

Captain Lawrence Rockwood in Haiti

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This teaching case study poses classic questions about following orders versus serving one's conscience. It tracks the actions of Captain Lawrence Rockwood, an intelligence officer with the Tenth Mountain Division of the United States Army, who was sent to Haiti in September 1994 as part of the mission to oust the dictator Cedras and put the elected Aristide in power. Captain Rockwood felt that his conscience, his humanitarian duty and international law all required that he inspect the National Penitentiary where, intelligence reports showed, political prisoners were being tortured and murdered. His chain of command was unanimous in refusing him permission to inspect the prison and in directing that he do nothing that would endanger fragile relations with the peacefully departing Cedras regime. The case is intended for use in courses on force and justice, for ethics and leadership classes at military academies, at chaplaincy schools and seminaries or in classes on law of war and international law, civil–military relations, peacekeeping and new missions for the military.

KEYWORDS: command authority, conscience, disobedience, following orders, force protection.

Captain Lawrence Rockwood, counterintelligence officer¹ with the U.S. Army's Tenth Mountain Division, crouched by his pallet on the concrete barracks floor and thought back through what had happened over the past seven days.

Six days ago, on his second day in-country, a report from the Belair jail in Port-au-Prince described a mutilated Haitian torture victim spirited out at night. A report two days later traced a beheaded body found in a swamp outside the city back to the Omega jail. All

As a counterintelligence officer, Rockwood's duties were to read intelligence reports and debrief intelligence operatives, both American and Haitian, to discover potential threats to the security of U.S. forces in Haiti. In this role he had unusual access to information, freedom of movement, contact with Haitians, and opportunity to exercise initiative.

the prison reports featured emaciated and abused prisoners, not criminals in most cases—simply enemies of the regime that the U.S. forces were there to replace.²

A report he had received two days before on the 28th said that U.S. forces had entered a prison in the southwestern town of Les Cayes. They found “over 30 men were crammed into a cell no larger than 15 feet square. They were so malnourished that—as with concentration camp victims of World War II—their food intake had to be increased gradually to avoid harming them. When the U.S. soldiers removed one invalid from the prison, they discovered that he had lain for so long in one position that some of his skin had fallen off”.³

“At least we could get food into those places”, Rockwood thought. He had seen the pallet-loads of MREs—Meals Ready to Eat—unloaded from U.S. ships onto the docks in Port-au-Prince. He had even told one prison official he could probably get two per day delivered for each of his prisoners. The official was against it: too great a security risk, he said. “What’s the risk?” Rockwood had asked him. “It’s the starving prisoners who will riot, isn’t it?” No, he was told. The starving ones just lie there. The security risk would come from outside the prison: from all the people who would break in to get at that food.⁴

An Unusual Soldier

Rockwood had arrived in Haiti seven days earlier on 23 September, four days after the first U.S. troops were deployed to the island. He had prepared for this mission with eager anticipation. Rescuing the helpless and opposing the tyrannous is precisely what a military is for, he thought.

² A Central Intelligence Agency report that Rockwood had requested before he set out for Haiti said “85% of the 300 to 500 people incarcerated [in the National Penitentiary in Port-au-Prince] have not been charged” with a crime. The report found they were political prisoners of the Cedras regime, supporters of the democratically elected Aristide government that the intervention was intended to restore to power. See Meg Laughlin, ‘The Rockwood Files,’ *Miami Herald*, 1 October 1995, Tropic section, page 6.

³ The prison had been visited by special forces operating independently in the countryside under the command of Lieutenant Colonel Michael Jones. In an interview with Bob Shacochis, author of *The Immaculate Invasion* (New York: Viking, 1999), Jones says, “We found some photographs, pretty damning photographs. People being pulled apart with chains, people being beaten” (Shacochis, p. 150). Jones later recalled: “a pile of live bodies crammed into a cell in which there was neither room to stand nor room to lie down. When soldiers, who apparently did not realize initially that the men were still alive, began pulling one of the men off the pile, his skin simply ripped off his back, exposing his spinal cord to view.” Quoted in transcript of U.S. v. Rockwood, no. 261-29-6597 at 1604-5. See also Ian Katz, ‘Depressed or Just Decent’, *The Guardian* (London), 30 May 1995, at T-4 and Peter Slevin, ‘36 Inmates, One Cell: Haitian Jails in Squalor’, *Miami Herald*, 10 October 1994, at 1A. The horrible conditions in Les Cayes were not unique. General James T. Hill, deputy commander of the 25th Infantry Division deployed to Haiti in 1996, told reporter Anna Husarska in an unpublished interview, “everybody found it in every one of the jails. There is no doubt about it. I’ve been to almost every one of the jails”. Interview with Husarska dated 2 March 1995. See Robert O. Weiner and Fionnuala Ni Aolain, ‘Beyond the Laws of War: Peacekeeping in Search of a Legal Framework’, *Columbia Human Rights Law Review*, Winter 1996 at note 21.

⁴ See testimony of Paul J. Browne, Vice President, The Investigative Group, in United States House of Representatives, 104th Congress, First Session, *Human Rights Violations at the Port-au-Prince Penitentiary*, Hearings before the Subcommittee on the Western Hemisphere, Committee on International Relations, 3 May 1995.

Rockwood was the son, grandson, and great-grandson of military men, but he didn't fit any traditional mold. He had grown up on military bases—both his parents served in the Air Force—so by the time he went to high school he had lived abroad in Turkey, France, and Germany. The event he remembered best from his childhood was when the family was stationed in Germany.

Years before, his father had been among the forces that liberated the Nazi camps. He wanted his son to know what he had seen and learned, so when Rockwood was eight years old he and his father went together to the concentration camp at Dachau. "My father told me that these camps are not the creation of a few evil, brutal men. They're really the creation of cynicism and blind obedience to authority."⁵

Rockwood considered breaking the pattern of three generations by joining the priesthood instead of the military, but after a year in a Catholic seminary he followed suit and enlisted in the Army. He was 19 then, and along his unusual track to being commissioned as an officer he would earn a bachelor's in psychology, a master's in history and become a licensed practical nurse. He would also convert to Tibetan Buddhism. Before his deployment to Haiti he had been treated for depression and at the time of the deployment he was taking the anti-depression drug, Prozac.

He chose his models carefully and worked hard to mold himself in their pattern. In his cubicle back at Fort Drum he kept pictures of three men he admired: General George Picard, a counterintelligence officer in the French army during the Dreyfus Affair who went to prison to protest Dreyfus's innocence,⁶ Colonel Count von Stauffenberg of the German army, who gave his life in an attempt to assassinate Hitler, and Chief Warrant Officer Hugh C. Thompson, the helicopter pilot who saw the My Lai massacre in progress, lowered his helicopter into the middle of it, and ordered his door gunner to train his machine gun on U.S. troops who were killing unarmed civilians.

Rockwood's Concern

Well before he left for Haiti, Rockwood was worried about human rights abuses there, and he focused on Haiti's prisons as the likeliest sites of torture, murder, and abuse. On 10 August he requested a special classified report from the C.I.A. about Haitian prisons, and later he would point out that the Civil-Military Operations Handbook for the 10th Mountain Division includes a checklist enumerating the information the division staff should obtain about each site where prisoners were confined, including "name, address, grid coordinate, telephone number, type of facility, maximum capacity, present capacity,

⁵ Quoted in Associated Press, 'Court-martial Looms for Officer Who Probed Haiti Rights Abuses', *Asheville Citizen-Times*, Asheville, NC, at 3A.

⁶ "In 1894 Captain Alfred Dreyfus (1859–1935), a French officer, was convicted of treason by court martial, sentenced to life imprisonment, and sent to Devil's Island. The case had arisen with the discovery in the German embassy of a handwritten list of secret French documents. The French army was at the time permeated with anti-Semitism, and suspicion fell on Dreyfus, an Alsatian Jew.... In 1898 it was learned that much of the evidence against Dreyfus had been forged by army intelligence officers." *The Concise Columbia Encyclopedia* (New York: Columbia University Press, 1983), p. 242.

number of guards, capacity of kitchens, name of warden, overall condition of facility and inmates".⁷

Rockwood was confirmed in his commitment to human rights in Haiti when he heard President Clinton say in his 15 September address to the nation that a primary objective of Operation Uphold Democracy was "to stop the brutal atrocities".⁸ He was proud to be part of the team when his unit began to deploy to Haiti on the 19th. He arrived in Haiti four days later.

The Background

For over a year, Captain Rockwood had watched the situation in Haiti unfold.⁹ As an Army counterintelligence officer stationed at the headquarters of the 10th Mountain Division in Fort Drum, New York, he had monitored the long play of threats and defiance pass between the Clinton administration and the Cedras regime.

Three years earlier, in September 1991, General Raoul Cedras had overthrown the only democratically elected government in Haiti's history when he drove Jean-Bertrand Aristide into exile only seven months into his term.

Two years after that, in October 1993, a noisy crowd encouraged by Cedras had blocked the docks in Port-au-Prince when the *U.S.S. Harlan County* with U.S. and Canadian troops, engineers and trainers aboard, had tried to land. Rather than face the prospect of even minor violence, the Clinton administration pulled back the *Harlan County*. They may have been unwilling to open a new front in the peace-keeping struggles, since the week before that, 18 U.S. soldiers had been killed by Mohammed Aideed's gunmen in Mogadishu. U.S. enthusiasm for nation-building was at a low point and the *Harlan County* steamed back to the United States.

⁷ Civil Military Operations Handbook of the 10th Mountain Division, Entry # 9, 'Law Enforcement Agency Checklist'. See also the Civil Affairs Operations manual of the U.S. Army (FM 41-10) at Chapter IX (Public Safety) under heading 'c'.

⁸ President Clinton's words: "Our reasons are clear: to stop the horrible atrocities; to affirm our determination that we keep our commitments and we expect others to keep their commitments to us; to avert the flow of thousands more refugees and to secure our borders; to preserve the stability of democracy in our hemisphere." *Foreign Policy Bulletin*, November/December 1994, p. 18.

⁹ Haiti is a mountainous country of about 11,000 square miles and 9,000,000 people, almost all of African descent. It trails every country in the western hemisphere in such measures of development as literacy, income per capita, doctors per thousand people and miles of roads. Eighty-five percent of the population are illiterate; 60 percent are unemployed or underemployed. Less than 40 percent of the urban population and less than 5 percent of the rural population have access to piped water. Infant mortality is over 110 per thousand (compared to 40 per thousand in the United States). Brian Weinstein, *Haiti: The Failure of Politics* (New York: Praeger, 1992), pp. 4-5.

Before 1790, Haiti was France's richest colony, accounting for almost half of France's foreign trade and producing 50 percent of the world's sugar and 40 percent of the world's coffee. A series of bloody revolutions in the next 20 years and a brutal but inefficient feudal system throughout the 19th century entrenched Haiti in misery. The country was occupied and governed by U.S. troops from 1915 to 1934. Since then, a succession of dictatorships has protected the interests of a wealthy, Europeanized elite at the expense of the mass of the population.

By spring of 1994, however, the Clinton administration was facing strong pressure to act. The Congressional Black Caucus had publicized torture and murder in Haiti; Randall Robinson of TransAfrica had begun a hunger strike in sympathy with the victims of the Cedras regime; Clinton's chief advisor on Haiti had resigned and been replaced by a former head of the Black Caucus; midterm elections were six months away and desperate Haitian refugees were appearing on the beaches of Florida.

In July 1994, President Clinton sent the 24th Marine Expeditionary Unit to float in the waters off Haiti and threaten imminent force, and in early September Clinton sent forces aboard the carriers *Eisenhower* and *America* to join them, but Cedras remained adamantly in power. On 15 September, Clinton at last said "there is no point in going any further with the present policy"¹⁰ and airborne Special Operations units boarded their planes at Fort Bragg. Rockwood monitored the cable traffic and CNN, expecting to see what the military calls a 'non-permissive entry'.

The paratroopers were already in the air when an emergency mission led by former President Jimmy Carter, Senator Sam Nunn, and General Colin Powell induced Cedras and his top circle to leave Haiti. U.S. troops led a multinational force into the country unopposed, but they entered a strange setting. Aristide was not scheduled to return to Haiti for another month. Until then, governance was to be shared by the U.S.-led, U.N.-sponsored forces and the remains of the Cedras regime which had proven itself corrupt, brutal, and frequently murderous. The prisons, for example, remained under local control.

Force Protection

"As I assumed my duties in Haiti on September 23 I was informed that 'force protection' was to be the focus of our efforts", Rockwood later reported.¹¹ This troubled Rockwood and others but seemed entirely appropriate to many members of the mission. Assuring 'force protection', avoiding 'combatant status' and resisting 'mission creep' were the lessons learned from the previous October's disaster in Somalia. Joint Task Force Commander Lieutenant General David C. Meade and his staff officers were determined that U.S. troops in Haiti would not cross 'the Mogadishu Line'.¹²

When troops landed on 19 September, their rules of engagement had required them to stand by or look the other way as thugs from the Cedras regime beat Aristide supporters who had gathered at the port to hail the Americans' arrival. The Americans were to use force only when they were themselves threatened with violence; Haitian-on-Haitian violence was not to be resisted. U.S. troops were to stay for the most part behind barbed wire and sand-bag emplacements and were forbidden to leave the barrack compounds

¹⁰ See *Foreign Policy Bulletin*, November / December 1994, p. 18.

¹¹ Interview with the author, 18 August 1999. Rockwood was not alone in that assessment. See also the testimony of Lieutenant Colonel Frank Bragg, Assistant Chief of Staff for intelligence, 10th Mountain Division and Director of Intelligence for the Multilateral Force in Haiti: "Question: Would it be fair to say that actually your whole priority was force protection at that time? Answer: It is fair to say that there was no doubt, that was my number one priority and I had every intelligence asset I could muster focused primarily on that one thing." Transcript of U.S. v. Rockwood, no. 261-29-6597 at 1372.

¹² On 'mission creep,' see Adam B. Siegel, *The Intervention of Haiti*, Professional Paper 539, August 1996, Center for Naval Analyses, p. 27.

unaccompanied. Most troops could move about only in convoys of at least two vehicles, with at least two persons in each vehicle.

Even though Meade's multinational force had arrived in overwhelming strength—20,000 troops plus heavy equipment¹³—there were many challenges to its authority. Besides the thugs on the docks who beat the pro-democracy demonstrators, there were a number of tense confrontations with unruly crowds. Violent incidents, however, were few. One U.S. soldier was shot by a Haitian he had arrested, and on 24 September, when a patrol of Marines were fired on in Cap-Haitien, they returned fire and 10 Haitians were killed.

Rockwood's Odyssey

Rockwood was convinced that Haitians, not Americans, were in the greatest danger. "The main content of the reports that reached me centered on human rights violations against Haitian slum residents rather than any threats directed against our forces", he later said.¹⁴ As soon as he arrived, Rockwood embarked on what he called "my week long odyssey... to awake interest of the commander and staff of the Multinational Forces in human rights violations".¹⁵

On the evening that he arrived in-country, 24 September, Rockwood called on Lieutenant Colonel Karl Warner, chief legal officer of the 10th Mountain Division and the man responsible for monitoring human rights violations. Since Colonel Warner was not in, Rockwood left a message requesting authorization to look into the National Penitentiary in Port-au-Prince, which he believed to be the site of atrocities.

The next morning Rockwood met with the command's chaplain to speak of the deteriorating human rights situation in Port-au-Prince slums and the particular problem of the prisons. Rockwood reports that the chaplain said he did not want to get involved in a 'political' problem.¹⁶ Rockwood remonstrated with him and later made a formal complaint regarding the chaplain's attitude in a letter to the head of the chaplaincy corps.

That same day, 25 September, Rockwood went to the staff Judge Advocate's office and asked for the Laws of War manual, the 1977 Protocol to the Geneva Convention or the report on the U.N. High Commission for Human Rights Conference held in Vienna in 1993. He was determined to prove that the Joint Task Force had an obligation under international law to protect human rights in Haiti. He was disappointed to find the only available reading material was an Army field manual compiled in 1954.

¹³ Of those 20,000 troops, about half were in logistical, communications, intelligence, or other support roles. The troops of the Joint Task Force were primarily concentrated in Port-au-Prince and housed in a converted industrial park on the edge of the city. Small units of special forces operated independently in the countryside.

¹⁴ Interview with the author, 18 August 1999.

¹⁵ Interview with the author, 18 August 1999.

¹⁶ "He said he didn't want to get involved in a political issue. He said he was concerned about morale.... It was the most categorical response that I got from any officer." Rockwood to Pinsky in a telephone interview. See Mark I. Pinsky, 'Changing Role of Armed Forces Complicates Military Clergy's Task,' *The Orlando Sentinel*, 1 December 1996 at G-1.

Rockwood's sense of urgency was heightened that day as he received the report from Belair jail mentioned above. Late in the day he took that report to his commanding officer, Lieutenant Colonel Frank Bragg, who had been "something of a mentor to Rockwood. Bragg was sympathetic, but said prison inspections weren't a realistic goal. He told Rockwood to focus on protecting U.S. forces, not Haitian civilians."¹⁷

Rockwood returned the next evening, 26 September, to the Judge Advocate's office to protest the lack of action on human rights violations. Rockwood's sense of desperation was growing, as he was convinced that the Cedras regime was using its last few days in control of the prisons to eliminate its enemies—political opponents who had been victims and witnesses to crimes of torture and murder.

On 27 September Rockwood called at the Civil-Military Operations Center hoping to spur a survey of the penitentiaries. He was told that the operations center was not collecting current information on the prisons because the Joint Task Force had no jurisdiction there. He offered the reports he had received on the Belair and Omega jails.

That evening he attempted to organize an intelligence team to visit several prisons but was told he would need a military police escort. The military police refused him an escort, saying their orders were to monitor Haitian police stations and police patrols but not prisons.

Rockwood argued to anyone who would listen that a primary principle of intelligence work is to protect your sources, and warned that the people he talked to during the day were disappearing—apparently being arrested or killed overnight. He needed to go to the prisons to see if they were there. He was told to be patient. It would be some time before troops could be spared for such missions. On the morning of the 29th a liaison officer from Special Operations Forces called on Rockwood to tell him that Rockwood's unit was to take no destabilizing action, and in particular that they were not to inspect a prison without full military support.

Convinced that innocent people were dying and feeling responsible for their fate, Rockwood grew desperate. Late on 29 September he went to the Inspector General and lodged a complaint alleging that the Joint Task Force command was failing to protect the human rights of people in the territory it occupied and controlled. He named eight officers in his chain of command and charged that they had subverted President Clinton's primary mission intent concerning human rights as announced in the 15 September address to the nation. Under 'Action Requested' he wrote: "Inform the commanding general as soon as possible of facts that may lend the appearance that the Joint Task Force is indifferent to probably ongoing human rights violations in the [Port-au-Prince] penitentiary."¹⁸ The Inspector General discouraged Rockwood from approaching the command's Chief of Staff on this matter, but he also told Rockwood that his complaint would not be brought to the attention of General Meade for at least a week.

¹⁷ Interview with the author, 18 August 1999. Quotation is from Meg Laughlin, 'The Rockwood File', *Miami Herald*, 1 October 1995, Tropic section, p. 8.

¹⁸ This series of events is described in Rockwood's testimony before Congressman Dan Burton's Subcommittee on the Western Hemisphere of the House Committee on International Relations. See United States House of Representatives, 104th Congress, First Session, *Human Rights Violations at the Port-au-Prince Penitentiary*, Hearings before the Subcommittee on the Western Hemisphere, Committee on International Relations, 3 May 1995.

Rockwood did not go to the Chief of Staff. Instead that evening he again confronted his commanding officer, Lieutenant Colonel Frank B. Bragg, and detailed his concerns. He reportedly compared General Meade to General Yamashita, the commander of Japanese forces in the Philippines in 1945.¹⁹ Yamashita was sentenced to death by a war crimes tribunal for his failure to protect American prisoners, even though he neither ordered nor knew of their execution by his soldiers. General Meade, Rockwood argued, had direct and specific knowledge of human rights abuses in the Haitian penitentiaries, and was doing nothing to stop them. Lieutenant Colonel Bragg had no sympathy with these arguments.

The Decision

Now, several hours after that confrontation, seven packed days after his arrival in-country, Rockwood got up off the floor in the barracks in Port-au-Prince. He knew what he would do next.

Captain Rockwood put on his battle-dress utilities, flak jacket, and helmet, took his rifle and set out to inspect the National Penitentiary on his own. On his bunk he left a note saying: "Take this flag. It is soiled in unnecessary blood. You cowards can court martial my dead body."

He jumped the wall of the barracks compound in order to avoid having to pass the guards at the gate. Standing orders required troops to travel in convoys of at least two vehicles with at least two soldiers in each vehicle.

Rockwood hitched a ride with a Haitian truck driver who took him to downtown Port-au-Prince. At the entry to the prison, Rockwood demanded to see the warden. At one point he blocked the door with his foot. Later he put a round in the chamber of his rifle.

Rockwood was admitted, the warden was brought, and Rockwood demanded to see a list of the prisoners and to inspect the premises. He also requested that the warden inform U.S. authorities of his presence there.²⁰

It was after midnight before Major Spencer Lane, USA, the U.S. military attaché in Port-au-Prince, arrived. Lane persuaded him to unchamber the round in his rifle and to accompany him back to the barracks compound. There Rockwood was given a psychiatric evaluation and found excited but normal. The next day he was flown back to Fort Drum, New York.

Biography

Stephen D. Wrage is an Associate Professor of Political Science at the U.S. Naval Academy. He earned his B.A. in Classics at Amherst College. In 1980 he became assistant dean of the School of Foreign Service at Georgetown University and wrote his dissertation—a study of human rights in American foreign policy—at Johns Hopkins under the direction of Dr. Robert Osgood. He has published scholarly articles on American foreign policy formulation and national security and has also written on ancient Greek politics, on Alcibiades and on the imperial policies of Caesar Augustus. In 1995 he spent a Fulbright year in Singapore and has written about that severely controlled society for the *Washington Post*, the *Los Angeles Times*, the *Asian Wall Street Journal*, and the *Atlantic Monthly*.

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