

COMMENT

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Resigned to Failure or Committed to a Just Cause of Justice?

The Matthew Hoh Resignation, Our Current Politico-Military Strategy in Afghanistan, and Lessons Learned from the Panama Intervention of Twenty Years Ago

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Matthew P. Hoh (center)¹ and Map of Zabul Province,
Afghanistan²

I fail to see the value or the worth in continued US casualties or expenditures of resources in support of the Afghan government in what is, truly, a 35-year old civil war.

–Matthew P. Hoh, Senior Civilian Representative
Department of State, September 10, 2009

And as Commander-in-Chief, I have determined that it is in our vital national interest to send an additional 30,000 [US] troops to Afghanistan. After 18 months, our troops will begin to come home. These are the resources that we need to seize the initiative, while building the Afghan capacity that can allow for a responsible transition of our forces out of Afghanistan.

–President Barack H. Obama to US Corps of Cadets
December 1, 2009³

The year 2011 marks the tenth year of coalitional combat operations and troop deployments as part of Operation Enduring Freedom in Afghanistan. President Obama’s definitive statement on his “way ahead” in Afghanistan came during his December 1, 2009, West Point speech on the nature of our commitment in post-9/11 Afghanistan, the scope of our interests, and the strategy to bring that war to a successful conclusion.⁴

This Article will compare and contrast the Commander-in-Chief’s perspective with that of the Senior Civilian Representative of Zabul Province, Afghanistan, a 36-year-old career foreign service officer who lived the “ground truth” of (d)evolving events

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¹ *U.S. official in Afghanistan resigns over ‘unkept’ promises*, PRESS TV (Nov. 1, 2009, 01:10 PM), <http://www.presstv.ir/detail.aspx?id=110168§ionid=3510304>.

² Karen DeYoung, *U.S. official resigns over Afghan war*, WASH. POST, Oct. 27, 2009, available at <http://www.washingtonpost.com/wp-dyn/content/article/2009/10/26/AR2009102603394.html>.

³ President Barack Obama, Remarks by the President in Address to the Nation on the Way Forward in Afghanistan and Pakistan (Dec. 1, 2009), available at <http://www.whitehouse.gov/the-press-office/remarks-president-address-nation-way-forward-afghanistan-and-pakistan> [hereinafter Address on Afghanistan].

⁴ *Id.*

in Afghanistan.⁵ It will also consider the 2001 through present-day intervention in Afghanistan in light of the twenty-first anniversary of Operation Promote Liberty—the civil-military operations following the United States’ first post-Cold War intervention in the Republic of Panama, Operation Just Cause.

I

THE MATTHEW HOH RESIGNATION—AND THE OBAMA RESPONSE?

The Washington Post described Hoh as “[a] former Marine Corps captain with combat experience in Iraq, [who] had also served in uniform at the Pentagon, and as a civilian in Iraq and at the State Department.”⁶ From July through September of 2009, Hoh was the senior U.S. civilian in Zabul province, “a Taliban hotbed,”⁷ only to become the first U.S. official to resign in protest over the Afghan war because he believed it “simply fueled the insurgency.”⁸ Reportage further elaborated on how the U.S. Ambassador to Afghanistan, Karl W. Eikenberry, brought Hoh to Kabul to offer him a job on his senior embassy staff, then Richard C. Holbrooke, the administration’s special representative for Afghanistan and Pakistan, offered Hoh a planning position on his staff; Hoh rejected both offers.⁹

What if State Department and other White House officials had listened to Hoh’s critique? We have no proof his objections factored into the latest Afghanistan strategy, but an interesting point-counterpoint comparison can be made of Hoh’s resignation points and those of President Obama’s West Point strategy speech. In his September 10, 2009, resignation, Hoh led with the notion that “[he failed] to see the value or the worth in continued

⁵ In military parlance, “ground truth” is an expression that refers to the first-hand experience of the reality of a tactical situation, as opposed to a second-hand vicarious experience of evaluating what intelligence reports and mission plans assert. Letter from Matthew Hoh, Senior Civilian Representative of Zabul Province, Afg., to Ambassador Nancy J. Powell, Dir. Gen. of the Foreign Ser. and Dir. of Human Res. (Sept. 10, 2009), *available at* [http://www.washingtonpost.com/wp-srv/hp/ssi/wpc/Resignation Letter.pdf?sid=ST](http://www.washingtonpost.com/wp-srv/hp/ssi/wpc/Resignation%20Letter.pdf?sid=ST) [hereinafter Letter from Matthew Hoh].

⁶ DeYoung, *supra* note 2.

⁷ *Id.*

⁸ *Id.*

⁹ *Id.*

U.S. casualties or expenditures of resources in support of the Afghan government in what is, truly, a 35-year-old civil war.”¹⁰

By comparison, the Commander-in-Chief’s assessment was that

Under the banner of this domestic unity and international legitimacy—and only after the Taliban refused to turn over Osama bin Laden—we sent our troops into Afghanistan. Within a matter of months, al Qaeda was scattered and many of its operatives were killed. The Taliban was driven from power and pushed back on its heels. A place that had known decades of fear now had reason to hope. At a conference convened by the U.N., a provisional government was established under President Hamid Karzai. And an International Security Assistance Force was established to help bring a lasting peace to a war-torn country.¹¹

President Obama acknowledged the declining state of security and order in Afghanistan though, further stating that

Over the last several years, the Taliban has maintained common cause with al Qaeda, as they both seek an overthrow of the Afghan government. Gradually, the Taliban has begun to control additional swaths of territory in Afghanistan, while engaging in increasingly brazen and devastating attacks of terrorism against the Pakistani people.¹²

President Obama’s strategy, however is not focused on “cutting losses,” but rather increasing them in Afghanistan to combat the rising threats to coalitional and Afghan security:

Now, throughout this period, our troop levels in Afghanistan remained a fraction of what they were in Iraq. When I took office, we had just over 32,000 Americans serving in Afghanistan, compared to 160,000 in Iraq at the peak of the war. Commanders in Afghanistan repeatedly asked for support to deal with the reemergence of the Taliban, but these reinforcements did not arrive. And that’s why, shortly after taking office, I approved a longstanding request for more troops. After consultations with our allies, I then announced a strategy recognizing the fundamental connection between our war effort in Afghanistan and the extremist safe havens in Pakistan. I set a goal that was narrowly defined as disrupting, dismantling, and defeating al Qaeda and its extremist allies, and pledged to better coordinate our military and civilian efforts.¹³

¹⁰ Letter from Matthew Hoh, *supra* note 5, at 1.

¹¹ Address on Afghanistan, *supra* note 3.

¹² *Id.*

¹³ *Id.*

Hoh complained that rather than supporting legitimately elected governmental officials in Afghanistan, that

The United States military presence in Afghanistan greatly contributes to the legitimacy and strategic message of the Pashtun insurgency. In a like manner our backing of the Afghan government in its current form continues to distance the government from the people. The Afghan government's failings, particularly when weighed against the sacrifice of American lives and dollars, appear legion and metastatic:

Glaring corruption and unabashed graft;

A President whose confidants and chief advisors comprise drug lords and war crimes villains, who mock our own rule of law and counternarcotics efforts;

A system of provincial and district leaders constituted of local power brokers, opportunists and strongmen allied to the United States solely for, and limited by, the value of our USAID [US Agency for International Development]¹⁴ and CERP [Commander's Emergency Response Program]¹⁵ contracts and for whose own political and economic interests stand nothing to gain from any positive or genuine attempts at reconciliation; and

The recent election process dominated by fraud and discredited by low voter turnout, which has created an enormous victory for our enemy who now claims a popular boycott and will call into question worldwide our government's military, economic and diplomatic support for an invalid and illegitimate Afghan government.¹⁶

President Obama's minimal acknowledgement of these problems included these nonspecific observations alluding to Afghan governmental corruption, incompetence, and the Afghan government's ineffectiveness in combating narco-trafficking, if not also its complicity with the traffickers:

¹⁴ *Frequently Asked Questions about USAID and Its Regional Development Mission for Asia*, USAID, <http://www.usaid.gov/rdma/about/faq.html> (last visited Jan. 31, 2011) (in response to the question "What is USAID?": "an independent agency that provides economic, development and humanitarian assistance around the world in support of the foreign policy goals of the United States.").

¹⁵ "CERP originated as a stabilizing tool that commanders could use to benefit the Iraqi people. Initial resources came from millions of dollars of ill-gotten Ba'athist Party cash discovered by U.S. forces. This loot, along with the other regime assets, funded a variety of emergency projects." Mark S. Martins, *The Commander's Emergency Response Program*, 37 *JOINT FORCES Q.* 46, 47 (Second Quarter 2005), http://www.dtic.mil/doctrine/jel/jfq_pubs/0937.pdf. CERP has grown in sourcing for operations, beyond Iraq, to include US appropriated projects in Afghanistan as well.

¹⁶ Letter from Matthew Hoh, *supra* note 5, at 2.

[W]hile we've achieved hard-earned milestones in Iraq, the situation in Afghanistan has deteriorated. After escaping across the border into Pakistan in 2001 and 2002, al Qaeda's leadership established a safe haven there. Although a legitimate government was elected by the Afghan people, it's been hampered by corruption, the drug trade, an under-developed economy, and insufficient security forces.¹⁷

And

The days of providing a blank check are over. President Karzai's inauguration speech sent the right message about moving in a new direction. And going forward, we will be clear about what we expect from those who receive our assistance. We'll support Afghan ministries, governors, and local leaders that combat corruption and deliver for the people. We expect those who are ineffective or corrupt to be held accountable. And we will also focus our assistance in areas—such as agriculture—that can make an immediate impact in [sic] the lives of the Afghan people.¹⁸

Hoh's list of grievances meanwhile continues with an allusion to history repeating itself. He comments that we have supported corrupt leaders in South Vietnam and in Afghanistan:

Our support for this kind of government, coupled with a misunderstanding of the insurgency's true nature, reminds me horribly of our involvement with South Vietnam; an unpopular and corrupt government we backed at the expense of our Nation's own internal peace, against an insurgency whose nationalism we arrogantly and ignorantly mistook as a rival to our own Cold War ideology.¹⁹

Mindful of the comparisons that could—and should—be made to our involvement in Cold War interventions and present-day Afghanistan, President Obama took pains to distinguish present-day realities and objectives in Afghanistan from the Vietnam of 35-plus years ago:

The people of Afghanistan have endured violence for decades. They've been confronted with occupation—by the Soviet Union, and then by foreign al Qaeda fighters who used Afghan land for their own purposes. So tonight, I want the Afghan people to understand—America seeks an end to this era of war and suffering. We have no interest in occupying your country. We will support efforts by the Afghan government to open the door to those Taliban who abandon violence and respect the human rights of their fellow citizens. And we will

¹⁷ Address on Afghanistan, *supra* note 3.

¹⁸ *Id.*

¹⁹ Letter from Matthew Hoh, *supra* note 5, at 2.

seek a partnership with Afghanistan grounded in mutual respect—to isolate those who destroy; to strengthen those who build; to hasten the day when our troops will leave; and to forge a lasting friendship in which America is your partner, and never your patron.²⁰

And

[T]here are those who suggest that Afghanistan is another Vietnam. They argue that it cannot be stabilized, and we're better off cutting our losses and rapidly withdrawing. I believe this argument depends on a false reading of history. Unlike Vietnam, we are joined by a broad coalition of 43 nations that recognizes the legitimacy of our action. Unlike Vietnam, we are not facing a broad-based popular insurgency. And most importantly, unlike Vietnam, the American people were viciously attacked from Afghanistan, and remain a target for those same extremists who are plotting along its border. To abandon this area now—and to rely only on efforts against al Qaeda from a distance—would significantly hamper our ability to keep the pressure on al Qaeda, and create an unacceptable risk of additional attacks on our homeland and our allies.²¹

Hoh believed that our strategy was either a subterfuge for some other objective or grossly incompetent, conducting operations in the wrong theater:

I find specious the reasons we ask for bloodshed and sacrifice from our young men and women in Afghanistan. If honest, our stated strategy of securing Afghanistan to prevent al-Qaeda resurgence or regrouping would require us to additionally invade and occupy western Pakistan, Somalia, Sudan, Yemen, etc. Our presence in Afghanistan has only increased destabilization and insurgency in Pakistan where we rightly fear a toppled or weakened Pakistani government may lose control of its nuclear weapons. However, again, to follow the logic of our stated goals we should garrison Pakistan, not Afghanistan.²²

President Obama's strategy speech recognized a strategic partnership with—rather than strategic targeting strategy against—Pakistan, and acknowledged that we must counter the threats that Hoh aptly identifies in Somalia, Sudan, Yemen and elsewhere:

²⁰ Address on Afghanistan, *supra* note 3.

²¹ *Id.*

²² Letter from Matthew Hoh, *supra* note 5, at 3.

[W]e will act with the full recognition that our success in Afghanistan is inextricably linked to our partnership with Pakistan.

We're in Afghanistan to prevent a cancer from once again spreading through that country. But this same cancer has also taken root in the border region of Pakistan. That's why we need a strategy that works on both sides of the border.

In the past, there have been those in Pakistan who've argued that the struggle against extremism is not their fight, and that Pakistan is better off doing little or seeking accommodation with those who use violence. But in recent years, as innocents have been killed from Karachi to Islamabad, it has become clear that it is the Pakistani people who are the most endangered by extremism. Public opinion has turned. The Pakistani army has waged an offensive in Swat and South Waziristan. And there is no doubt that the United States and Pakistan share a common enemy.

In the past, we too often defined our relationship with Pakistan narrowly. Those days are over. Moving forward, we are committed to a partnership with Pakistan that is built on a foundation of mutual interest, mutual respect, and mutual trust. We will strengthen Pakistan's capacity to target those groups that threaten our countries, and have made it clear that we cannot tolerate a safe haven for terrorists whose location is known and whose intentions are clear. America is also providing substantial resources to support Pakistan's democracy and development. We are the largest international supporter for those Pakistanis displaced by the fighting. And going forward, the Pakistan people must know America will remain a strong supporter of Pakistan's security and prosperity long after the guns have fallen silent, so that the great potential of its people can be unleashed.²³

President Obama predicted that “[w]e’ll have to be nimble and precise in our use of military power. Where al Qaeda and its allies attempt to establish a foothold—whether in Somalia or Yemen or elsewhere—they must be confronted by growing pressure and strong partnerships.”²⁴

Hoh expresses admiration for the U.S. military capability, but bemoans its current mission quagmire, stating that

Eight years into war, no nation has ever known a more dedicated, well trained, experienced and disciplined military as the U.S. Armed Forces. I do not believe any military force has ever been tasked with such a complex, opaque and Sisyphean mission as the U.S. military has received in Afghanistan. The tactical proficiency and performance of our Soldiers, Sailors,

²³ Address on Afghanistan, *supra* note 3.

²⁴ *Id.*

Airmen and Marines is unmatched and unquestioned. However, this . . . is a war for which our leaders, uniformed, civilian and elected, have inadequately prepared and resourced our men and women. Our forces, devoted and faithful, have been committed to conflict in an indefinite and unplanned manner that has become a cavalier, politically expedient and Pollyannaish²⁵ misadventure. Similarly, the United States has a dedicated and talented cadre of civilians, both U.S. government employees and contractors, who believe in and sacrifice for their mission, but they have been ineffectually trained and led with guidance and intent shaped more by the political climate in Washington, DC than in Afghan cities, villages, mountains and valleys.²⁶

President Obama recognizes the need to reevaluate the troops-to-mission mix for operations in Afghanistan, and perhaps even more importantly, he recognizes the need for a fresh look at the way ahead in both plans and actions on the ground in Afghanistan:

When I took office, we had just over 32,000 Americans serving in Afghanistan, compared to 160,000 in Iraq at the peak of the war. Commanders in Afghanistan repeatedly asked for support to deal with the reemergence of the Taliban, but these reinforcements did not arrive. And that's why, shortly after taking office, I approved a longstanding request for more troops. After consultations with our allies, I then announced a strategy recognizing the fundamental connection between our war effort in Afghanistan and the extremist safe havens in Pakistan. I set a goal that was narrowly defined as disrupting, dismantling, and defeating al Qaeda and its extremist allies, and pledged to better coordinate our military and civilian efforts.²⁷

And

As your Commander-in-Chief, I owe you a mission that is clearly defined, and worthy of your service. And that's why, after the Afghan voting was completed, I insisted on a thorough review of our strategy. Now, let me be clear: There has never been an option before me that called for troop deployments before 2010, so there has been no delay or denial of resources necessary for the conduct of the war during this review period.

²⁵ See, e.g., *Pollyannaish*, URBANDICTIONARY.COM, <http://www.urbandictionary.com/define.php?term=Pollyannaish> (last visited Jan. 6, 2011) (defining "Pollyannaish" as a "[b]elittling and often insulting term for being absurdly optimistic and good-hearted, believing in a good world where everything works out for the best all the [sic] time. Often in combination with being God-fearing and perceiving oneself standing on a higher moral ground than others.").

²⁶ Letter from Matthew Hoh, *supra* note 5, at 3.

²⁷ Address on Afghanistan, *supra* note 3.

Instead, the review has allowed me to ask the hard questions, and to explore all the different options, along with my national security team, our military and civilian leadership in Afghanistan, and our key partners. And given the stakes involved, I owed the American people—and our troops—no less.²⁸

Hoh stated the obvious—but overwhelming—reality of the cost of overall operations when he quipped that:

“We are spending ourselves into oblivion” a very talented and intelligent commander, one of America’s best, briefs every visitor, staff delegation and senior officer. We are mortgaging our Nation’s economy on a war, which, even with increased commitment, will remain a draw for years to come. Success and victory, whatever they may be, will be realized not in years, after billions more spent, but in decades and generations. The United States does not enjoy a national treasury for such success and victory.²⁹

President Obama’s accounting in words of the expense in lives and dollars is surprisingly similar to Hoh’s assessment, yet different in tone:

We have been at war now for eight years, at enormous cost in lives and resources. Years of debate over Iraq and terrorism have left our unity on national security issues in tatters, and created a highly polarized and partisan backdrop for this effort. And having just experienced the worst economic crisis since the Great Depression, the American people are understandably focused on rebuilding our economy and putting people to work here at home.³⁰

President Obama focused specifically on the greatest cost to our most prized national treasure—our casualties and the impact on their families—when he said,

Most of all, I know that this decision asks even more of you—a military that, along with your families, has already borne the heaviest of all burdens. As President, I have signed a letter of condolence to the family of each American who gives their life in these wars. I have read the letters from the parents and spouses of those who deployed. I visited our courageous wounded warriors at Walter Reed. I’ve traveled to Dover to meet the flag-draped caskets of 18 Americans returning home to their final resting place. I see firsthand the terrible wages of war. If I did not think that the security of the United States and the safety of the American people were at stake in Afghanistan, I

²⁸ *Id.*

²⁹ Letter from Matthew Hoh, *supra* note 5, at 3.

³⁰ Address on Afghanistan, *supra* note 3.

would gladly order every single one of our troops home tomorrow.³¹

As for a “cut our losses” and cut our troop level strategy, President Obama countered by saying that

[T]here are those who acknowledge that we can’t leave Afghanistan in its current state, but suggest that we go forward with the troops that we already have. But this would simply maintain a status quo in which we muddle through, and permit a slow deterioration of conditions there. It would ultimately prove more costly and prolong our stay in Afghanistan, because we would never be able to generate the conditions needed to train Afghan security forces and give them the space to take over.³²

Announcing his intentions for closure and transition to Afghan authorities, President Obama countered unnamed critics when he said that

Finally, there are those who oppose identifying a time frame for our transition to Afghan responsibility. Indeed, some call for a more dramatic and open-ended escalation of our war effort—one that would commit us to a nation-building project of up to a decade. I reject this course because it sets goals that are beyond what can be achieved at a reasonable cost, and what we need to achieve to secure our interests. Furthermore, the absence of a time frame for transition would deny us any sense of urgency in working with the Afghan government. It must be clear that Afghans will have to take responsibility for their security, and that America has no interest in fighting an endless war in Afghanistan.³³

Quoting the words of President Eisenhower’s famous Military-Industrial Complex farewell address, that “each proposal must be weighed in the light of a broader consideration: the need to maintain balance in and among national programs,”³⁴ President Obama reflected that

Over the past several years, we have lost that balance. We’ve failed to appreciate the connection between our national security and our economy. In the wake of an economic crisis, too many of our neighbors and friends are out of work and struggle to pay the bills. Too many Americans are worried

³¹ *Id.*

³² *Id.*

³³ *Id.*

³⁴ Dwight D. Eisenhower, Farewell Address (Jan. 17, 1961) (transcript available online at www.millercenter.org/scripps/archive/speeches/detail/3361).

about the future facing our children. Meanwhile, competition within the global economy has grown more fierce. So we can't simply afford to ignore the price of these wars.

All told, by the time I took office the cost of the wars in Iraq and Afghanistan approached a trillion dollars. Going forward, I am committed to addressing these costs openly and honestly. Our new approach in Afghanistan is likely to cost us roughly \$30 billion for the military this year, and I'll work closely with Congress to address these costs as we work to bring down our deficit.³⁵

Hoh concluded his resignation letter with a succinct and cynical note:

Thousands of our men and women have returned home with physical and mental wounds some that will never heal or will only worsen with time. The dead return only in bodily form to be received by families who must be reassured their dead have sacrificed for a purpose worthy of futures lost, love vanished, and promised dreams unkept. I have lost confidence such assurances can anymore be made. As such, I submit my resignation.³⁶

President Obama, instead, called for Americans to come together for a common cause, recalling the origins of the current conflicts, and he called for them to generate renewed hope for the future:

It's easy to forget that when this war began, we were united—bound together by the fresh memory of a horrific attack, and by the determination to defend our homeland and the values we hold dear. I refuse to accept the notion that we cannot summon that unity again. I believe with every fiber of my being that we—as Americans—can still come together behind a common purpose. For our values are not simply words written into parchment—they are a creed that calls us together, and that has carried us through the darkest of storms as one nation, as one people.

America—we are passing through a time of great trial. And the message that we send in the midst of these storms must be clear: that our cause is just, our resolve unwavering. We will go forward with the confidence that right makes might, and with the commitment to forge an America that is safer, a world that is more secure, and a future that represents not the deepest of fears but the highest of hopes.³⁷

II

PAST IN PANAMA AS PROLOGUE IN AFGHANISTAN, OR AFGHAN APPLES

³⁵ Address on Afghanistan, *supra* note 3.

³⁶ Letter from Matthew Hoh, *supra* note 5, at 4.

³⁷ Address on Afghanistan, *supra* note 3.

TO PANAMANIAN ORANGES?³⁸

These are the three core elements of our strategy [in Afghanistan]: a military effort to create the conditions for a transition; a civilian surge that reinforces positive action; and an effective partnership with Pakistan.

–President Barack H. Obama to U.S. Corps of Cadets
December 1, 2009³⁹

This final section of this paper will explore how the Obama administration’s Afghanistan strategy has embraced—at least in principle—the requisite strategic principles that made Operations Just Cause, and the “follow-on” (subsequent) civil- military Promote Liberty operations in Panama, successful. Our intervention in Panama more than two decades ago was, to a great extent, successful not only because of our impressive application of military force, but because we had effective civil-military operations and public-private resourcing working to shape government and society in a way to best serve the Panamanian people and promote national, regional and international security.⁴⁰ As time shows, however, the failure by our government to support and sustain anticorruption measures can and will undo efforts to establish and promote the rule of law through a law of rules.⁴¹

There are obvious differences between the Panama of the 1980s and Afghanistan of today. In a previous comparison of those two nations, I noted that:

Panama, for instance, was and is a tropical nation of 3 million inhabitants on a landmass smaller than South Carolina.⁴² Afghanistan is a nation of 29 million across a varied terrain the size of Texas.⁴³ Neither nation shares a border with each other,

³⁸ See Kevin H. Govern, *Guest commentary: Lessons from Panama apply to Afghanistan*, NAPLES DAILY NEWS, (Naples, FL), Dec. 17, 2009, <http://www.naplesnews.com/news/2009/dec/17/lessons-panama-apply-afghanistan> (discusses the idea that the U.S. should apply its experiences intervening in Panama after the Cold War to its current interventions in Afghanistan after 9/11. The comments and observations made in this article are solely those of the author, unless otherwise stated or cited within).

³⁹ Address on Afghanistan, *supra* note 3.

⁴⁰ Govern, *supra* note 38.

⁴¹ See, e.g., Antonin Scalia, *The Rule of Law as a Law of Rules*, 56 U. CHI. L. REV. 1175, 1175–81.

⁴² CENT. INTELLIGENCE AGENCY, *Panama*, in THE WORLD FACTBOOK 4 (2009).

⁴³ CENT. INTELLIGENCE AGENCY *Afghanistan*, in THE WORLD FACTBOOK 4 (2009).

or with the US, or even a common language, ethnic composition, or historical heritage.⁴⁴

The bases for our intervention in both nations are dramatically different as well. President George H.W. Bush ordered our December 20, 1989, intervention in Panama to protect U.S. lives and property, to fulfill U.S. treaty responsibilities to operate and defend the Canal, to assist the Panamanian people in restoring democracy, and to bring General Noriega to justice. The legal, judicial, and penal systems during the Noriega regime were badly corrupted and, more often than not, political control rather than justice prevailed.⁴⁵

In Afghanistan, the autocratic Taliban government refused to expel al Qaeda and its leader bin Laden, or end its support for international terrorism. My public comparisons follow regarding aspirational versus actual military objectives in Afghanistan and Panama:

The US and its coalition partners commenced military operations on October 7, 2001 to target terrorist facilities and various Taliban military and political assets within Afghanistan, and to aid a democratically elected government in securing its borders, maintain[ing] internal order and establish[ing] conditions of peace and prosperity for the Afghan people.

In Panama, as in Afghanistan, military forces accomplished their primary objectives relatively quickly. Winning—and sustaining—the peace, however, has proved to be a larger challenge in both nations.⁴⁶

What made the Panama intervention a long-term investment in success—and what will make operations in Afghanistan successful—is worth noting here.

For Panama, the [Commander-in-Chief] gave clear guidance on objectives to be accomplished. Although not revealed in full through the media, our military and civilian leaders responsible for operations in Afghanistan now have the clear . . . guidance they require. Next, those involved in Panama operations were allowed to prepare and execute a plan in detail to accomplish those objectives.

This is also occurring with our ongoing operations in Afghanistan. Forces in Panama were allowed sufficient time and resources to accomplish their objectives, and to execute their mission without substantial changes to their plans.

⁴⁴ Govern, *supra* note 38 (citations provided by author).

⁴⁵ *Id.*

⁴⁶ *Id.*

Congress, as the voice of the American people, needs to allow this to take place in Afghanistan.⁴⁷

The success of the civil-military mission in Panama would “eventually involve political, diplomatic, economic and informational measures to supplement military efforts[,]” since “creating a credible internal security force was also a task that could not be achieved overnight.”⁴⁸ Only the military had the necessary capabilities to fill the initial security gap and to field the new police force free of corruption. This was a “near impossible task that would take years,” and still proves to be a problem today.⁴⁹

In Panama, as has been the case in Afghanistan, interagency civil-military operations have been critical in establishing and maintaining a law of rules and a rule of laws, and fostering economic growth, political transparency, cooperative diplomacy, and effective security. In post-Just Cause Panama, the democratically elected coalition government weakened with time and Noriega’s cronies briefly assumed power. The lack of planning for the execution of the intervention operations, the complexity of the Panamanian problem, and the ambiguous political objectives led to the slow start of Promote Liberty.⁵⁰ “In time, the Panamanian people, with the aid of U.S. and international agencies, restored representative democracy with effective branches of government.”⁵¹ In Panama, anticorruption efforts grew from the synergy generated by leaders from government, civil society, labor organizations, and the clergy. As Panama grew more capable to provide for its own national

⁴⁷ *Id.*

⁴⁸ William J. Conley Jr., *Operations “Just Cause” and “Promote Liberty”: The Implications of Military Operations Other Than War* 40 (2001) (unpublished manuscript), <http://smallwarsjournal.com/documents/conley.pdf>.

⁴⁹ *Id.*

⁵⁰ See DEP’T OF DEF., Joint Pub 3-07, *Joint Doctrine for Military Operations Other Than War*, at II-4, III-10 (June 16, 1995), for a publication written by the U.S. Department of Army regarding how to deal with military operations other than war (MOOTW) available at http://www.bits.de/NRANEU/others/jp-doctrine/jp3_07.pdf. Joint Pub 3-07 defines such operations in terms of how they differ from operations in war: “Although MOOTW and war may often seem similar in action, MOOTW focus on deterring war and promoting peace while war encompasses large-scale, sustained combat operations to achieve national objectives or to protect national interests. MOOTW are more sensitive to political considerations and often the military may not be the primary player.” *Id.* at vii.

⁵¹ Govern, *supra* note 38.

security, battling illegal domestic and international narcotics and arms trade, U.S. and regional security benefited as a result. Such efforts were not self-sustaining, however; in late-2010, the Panamanian branch of Transparency International assessed that Panama was failing to combat corruption regarding conflicts of interest, nepotism, lack of compliance with international anticorruption measures, and pressure exerted on media and anticorruption activists.⁵²

So, too, in Afghanistan, political, tribal, industrial and clerical leaders must work in concert with U.S. and international agencies to challenge the apparent resurgence of the Taliban in tribal areas. They must also meet concerns about central government corruption with concerted efforts towards political integrity and honesty. Mutual benefits in Central Asia and in the United States will accrue from Afghanistan's counterterrorism and counternarcotics efforts.⁵³

CONCLUSION

HISTORY REPEATING ITSELF—OR WRITING THE PRESENT TO AVOID REPETITION IN THE FUTURE?

The American philosopher George Santayana (1863–1952) cautioned in *Life of Reason, Volume I*, that “[t]hose who cannot remember the past are condemned to repeat it.”⁵⁴ Afghanistan has long been called the “graveyard of empires,” given the failed incursions of Alexander the Great, the Persians, Genghis Khan, the British Empire (twice), and the former Soviet Union.⁵⁵ This

⁵² *Panama gets failing grade in anti corruption measures*, NEWSROOM PANAMA (Dec. 10, 2010, 21:44), <http://www.newsroompanama.com/panama/2071-panama-gets-failing-grade-in-anti-corruption-measures.html>. Most recently, the politically appointed Panamanian “Anti Corruption Czar”—known officially as the Secretariat Against Corruption—resigned after eighteen months of criticism over the way he managed the position from members of the “civil society.” Reportage of comments attributed to his office’s website claims Panama’s fight against corruption “is not going to thrive while the civil society, the news media, and the different branches of government maintain a wrong concept of territoriality.” Don Winner, *Panama’s Anti Corruption Czar Fernando Núñez Fábrega Resigns*, PANAMA-GUIDE.COM (Jan. 7, 2011 09:38 AM EST), <http://www.panama-guide.com/article.php/20110107093846346>.

⁵³ Govern, *supra* note 38.

⁵⁴ For Santayana’s Law of Repetitive Consequences, see GEORGE SANTAYANA, 1 THE LIFE OF REASON (1905-06), *quoted in* JOHN BARTLETT, FAMILIAR QUOTATIONS 703 (15th ed. 1980).

⁵⁵ See, e.g., Milton Bearden, *Afghanistan, Graveyard of Empires*, KHYBER.ORG (Feb. 14, 2011 11:12 PM EST), <http://www.khyber.org/publications/006-010/afghangraveyard.shtml>. Helene Cooper, *Fearing Another Quagmire in*

Article has looked back at Matthew Hoh's first-hand ("ground truth") observations, his rationale for resignation, and President Obama's refocused strategy in Afghanistan. Leaders in the U.S. Congress, the White House, the Pentagon, and academia alike would do well to study these past failures as negative exemplars of what not to emulate. By way of comparison, the Just Cause/Promote Liberty mixed-success operations may prove to be small-scale exemplars of what to emulate in post-conflict civil military operations. Such retrospection can and should help us appreciate and implement what we can and should accomplish with and on behalf of other nations in the quest for peace, stability, and security in Afghanistan and elsewhere.

Afghanistan, N.Y. TIMES, (New York, NY), Jan. 24, 2009, http://www.nytimes.com/2009/01/25/weekinreview/25cooper.html?_r=1, and Ken Silverstein, *Graveyard of Empires?*, HARPERS.ORG (Jun. 19, 2008 9:10 AM EST), <http://www.harpers.org/archive/2008/06/hbc-90003105> (discuss a common theme that the United States might learn from past unsuccessful incursions into Afghanistan and possibly, in Cooper's words, "succeed in that long-lamented 'graveyard of empires'—a place that has crushed foreign occupiers for more than 2,000 years.").