heavier and most demanding part of the military effort.

Introduction

In this paper we will see the control of the civil population under two different scenarios, the general war and the PSO, even though the first one is mainly a theoretical exercise, since it is very unlikely to happen. And, whenever it may happen, the military side of the event is likely to be very short and non important, quickly turning into a similar-PSO scenario, in the post-war management.

The doctrinal distinction between "art. 5" and "non art. 5" operations is not fitting for the purpose of this paper, since both the above mentioned scenarios are falling under the "non art. 5" case. In fact, we do not consider the control of civil population within an "art. 5" operation, in which NATO forces are fighting a defensive battle inside the borders of one or more NATO countries. Therefore, the depicted below scenario of "general war" is meant to be the one in which friendly forces are operating in a foreign territory (hence "non art. 5"), where regular opposing forces are operating (hence "classic war"). And the scenario "PSO" is by definition "non art. 5".

Control of Civil Population in Classic War Scenario Operations

During the first phase of a conflict within a general war scenario, the main effort of the force is focused on the destruction of the bulk of the enemy forces and, consequently, the neutralization of its fighting capability. In this framework, the control of civilians is a secondary activity, exclusively in support of the military operations. In this respect, curfew, control of roads, searches and requisitions of goods, arrests, judgements and detention of people by the military are the norm. The exploitation of natural resources, economic and human ones are put into effect by the militaries, with the civilians obliged to undergo whatever military measures are implemented to support their military effort.

When the military operations approach, in which the opposing regular forces are neutralized and the character of the conflict is turning into a guerrilla battle, the civil population could fuel the guerrilla conflict and its control is still deeply authoritarian.

The post-war phase is definitely turning its focus over the civil population, whose support is deemed key. In this phase, the military frendly forces can not neglect the population, or, even worse, oppress it. Instead, the population becomes the objects of military attention, both benefiting from well conducted cooperation. Therefore, in this phase the control of the population is leaving the previous authoritarian attitude to separate the civilian interests from the guerrillas ones and put them in contrast each other, emphasizing the convenience for the population to support the occupying forces instead of the guerrillas ones.

The assumption beneath the necessity to compliment the civil population (in order to control them) during this phase, is that the acceptance by the civil population of a new status following a military occupation is deeply dependent upon the capability of the new status in matching with the individual interests of every single citizen of the occupied country, rather than and more than upon a set of generic values and principles, borne by the militaries as a flag, claiming a better life in a better society of a better world. Therefore, however the military force may bring with it positive ideals and ideas, in particular the democratic institutions for the freedom of the human being, it will never be able to appeal to the civil population if those values are not accompanied with concrete improvements of the individual daily lives. In this case, a foreign military force will never be accepted by the locals, which, in fact, will always fight against it, involving large masses of civil populations and not only small armed groups or factions, so that, in the long term, the occupying military force will never have the control of the civil population and, consequently, of the country. The gives us plenty of examples (German troops in France and Italy during WW2, French in Indochina, US in Vietnam, as an example of unacceptance, or, US troops in German, Italy and Korea after WW2; more recently in Bosnia 96 and Afghanistan 01, as examples of acceptance). In practical terms, the control of the civil population in an

Rivista_caserma 7.qxp:Rivista_caserma 6-02-2008 18:06 Pagina 19

occupied territory is of paramount importance for minimizing the number of troops engaged and necessary in keeping the foreign territory. In particular, the means of this control materialize a set of concrete benefits for the population, making them well accepted and the control itself not perceived as such.

The consensus is the best situation to be attained, therefore the final point the military force is aiming towards.
The non hostility of the civil population is the situation to be desired not withstanding the conditions for reaching the consensus.
Instead, if the military force is perceived by the civil population as foreign and bad by its nature, therefore **the hostility** is de facto situation the military force has to deal with, in this case the control of civil population will pass basically through coercive military actions and the CIMIC activities will temporary freeze until a smoother attitude of the civil population occurs, which, in turn, can be improved and further smoothed by targeted CIMIC activity. This last case, by convention defined as "hostility", is not, conceptually speaking, under a strict "post-war management" situation, because, in fact, it falls under a continuing state of war, whose character takes the shape of a guerrilla conflict.

To reach the second step, at least the "non hostility stage", five basic factors are key:

- The administration of the res publica made by the militaries must be better than the one executed by the previous civil service.
- The economic situation of the civil population after the military occupation must be improved compared to the earlier period, or, at least, not made worse.
- Public order must be enforced effectively and firmly. Military force acts in compliance with the rules of law and requires the same from all citizens, the local civilians included.
- The individual freedom must be perceived by the population as granted, in the framework of a certain system of law.
- Local religion and basic traditional institutions must be perceived by the civil population as respected and preserved by the occupying military force. Religious leaders must be complimented by the military. Any institutional reform envisaged to improve the civil progress should not impact against the existing religious institutions. Secularisation is to be avoided.

The kernel is to ensure to the force the approval of the citizens, without granting them any effective freedom of choice. Within this picture, CIMIC's role is to exploit local resources and the civil population's capabilities in favour of the military occupying forces, always bearing in mind the sensitivity of the above mentioned five key factors. Therefore a brokering capability by CIMIC actors is required in mediating between the need to sustain the military force exploiting local human and physical resources and the exigency to lean toward the consensus from the hostility. This last exigency, in fact, could lead to a situation in which the CIMIC perspective is reversed, where the military force is engaged and used for sustaining the civil population purposes, which is quite normal in PSO operations.

Control of the Civil Population in PSO Scenario
Conceptually thinking, the control of the civil population in a framework of PSO does not differ from the war scenario, depicted above under the post-war management phase. The distinguishing element in this case, is that the military impact within the operating area should be kept at minimum level, therefore, the administration and political power run by the military should be transferred to the local civilians as soon as possible in order to legitimize local powerbrokers and implement local autonomy through the improvement of the local governance capability.
The big difference between the PSO scenario and the "general war" one is in fact the sovereignty: in the last it belongs to the foreign forces (through a direct military governance or through a mediating form like a protectorate); in the first it belongs formally to the locals, though by means agreed by the military force and its political representatives.
Within this picture, the CIMIC activities are more focused on **sustaining** the civil population rather than **controlling** the civil population, since a broad level of consensus is mandatory in such an operation for the success of the operation itself.
For this reason, within a PSO scenario, we can speak of "control of the civil population" just in some specific cases, for instance, police activities when dealing with large flows of refugees and displaced people, whose size could have strong implications for the public order. In these cases the military force is authorized to intervene strongly and firmly and overcome the local authority. Otherwise, the afore mentioned minimum impact of military operations over the civil environment should suggest the military to avoid any forms of direct control of the population and, on the other hand, to boost all forms of civil progress. Economic development and governance are encouraged by the military in such a form to involve civilians as far as possible, making them the actors of their improvements. That's why in PSO we speak in terms of "sustainability" looking at the econo-

Rivista_caserma 7.qxp:Rivista_caserma 6-02-2008 18:07 Pagina 20

mic development and of "self governance" looking at the state institutions. In this respect, CIMIC is key in improving those areas of progress, but again, in terms of sustainment of civil population rather than of control of it.
In this regard, the key factors to be implemented in achieving the maximum extent of acceptance are:

1. The administration of the res publica is made by locals.
2. The economic agencies are involving locals to a large degree.
3. Public order is enforced by local police. Military force maintains at hand a counter insurgency capability as a spare force and acts in compliance with the local system of rules of law, placing itself over the law only to enforce ROEs.
4. Individual freedom and rights must be perceived by the population as granted, in the framework of a secure system of law.
5. Local religion and basic traditional institutions must be perceived by the civil population as respected and preserved by the occupying military force.

In particular, the above 5 key factors, that may be considered as golden rules, can be further expanded as follows:

1. The administration of the res publica is made by locals.
If in the first scenario, the militaries are assumed to run the administration, therefore the focus falls on effectivenes of the administration itself, able to win a potential confrontation with the previous. In the second scenario, the focus shifts from HOW the administration is made to WHO is running it, becoming by far more important the appearance of self-determination, rather than the quality of the concrete results of the local governance capability. In this context, civil service capabilities brought with them by the foreigners are to be used in support of the locals, to advise and highlight their way to rule. For this reason, CIMIC should exhibit not only liaison capabilities, but also, and sometimes especially, the alluded "mentor" capability. By consequence, an appropriate set of civil experts (functional specialists) in the field of governance should be part of the force, to give qualified assistance to local administrators and, consequently, fully implement the mentioned CIMIC capability of mentoring.

2. The economic agencies are involving locals to large degree.
If in the first scenario, the economic situation of the civil population after the military occupation must be improved compared to the earlier period, or, at least, not made worse, in the second scenario, again, the focus shifts to WHO is the actor of the development, rather than the level of economic improvement itself. This is such, because the development in a poor country (that is likely the case for a PSO) is fully initiated only actualising the principle of self-sustainment.
This is the CIMIC role in a PSO scenario. So again, also in this case, CIMIC branch should be able not only to liaise with civil agencies and contractors, but also to provide a set of functional specialists able to assess the environmental situation, in order to properly identify needs and match them with the most appropriate resources, so that the financial effort yields effective results. In this way, the single projects should be coherent with the broader picture of the country's development, avoiding implementing projects whose benefits fall to foreign contractors only, or over a restricted community of locals without the multiplier effect, for the benefit of the population in general.
In the domain of development, pure assistance is to be avoided, not fuelling the self-sustainment goal. CIMIC should be capable of identifying those areas or situations where assistance projects contracted by foreigners only are necessary and to follow these very areas until the time when self-sustaining projects can be executed.
The PRT concept elaborated for the Afghan theatre after 9/11 with the "Enduring freedom" and "ISAF" operations, provides a good model for such a force, devoted to an economic development integrated within the social and civil renaissance, where locals become slowly but firmly the actors of their own destiny with the help of the foreign force and the international community.

3. The public order is enforced by local police.
Again, the focus falls on the self capability to guarantee the public order, even if we can not add this time "no matter HOW", because in this area the compliance with the rule of law is important as well, if not even more. In fact, the military force cannot accept a "non capacity" or an "illicit capacity" in maintaining public order just in the name of the local paternity (to cite an enlightening example, the Talibans in Afghanistan assured the public order at a level never known before in Afghanistan and in any other country, but their methods were not acceptable for a society self defined "civil"). That's why the military force must keep at hand a counter insurgency capability, whose size is inversely proportional to the local police one. In fact, the public order is the responsibility of the local police, but the force must be able to take over the local police whenever required.
Under this restricted sense of the broad concept of the

Rivista_caserma 7.qxp:Rivista_caserma 6-02-2008 18:07 Pagina 21

control of civil population (the control of civil unrest), we can consider the assurance of the public order as a condition sine qua non for the success of a PSO. Looking at the history, civil unrest has been in the past the definitive cause to make the situation unbearable for the foreign force, inevitably forced to leave the occupied country.

4. The individual freedom and rights must be perceived by the population as granted, in the framework of a secure system of law.

The matter is: "Can a foreign military force be perceived by locals as a liberating force, hence positive and well accepted, or, it is by its nature an occupying force, hence bad and hardly tolerated, if not openly thwarted?".

The first consideration in this field, is that human societies when self-governed always bear internal opposing forces, whose size and virulence can range greatly, but always they are present (perhaps few exceptions can be mentioned, refering to small and wealthy countries, like Monte Carlo or Luxemburg principalities). All the more so, a society witnessing foreign authority inside its domain, is inclined to develop a stronger opposing popular will. In this light, we can understand how difficult it is to imagine a society where foreign forces are governing/occupying a country without any local opposition. That's merely utopian.

Having assumed an endemic rate of opposition in every human society, the problem is how to keep low the perception of an imposing will, exercised by the force, no matter if what imposed is far better than what previously existed.

One basic factor, to cut the fuel to the opposing instances, is the guarantee of the individual freedoms, that must be pursued within a secure system of law. In other words, any restriction of the personal freedom must respond to an application of a general rule and not be associated to the discretion of the judge or the institution determining the restriction.

In front of the foreign military force, the local population must understand WHY they are there and to do what, in order to appropriate the reasons of their presence and to share a common project of amelioration of the society. In this way, the force becomes the champion of the freedom of citizens and not the killer of it. Consequently, the answer to WHY has to be as far as possible to "because we are in the middle of power games of powerful countries" and as close as possible to "because they want make us freer than we were", approaching the concept of a "liberation force".

That is not utopian; in fact we had many examples on Italian soil of foreign powers perceived as usurpers, but also some examples of foreign forces perceived really as liberating, hence giving us our freedom, or lost freedom.

The entire issue is not in theory a big problem, because usually the rate of freedom of the western society model, brought by the force in the country where a PSO is taking place, is much higher than the supposed country of the crisis. Nevertheless, this topic of personal freedom could become sensitive in matters of detention and prisoners' treatment.

5. Local religion and basic traditional institutions must be perceived by the civil population as respected and preserved by the occupying military force.

Notwithstanding the most attentive cares in presenting the force with the face of liberators, notwithstanding the best intentions in improving and ameliorating the country the force is going to, it is paramount to avoid the big mistake of putting in contrast the fresh air of news and ameliorations brought by the force with the deep-rooted beliefs belonging to the local traditions and, or, with the common behaviours embedded in religious precepts. These last, even if they belong, conceptually speaking, to the middle ages, can not be renegade by the locals in the name of the civil progress, development or economic welfare. Therefore, the force must encourage the civil progress by mediating with the local traditions and accepting the local religion as a matter of fact. Otherwise, even in the name of rightful principles and notwithstanding a sincere will to help locals, everything can be wasted.

We must bear in mind that in the western countries after the Enlightenment, we had to undergo several wars and revolutions before emancipating our societies from the ancien regime's traditions and religions. Thus the civil progress of a backward-looking society, also nowadays must advance within the framework of the local traditions and religions, and we cannot expect a radical change in an underdeveloped society by sweeping away local traditions: this would lead to a failure for sure. The laicity of a society, in fact, is not a value itself, even if the western societies witnessed an historical laicisation beside their civil and social progress.

In conclusion, in a PSO the secularisation can not be imposed by the foreign force; instead, it should be originated spontaneously by locals as far as they improve their progress, and the force should confine itself to condemn all and only the religious precepts or behaviours that are illicit because they are contrary to the system of laws.