



# Regime **Change** It's Been Done Before

Edited by  
**Roger Gough**

Foreword by  
**Douglas Hurd**

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# Foreword

Douglas Hurd

Regime change is a new and ugly name for an ancient process – the toppling of a ruler because he has become repellent or dangerous either to his own people or to their neighbours or to both. The lucky rulers end in exile, the unlucky as mangled corpses like Mussolini; in either case busts are smashed and statues overthrown.

But in a world of almost two hundred nation-states with a wide variety of ruling systems all kinds of questions quickly gather round the concept of regime change. It is particularly good to have this book from Policy Exchange as we tackle the consequences of the regime change which we have ourselves contrived in Iraq. The first question is “*who says?*” We would like to believe that some moral standard is at work so that the fallen rulers are the wicked rulers. Perhaps that is usually true though we have to remember that both Hitler and Stalin carried out plenty of regime change in their time. Certainly no standard is universally applied. On the same day last month the press reported the discovery of two mass graves, one in

Iraq the other in Chechnya. Those who perpetrated the crimes in Iraq may well be brought to justice; the killers in Chechnya are almost certain to go free.

Two different concepts come into collision here. Most of the nation-states in the world are new. When I worked as a young diplomat at the UN in the 1950s the new states, recently emerging from colonial rule, were most emphatic against any outside interference with their rulers, good or bad. We all knew by heart Article 2 paragraph 7 which rules out intervention in the internal affairs of a member state. This attitude is still strong today. We can see it for example in the reluctance of South Africa and other African nations to join in any general condemnation of President Mugabe's evil regime in Zimbabwe. The recent history of these states makes it difficult for them to accept the concept of regime change forced on a black ruler, however bad, at the suggestion of white governments and white public opinion. On the other hand in the last twenty years we have seen the rapid growth of the doctrine of humanitarian intervention. This may not directly aim at regime change but if successful can achieve it. We did not send troops to Bosnia or bomb Kosovo with the specific aim of getting rid of Milosevic, but this was the side effect which we greatly welcomed. We did not attack Afghanistan in order to change the Taliban regime, but that regime held to their protection of Al Qaeda and their fall became inevitable. Similarly once Saddam Hussein had thrown away his last chance, our ambition of ridding Iraq of weapons of mass destruction had to involve regime change.

Regime change is simplest when accomplished by the people who are ruled. The less blood they spill in the process the more likely is the new regime to put down roots quickly and achieve a reasonable

stability. This is why the velvet revolution in Czechoslovakia and the transfer of power in South Africa are models of the process. Regime changes are bound to be more questionable when accomplished by invading foreign troops. In theory the Security Council of the United Nations could authorise such invasion but, being itself a gathering of national governments, will always be most reluctant to do so. An international criminal court will only in practice prosecute rulers once they have fallen.

It is not therefore cynical to argue that the real test of regime change is not justification in advance but success afterwards. If a new regime can establish itself and provide a better form of government than existed before, then the overthrow of the previous ruler is likely to stay justified in the eyes of history.

Iraq will not be the last place in which these concepts are tested. The more they are examined and debated, as in this book, the less likely we are to be surprised when the next actual example comes along.

May 2003



# **Introduction:**

## The cost of ambition

Roger Gough

*The United States and our allies will help the Iraqi people rebuild their economy, and create the institutions of liberty in a unified Iraq at peace with its neighbours.*

President George W. Bush, speech in Cincinnati, Ohio, 7 October 2002.

*A long-term foreign presence in a country can be unnatural.*

Defense Secretary Donald Rumsfeld: speech, 'Beyond Nation-building',  
New York City, 14 February 2003.

Saddam Hussein has fallen, and his regime with him. US-led coalition forces have taken Baghdad. As attention moves away from the military campaign, new questions arise. What does true regime change mean? Can democracy really be exported? Or do security, and the need for a functioning and durable administration, demand



compromise? And what do cases of regime change past, including those examined in this collection of commissioned essays, tell us about cases of regime change future?

This book grew out of a Policy Exchange round-table held in early March 2003. We were lucky enough to assemble a group of experts at our London office to begin discussing the historical experience of regime change. Misha Glenny (on the Balkans), Steve Heder (on Cambodia), and Michael Griffin (on Afghanistan) gave brief accounts of how regime change worked (or failed to work) in their region. A major theme of the subsequent discussion was that insufficient weight is given to past experiences of regime change – and the policies that follow it. This collection is the result of that sentiment, and represents the collective efforts of an international group of contributors in April and May 2003.

### **No small change accepted**

Taken by itself, regime change quite simply means what it says – a sharp break with the personnel, structures and policies of the political system that has been removed. Recently, however, the term has become a shorthand for change of this kind brought about by the threat or reality of external intervention – even though many of the most dramatic changes of regime over the last decade and a half (the former Soviet bloc, South Africa) have been brought about by internal forces.

At the level of President Bush's rhetoric, regime change is not only externally induced – it implies a further transformation, that of democratisation.

This linking of regime change with democratisation is a relatively recent development. During the Cold War, interventions promoting

changes of regime were often indirect, working through support of local coups, such as the removal of Iran's President Mossadeq in 1953 and that of Chile's President Allende twenty years later. The focus of such interventions was the protection of a perceived strategic interest, not the promotion or protection of democracy. (The same could be said of more direct interventions, such as the despatch of US troops to Guatemala in 1954 and to the Dominican Republic in 1966).

In the last fifteen years, however, with the end of the global strategic competition of the Cold War, the picture has changed. With the 'third wave' of democratisation, the norm has become for governments to be democratic, or at least to be taking steps in that direction. According to Freedom House, some 89 of the world's 192 countries can be counted as 'Free' and a further 55 as 'Partly Free', a dramatic advance over the last thirty years.<sup>1</sup> Increasingly, the burden is not on those who would justify democratisation, but on those who oppose it. Other forces have been pushing in the same direction: an ideological emphasis on democracy and human rights, and the increasing interest of donor agencies in 'good government' in recipient countries.

This philosophy is not so much new as a recent revival of some older ideas. In many ways, it is a reversion – after the Cold War's pressures towards *realpolitik* – to the early post-war period, with its UN Charter, the legal innovations of the war crimes trials and the democratic restructuring of Germany and Japan. It has already been at least the ostensible justification for two, relatively small, regime change experiments: in Panama (by the first President Bush) and in Haiti.

However, as Lord Hurd points out in his Foreword, regime change has usually come about as a by-product of other pressures for inter-

vention. Humanitarian intervention has been a major factor, notably in the Balkans, but other motives have included response to terrorist attack (as in Afghanistan) and the domestic political pressures brought about by an influx of refugees (the 1994 US occupation of Haiti). And if regime change was something that ‘fell out’ of an intervention undertaken for other reasons, the same is true of the processes of democratisation and nation-building. However, once the interventions were undertaken, these have come to be viewed as the only acceptable outcomes.

In Iraq, the rhetoric of democratisation and of regime change have come together on the most ambitious scale yet, and under a US administration that has its own distinctive view of these concepts.

### **Old debates reborn**

Much of the democratisation ethos seemed to fit with the multilateralist mood prevalent in the 1990s. The Bush administration, by contrast, stands for a muscular and sometimes unilateral assertion of American power – yet it too has made the rhetoric of democratisation its own. In the eyes of the ‘democratic imperialists’, neo-conservatives who see Iraq as the springboard for a democratisation of the entire Middle East, American power should be used in the service not only of American interests but of American (or rather Western) values. In fact, the democratic imperialists argue, the one entails the other; it is the spread of democracy that will make America and its allies secure.

Yet this is not the only view held within the administration – and, as some of our case studies show, we can hear in this the echo of older debates. The alternative view is that of the ‘assertive national-

ists' who support the use of American military power to oust threats such as Saddam Hussein, but have little appetite for committing the United States to the (perhaps impossible) task of remaking the world in its image. Their ranks include isolationists, and cautious realists who savour the success of the Iraq campaign but fear the US and other coalition members overstaying their welcome.

According to Ivo Daalder and James Lindsay of the Brookings Institute (who coined these terms), the assertive nationalists won out in Afghanistan. Interestingly, Defense Secretary Rumsfeld has both been critical of what he sees as the excesses of nation-building and supportive of Afghanistan as a precedent. "The goal would not be to impose an American style template on Iraq, but rather to create conditions where Iraqis can form a government in their own unique way just as the Afghans did with the Loya Jirga which produced a representative government that is uniquely Afghan."<sup>2</sup>

To some extent, the Defense Secretary is arguing an understandable departmental point of view with some history behind it – for example, the US Army was keen not to be lumbered with large-scale administrative responsibilities in post-war Germany. And he is still publicly arguing for a *representative* Iraqi government. Nonetheless, there is – as the historical record shows – a deep and severe tension between the desire for a quick exit and the building of a sustainable democracy.

## **The regime change record**

So, what can the historical record teach us? In examining each case study, contributors were asked to look at the 'regime change record' to assess the success – or failure – of the process:

- How successfully and unequivocally did the process remove the senior leadership of the old regime?
- What kind of qualitative change was brought about within the original support structure (senior bureaucracy, armed forces, judiciary)?
- Was there an effort to deal with the social, political and economic remnants of the past? (Efforts ranging from Nuremberg-style trials to South Africa's Truth and Reconciliation Commission).
- Did a new elite structure emerge and how did this marry with the objectives of the initial regime change?
- Did the process effect a change and dispersion of economic power?
- Was there a measurable growth in civil society?
- Did the process establish free and fair elections/ a new constitution/ an independent and effective system of governance?

The results of this are shown in the Appendix.

### **Eight case studies**

Highly diverse as our case studies were, certain themes have tended to recur, if not always in precisely the same way. A critical issue was the degree to which those intervening were able to show staying power, a commitment to seeing the process of change through. Pressures against this could be found either within the region in which regime change had taken place, or could result from divisions among the intervening policy-makers (or both). These pressures could exacerbate a perennial dilemma, that of the trade-off between security and reform. They could also increase the reliance of the

intervening powers on local elites, whether those representing the old regime or those who, while perhaps welcoming change, did not necessarily share the intervening forces' objectives.

Three of our case studies – post-war Germany and Japan, and South Africa after 1990 – stand out as success stories. It is striking, however, that the first two involved massive and sustained commitment in the aftermath of a world war, while the third was a largely internal process of change.

President Bush's references to the hopeful precedents of post-war Germany and Japan have been widely criticised, with specialists pointing to major differences in conditions between these cases and that of Iraq. Yet these are perhaps the only two very large-scale, completed cases that we have, and even their distinctive features – their differences from Iraq, or from other contemporary crises – are illuminating.

In both countries, initial conditions were in many ways favourable, particularly with respect to security. The occupations were legitimate in the eyes of the countries' neighbours. They faced no significant internal or external challenge, with the exception of that of the Soviet Union – which if anything drove much of domestic (especially elite) opinion into closer alliance with the occupiers. There were no major ethnic divisions to overcome. In addition, both countries – Germany in particular – had achieved significant levels of economic development, and had experience of representative institutions.

It is striking that even in these cases, successful reform required a massive commitment of effort, lasting some seven to ten years, and of financial aid. In addition, the occupiers were frustrated in some areas. Reform of the bureaucracy proved particularly intractable.

Reliance on at least some elements of the old elites proved unavoidable, especially as security considerations – the desire to recruit allies against communism – became more important. Much of the purge undertaken in Japan was speedily reversed, and in Germany de-nazification was a problematic process, riddled with anomalies. Yet even if this disappointed the hopes of some more radical reformers, the changes already made in the first years of the occupation meant that even heavily compromised individuals were operating within a new political system.

While the growing salience of new security concerns dampened reform in some ways, the resolution of past issues was stabilising for the new political systems. With its military destroyed as an independent political factor, Japan was integrated into the US global system of alliances. Much the same could be said of Germany, but this also meant a much closer relationship with her neighbours and former enemies. The growth of Franco-German co-operation defused security concerns that had both contributed to earlier wars and had helped undermine Germany's earlier experiment with democracy. These foreign policy alignments raised controversies in both countries, but the overall effects were benign.

The most hopeful of our more recent, post-Cold War case studies is that of South Africa. As Antoinette Handley points out, this regime change process was overwhelmingly an internal one – and in many ways the healthier for that. Outside actors were sometimes able to play an important facilitating or stabilising role, but the initiative was always with various internal groups. Nonetheless, this predominantly internal model of change is suggestive of some factors that will determine the success or failure of more externally induced transformations.

The absence of an external security threat was a critical factor. Firstly, the collapse of communism made the ANC less threatening to whites, and therefore gave a basis for negotiation. Secondly, given South Africa's role as the dominant player in the region, there was no real threat from outside during or after the transition. This left the way clear for what was, in effect, a deal between elites – a new black political elite replaced a white one while reaching accommodation with a predominantly white business elite (with a small black element brought into economic life). The shared interest of these groups, and their commitment to the process of generally peaceful change meant that, despite significant bloodshed, violence was contained and the transition kept on course.

This process of accommodation – generally successful, but with some concomitant price – was seen in other areas. A deal to protect the existing bureaucracy further helped stability, but at some price in terms of policy effectiveness. When it came to dealing with the crimes of the past, the now famous Truth and Reconciliation Commission (TRC) also reflected the gradual, bargaining-based nature of the regime change. While in many ways successful in balancing different objectives, it had its inevitable shortcomings: the process of taking testimony from victims proved much more effective than that of securing testimony from perpetrators.

If these are the anatomies of clear successes, what of the failures? Steve Heder's account of Cambodia in the nineties is a melancholy story of regime *non*-change. The commitment of an outside force – here UNTAC, the UN mission in Cambodia – to achieving change was limited by the nature of its mandate and the political will of the governments that it represented. UNTAC's unwillingness to go beyond its peace-keeping mandate made it ineffectual in the face of



the most powerful group willing to use violence, the existing State of Cambodia, led by Hun Sen.

In such circumstances, security concerns trumped efforts at reform. Because it was unable to enforce disarmament on a still-more feared group, the Khmer Rouge, UNTAC found itself reliant on local forces, notably those of the State of Cambodia. This dependence went to the extent that UNTAC was effectively propping up the regime and paying the salaries of an apparatus that was then used to thwart democratic regime change.

With this dependence on a regime that is itself prepared to use violence to stay in power, an intervening force is in a weak position unless it is willing to risk a confrontation with the regime. This was not the case in Cambodia. The process – being able to hold an election – became the international community's mark of success, while the ultimate objective (that the voters' wishes were respected, and that a long-term democratic structure was built) was lost along the way. Hun Sen managed to stay in power against the wishes of both domestic opinion and of the international community, and to coerce a relatively weak domestic civil society. There was no regime change.

The 1994 US intervention in Haiti – which, James Morrell reminds us, was a *second* US occupation, with the first (1915-34) providing many points of comparison – might have seemed a promising blueprint for externally induced regime change. US forces invaded to restore a democratically elected president to power, and to remove an oppressive military regime. Instead, Haiti after 1994 serves as a particularly dramatic example of the damage caused by lack of follow through following an intervention. Given the deep problems of Haiti's political culture and its economic backwardness,

such sustained commitment was doubly necessary. Yet there were also resources available, such as a pool of qualified emigres, that could have improved the situation. This makes the ultimate failure of the 1994 intervention all the more depressing.

In this case, the most significant forces working against a sustained commitment to Haiti were to be found within the US political process. The Clinton administration had examined a serious process of nation-building and political change in 1993, but buckled under a series of pressures, including the unnerving effect of casualties in Somalia. The ultimate intervention, a year later, was driven by a growing Haitian refugee crisis, and its effectiveness undercut by partisan pressures. These came both from the Republicans – hostile both to Clinton and to nation-building interventions – and from Democrats – notably groups within the Black Caucus who favoured a simple restoration of President Aristide over more comprehensive reform.

Because of these pressures, policy focused on short-term, symbolic objectives – the restoration of the president, and a reduced Haitian refugee count – rather than long-term institution-building. Given the weakness of institutions and of civil society in Haiti, there was a vacuum that could have been filled by the occupiers. In the absence of this, power returned to its traditional sources, highly personal politics and an over-mighty presidency. Furthermore, the failure to develop successful governance resulted in the squandering of some \$3 billion in aid, a sobering reminder of the likely fate of such programmes in the absence of sustained and successful institution-building.

In both cases, then, the policy failures were characterised by a failure of will and commitment; in one case, reflecting lack of a military mandate, in the other lack of sustained action after inter-

vention. However, our three final case studies are of works still in progress. In all three cases, they saw a decisive military intervention – by an Australian-led force in East Timor, by NATO in the Balkans, by the US-led coalition in Afghanistan. In all three cases, this has been followed up by international involvement (chiefly overseen by the UN), seeking to work with local political leadership. There are also, however, significant differences, with the highly interventionist UN mission in Kosovo contrasting with a much more limited approach in Afghanistan.

Andrew Renton-Green gives a cautiously optimistic assessment of newly independent East Timor. This is regime change as de-colonisation, with the UN overseeing free elections and assisting the building of the new state. The collaborative nature of this involvement may in some ways make it politically easier. Important steps have been taken to improve state capacity. A new leadership group – based around the dominant political movement FRETILIN – has taken control, and security is now transformed from the days of militia violence.

Nonetheless, there are a number of questions that require long-term commitment. The weakness in domestic capacity for governance has meant that old colonial era elites have emerged as a significant force. With this have gone a patronage culture and a weak civil society – both probably with roots in the colonial and Indonesian eras – that have proved hard to eradicate. While there has been some success in introducing certain programmes (such as public expenditure monitoring and anti-poverty strategies), improvements in the underlying quality of governance are proving harder to achieve. This is an area for which international organisations could have prepared better.

There are also question marks over security and economic issues. A potentially negative consequence of the need to improve security has been the influence on the new armed forces of veterans from FRETILIN and its former armed wing FALANTIL. The economy is a long way from having a strong and diversified base, rather than relying on international aid now, and on expected oil and gas income in the future. Thus, while the achievements of East Timor and its international sponsors are significant, the road to being a truly independent and democratic nation-state will be a long one. How effective international organisations can be in aiding this – and how they might deal with any shortcomings on East Timor’s part – remains untested.

Petar Doric and Kristie Evenson show how the Balkans will provide another test of the international community’s staying power. The formal elements of regime change have taken place across the region, though the forms taken have varied – ranging from electoral transitions in Croatia and in Serbia and Montenegro to heavy international intervention in Kosovo and in Bosnia and Herzegovina. However, the process from leadership change to comprehensive reform has still to be followed through. Those who benefited from the war – and continue to benefit from stirring up conflict – are hard to displace.

The region shares common problems and a common political pathology, rooted in the experience of the war and transition from the former Yugoslavia. It is perhaps most evident in the areas that underwent the deepest collapse, Bosnia and Herzegovina and Kosovo, but it is to be found across the region. It is characterised by the entrenchment of organised crime in the state apparatus and in business – linked, from the war era, to militant nationalism. This is what is proving so hard to eradicate.

Slow progress on security parallels that on reform. International players have achieved a level of stability in the region, and the prospect of EU membership is a potential – if somewhat remote – force for change. However, the international community's effectiveness is limited by a lack of a clear view on key issues and poor (though improving) co-ordination. A result of this is that some security issues are frozen rather than resolved, and their continuation reinforces the militant and criminal elements.

The overall picture of international involvement in the Balkans is a mixture of hope and pessimism. Optimistically, continuing international involvement and the prospect of EU membership could encourage reform in Croatia and Serbia, which in turn could have a positive effect on the region, enabling the intractable problems, such as those of Bosnia and Herzegovina and of Kosovo, to be overcome. The more negative possibility is that the continuing evasion of the hard security issues in turn undermines reform, that there is a loss of interest and lack of follow through by the international community, and that local reformers also (and partly as a result) fail to deliver.

Afghanistan, described by Alexander Evans, is a clear-cut example of externally induced regime change. Nonetheless, an interim report yields somewhat ambiguous results. On the positive side, there has been a clear improvement since the days of the Taliban. This is perhaps clearest in Kabul, where security and the central government's authority is guaranteed by the international force ISAF, but there are also the more general benefits of re-engagement with the world and an inflow (albeit somewhat patchy) of foreign aid. However, warlord power remains dominant in much of the country, progress towards building a national army has been slow and poppy production has risen dramatically.

The critical factors have been the security situation and the objectives of the main intervening power, the US. In the aftermath of the attacks of 11 September, 2001, the US priority was to remove a state that had given support and shelter to Al Qaeda, and to sustain a presence in that state for hunting down the terrorists and their backers. In doing this, alliances with various warlords were critical; and, while the US has been the biggest giver of aid to Afghanistan, it has shown little enthusiasm for full-scale nation-building. Progress towards building a central state strong enough (paradoxically) to bring real freedom and democracy, and the infrastructure and armed forces needed to support it, has been slow.

The real test of the process will come with the proposed elections scheduled for 2004 – not only whether the elections take place, but the degree to which they are truly free and fair across the country. For the present, developments in Afghanistan point up very precisely the dichotomy between security and reform. The warlords were not only important allies in bringing about regime change, but remain so for the purposes of preventing a Taliban resurgence; there is therefore little incentive to take them on. If to this is added caution about the scale of external commitment – for example, ISAF forces being confined to Kabul – then large-scale political and social change looks likely to happen very gradually indeed, if at all.

### **A model for Iraq?**

US policy in Iraq continues to evolve. The clearest feature so far is a planned three-stage process. Civilian authority is at present held by the US Office of Reconstruction and Humanitarian Assistance (OHRA). It is intended that within the coming weeks significant

power will be passed to an Iraqi Interim Authority (IIA); conferences of local and formerly exiled leaders are being held to agree the process, though the details remain fluid. Eventually, within two years, a constituent assembly will establish a new political system.

Defense Secretary Rumsfeld has frequently cited Afghanistan as a desirable precedent for Iraq, representing a sensibly limited model of intervention. Clearly, the three-stage process bears a strong resemblance to the path taken so far in Afghanistan. There are also, however, differences in both the military and international political context.

In Afghanistan, perhaps the major constraint on external players has grown out of the initial strategy to use coalition military power in a relatively surgical way and to use of alliances with local warlords to help overthrow the Taliban. Any attempt to achieve full, centralised control of the country would require abandonment of this strategy and a much bigger military commitment. It is this that may explain the Defense Secretary's disparagement of nation-building – in the same speech, he was supportive of some initiatives that might normally be considered under this label, such as training up Afghan police and army units. But there is a clear desire not to get too involved in the country's politics.

Iraq is different, yet similar. Although military strategy bore strong similarities to that in Afghanistan, the coalition has much more complete control of the country. There is, however, a tension in US objectives. US forces have already had to confront a degree of civil unrest, and there is a desire for them not to outstay their welcome in a country in which they may be viewed as occupiers as much as liberators. At the same time – especially with the US ending of its military presence in Saudi Arabia – there is a wish to shape the

future of Iraq. US exploration of a role for a NATO-led international force (with NATO's prospective leadership of the ISAF force in Afghanistan a possible model) could reflect a convergence of interests between the Pentagon, with its desire to avoid a long-term commitment, and the State Department's search for a more multi-lateral solution to Iraq's future.

The other major difference between Iraq and Afghanistan is, of course, the international political context. The disputes in the Security Council in February and March have resulted in the US so far showing little interest in UN supervision of Iraq's political development (as opposed to its inevitable involvement in humanitarian issues). And, indeed, the absence of Security Council consensus has left the UN chary of what under-secretary general Shashi Tharoor, has called the "poisoned chalice" of Iraq.<sup>3</sup> At the same time, the US's interest in NATO's involvement would seem to require a degree of international consensus on Iraq's future. Current proposals for the occupying powers to constitute an 'Authority', working with the IIA and with a UN special co-ordinator focusing on humanitarian and reconstruction issues, may represent a step in this direction. The extent to which Iraqis will be supervised in their political reconstruction – and if so, by whom – remains very open.

In the meantime, the facts on the ground are raising many characteristic issues of regime change. Efforts to get civilian administration working have had to deal with those who seek to take power amid the general disorder (such as Mohamed Mohsen al-Zubaidi, the self-appointed Mayor of Baghdad linked to exile groups, who was eventually arrested by US forces), with long-suppressed social forces re-emerging (notably among the Shia) and with the question of the role of those who served the former Baathist



regime. Controversy has already arisen over the appointments of party members to ministry positions and provincial governorships. In the words of Jay Garner, then head of OHRA, "... most of the people that worked in running the country were part of the party. ... You bring everybody back, and you can sort out who was good and who was bad. It takes time."<sup>4</sup> It is a familiar dilemma.

### **Conclusions: the cost of ambition, the price of caution**

What, then, do our eight case studies suggest are the conditions that should enable regime change to be followed by successful democratisation? Certain preconditions – a relatively advanced society, some experience of representative institutions, absence of internal ethnic divisions – are undoubtedly very helpful. They have also been absent in varying degrees in a whole number of recent external interventions – not only in Iraq, but in Afghanistan, the Balkans and East Timor as well. However, taking both the intervention and existing conditions in the country or region as a given, what approaches might yield success?

- The most striking conclusion is a very simple one: the scale of commitment that any large-scale transformation will require. The examples of Germany and Japan are as sobering as they are encouraging, since they show how large a commitment was required even in countries with relatively favourable pre-conditions for democratic transformation.
- At the opposite end of the spectrum, Haiti and Cambodia show the problems of a commitment restricted either by lack of consensus in the intervening power (the case of Haiti) or by a

limited mandate that left intervening forces powerless in the face of a violent domestic player determined to resist regime change (UNTAC in Cambodia).

- The more recent interventions covered in our case studies have come somewhere between these two extremes. They have involved both more robust military mandates and a longer-term commitment to institution-building. At the same time, they are rather less dominating and *dirigiste* than the post-war US involvement in Germany and Japan – though the international mission in Kosovo arguably comes somewhat closer. In any case, with the partial exception of East Timor, it is too early to proclaim success or failure in these cases.
- Rapid elections are unlikely to provide a solution in the absence of sustained work on institutional transformation. This is especially the case when there is no immediately credible democratic political leadership (Germany did have such leaders, and even here democracy was built from the bottom up). In Haiti, relatively free elections in 1995 were nonetheless followed by a reversion to the traditional centre of political power, an unrestrained presidency, corrupting the political and governmental process.
- Successful de-militarisation is of course highly dependent on resolving security issues; it has nonetheless in our case studies proved considerably easier to achieve than reform of other arms of the state such as the bureaucracy. Even in the sustained and highly interventionist occupations of Germany and Japan, policy in this area proved ineffectual. In these cases, however, the bureaucracy was at least efficient and fairly independent of vested interests. Where the state machine has been penetrated by private

and criminal interests, such as the Balkans, the problem is far more intractable.

- There is often a trade-off between security and reform; and the less the external power's degree of control, the sharper these dilemmas will be. The need to combat an internal threat (such as the Khmer Rouge in Cambodia, or the re-grouping Taliban in Afghanistan) can produce reliance on local forces whose objectives are very different from those of the intervening forces. In Cambodia, it was Hun Sen; in Afghanistan, some of the warlords.
- There will be pressures to fall back on at least some elements of the old regime. At the very least, there will be a need to keep public administration going; in addition, security concerns may lead to a de facto alliance against a new common enemy. This was the case with respect to communism in Germany and Japan. However, these examples suggest that the consequences of such a partial accommodation are not disastrous so long as the rules of the political game have been decisively changed (notably by the destruction of the Nazi Party in Germany, and by the removal of the military as a political player in Japan). Many whose records were highly questionable under the previous regimes went on to serve the post-war democracies.
- This in turn raises the difficult question of how to confront the past. Too dramatic a purge can make effective administration impossible; yet widespread and visible rehabilitation of those associated with the old regime can produce – sometimes with a lag, as in Germany – alienation and conflict. The experience of post-war de-nazification suggests that this process should be speedy and focus on higher levels of responsibility; an alternative, exhaustive approach risks running out of steam before more

serious and complex cases are properly dealt with. For the wider question of confronting the past – as opposed to punishing the most senior instigators of abuses – approaches modelled on the South African TRC have gained ground.

- If internal security issues raise dilemmas for reform, so do those of external security. There was a relative absence of these concerns in early post-war Japan and (to a lesser extent) Germany prior to the onset of the Cold War. The early period of the occupations was given a further breathing space by the fact that they were seen as legitimate by the countries' neighbours. This period coincided with the most radical reform initiatives; these were blunted somewhat by the priority given to anti-communism.
- Getting external relationships right can also help stabilise a new democracy, giving domestic elites an incentive to co-operate with the intervening powers. Japan's incorporation into the US security system had this effect. The same can be said for post-war Germany, with the additional element of a new, co-operative relationship with its neighbours and former adversaries. The Balkans is now poised between conflicting forces. The eventual prospect of EU membership, offering access to the prosperity and stability of modern Europe, provides an incentive for reform. Yet so long as the region's own security issues remain unresolved, the elements most likely to undermine a democratic order are reinforced.

This long list of rather complex lessons makes any planned movement from regime change to democratisation a daunting one. Indeed, the most pessimistic conclusions from the past – such as the aftermath to the first US occupation of Haiti from 1915 to 1934 – suggest that, even with a long-term and sustained commitment,

outsiders may not be able to resolve the deeper pathologies of some societies. Even on a slightly less pessimistic view, the success of current efforts at state-building remains uncertain. In some cases, a second-best solution – a state that is far from ideal or democratic, but simply an improvement on its predecessor – may be the best that can be hoped for. Yet a cautious policy also has its costs; the second-best solution may not emerge, and one of the lessons of the last decade is that failed states can have an impact far beyond their borders. The dilemmas of regime change and democratisation are set to continue, and we hope that these essays will be a contribution to that debate.

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- 1 See 'Liberty's Expansion in a Turbulent World', *Freedom in the World 2003*, Freedom House. <http://www.freedomhouse.org/research/freeworld/2002/webessay2003.pdf>
  - 2 Rumsfeld, 'Beyond Nation-building'.
  - 3 *Financial Times*, 9 April 2003.
  - 4 Jay Garner, 7 May 2003, quoted in Associated Press report, 'Formation of Iraq Government Faces Obstacles'.

# 1. West Germany (1945–55)

## From Zero Hour to regime change model

Roger Gough

*We are looking for an explanation of the German miracle. Only yesterday an outcast among the nations, eternal troublemaker, never to be trusted, Germany is today the eagerly sought ally of the Western world, next to Great Britain apparently the most stable of the European states.*

Otto Kirchheimer<sup>1</sup>

That was in 1954, just nine years after *Stunde Null* – Zero Hour, the utter devastation and humiliating defeat of a great European country. The speed with which a prosperous, democratic West Germany rose from the destruction did indeed seem miraculous. Perhaps even more than Japan, Germany after 1945 is *the* example of successful regime change.

Yet initial priorities were very different, and attitudes were

punitive. Democratisation of Germany was certainly envisaged, but as part of rooting out a deeply embedded evil. In the words of the US policy document JCS 1067, issued in April 1945, "... the Germans cannot escape responsibility for what they have brought upon themselves. Germany will not be occupied for the purpose of liberation but as a defeated enemy nation."<sup>2</sup>

Germany's evolution after 1945 closely parallels that of Japan, discussed in the next chapter. In both cases, allied policymakers focused initially on radical reform, seeking to eradicate the previous aggressive regime, to extract reparations and to build a more open, competitive economic system. Then, with the onset of the Cold War, priorities shifted to economic recovery and the development of a security ally. The change was summarised by Dean Acheson, then US Under-Secretary of State, as "the reconstruction of those two great workshops of Europe and Asia – Germany and Japan – upon which the ultimate recovery of the two continents so largely depends."<sup>3</sup> In that context, some of the old elites made a comeback. They did so, however, within a much-changed political and economic system.

That said, the process was not identical in the two countries, nor were the outcomes. Before describing what happened in Germany in the decade after 1945, it is important to examine the distinctive underlying features of the occupation and of the country.

## **Features of post-war Germany**

Unlike either Japan or Italy, Germany in 1945 ceased to have a unified central government. The country was divided into four zones: Soviet (the area later to become East Germany), British (the

North-West and the industrial Ruhr valley), American (the South and much of the Centre) and French (the smallest of the four, concentrated in the South-West).

Since the emergence of East Germany is unlikely to be viewed as a desirable model for regime change, our comments focus on developments in the three zones that, by 1949, had come together as West Germany.<sup>4</sup> In practice, there was – from 1947 on – increasing co-operation between them, especially between the American and British zones.

An important effect of this structure was that democracy was built from the bottom up. This also reflected the weak financial position of the British, and the US War Department's sense that budget burdens and unwanted responsibilities had been forced on it.<sup>5</sup> Both were therefore keen to pass as much responsibility as they could to local leaders. The leading US military figure during the occupation, General Lucius Clay, gave a further justification for the policy: "If the Germans are to learn democracy, I think the best way is to start off quickly at the bottom."<sup>6</sup>

Paradoxically, although Japan had a central government throughout its occupation and Germany did not, it was in the latter that the approach of the Allies to local political leaders was rather more collaborative. Clay, referring to a form of question time that he undertook in meetings with regional (*Land*) Parliaments, said that "these meetings ... created the give and take between occupier and occupied."<sup>7</sup> In Japan, the imperious General MacArthur never submitted himself to such indignities.

In both Germany and Japan, an initial focus on reparation only gradually gave way to one of recovery and reconstruction. In Germany, however, there was the further complication of the



fruitless search for agreement between the Western Allies and the Soviet Union. Many initiatives (for example, currency reform) were delayed by one to two years before the logic of the Cold War made the construction of a new West German state the main policy priority.

In a number of ways, Germany at *Stunde Null* had favourable conditions for democratic regime change. The country had high levels of skills, a strong and relatively undamaged industrial base<sup>8</sup> and experience of democracy from the Weimar period (and of representative institutions from well before that). A number of the political leaders of the early post-war period – from the Christian Democrat Chancellor Konrad Adenauer and his Social Democrat rival Kurt Schumacher down – had both experience from Weimar and good anti-Nazi credentials.

The fallen Nazi regime was widely discredited by defeat. Additionally, social change under the Nazis, the impact of total war and the loss of the eastern territories with their great estates had produced a more levelled, ‘modern’ society. Some of the more conservative social forces that had bedevilled the Weimar Republic were now gone; in the words of one commentator, the new political parties stepped into “an empty ‘house of power.’”<sup>9</sup>

However, other circumstances in 1945 were much less favourable. In addition to the general devastation of homes and infrastructure, there was a constant inflow of dispossessed refugees from the east; with their sense of grievance, they were potential recruits for extremist parties. Above all, international issues remained potentially destabilising. After three wars in seventy years, France would seek guarantees of its own security, but the most obvious means of doing so – a degree of control over the Ruhr and the Saar – could all

too obviously result in further grievances for an already divided Germany.

## Political change

Allied policy focused initially on a reckoning with the fallen Nazi regime; the construction of a new state would come later.

- *Purging the past: the trials.* On American insistence, the Allies organised trials of leading figures of the Third Reich. The most famous of these was the 1945-46 trial of twenty-one leading Nazis in Nuremberg, which ended with eleven death sentences being handed down. In other trials by Allied military courts, some 5,000 people were found guilty of Nazi crimes and 486 were executed. Others were extradited to face trial, and in some cases execution, in the countries in which crimes had been committed. Trials also took place in German courts, covering several thousand cases, though some of them were relatively minor; some of the most dramatic cases did not take place until the sixties.
- *Purging the past: de-nazification.* The Allies – most notably the Americans – made a major effort to eliminate Nazi influence. JCS 1067 indicated that the purge would be based on positions held, down to relatively junior levels. In Bavaria, for example, 100,000 officials were dismissed. The policy could not be sustained: “the result, by late 1945, was the wholesale depopulation of all administrative offices and an impossible burden of work for US military personnel.”<sup>10</sup> As a result, policy shifted to issuing a lengthy questionnaire, known as the *Fragebogen*. Thirteen million were completed, and three million gave rise to at least an investigation.

However, the scale of the task, and the need to make use of skilled personnel, led to the abandonment of de-nazification in the US zone in 1947-48. Some 600,000 cases had been examined, but these had generally been the simpler, lower-level ones: the 30,000 cases left outstanding included many more senior figures. The resulting sense of injustice gave de-nazification a bad name. Even General Clay, when asked about it afterwards, remarked, "Please have mercy and don't remind me of the biggest mistake."<sup>11</sup>

This disillusionment was accentuated by the return to prominence in the fifties of people at least associated with the previous system. These included two (admittedly minor) members of Adenauer's 1953 cabinet, as well as his close aide, Hans Globke. By 1958, thirteen of the thirty-four leading Bundesbank executives had been Nazi party members.<sup>12</sup> The trend was even more marked in private industry, with figures such as Friedrich Flick and Alfred Krupp released from prison and rebuilding their business empires. Many of the intellectuals who had supported Nazism achieved a degree of rehabilitation, though seldom regaining their earlier status.<sup>13</sup>

Yet it is arguable that the policy was not a complete failure. The local power of many Nazi activists was decisively broken, and the examination of the past, coupled in many cases with a spell of internment, made for "learning by experience."<sup>14</sup> The development of the process was less than ideal, but it had some good effects in discrediting anti-democratic attitudes.

With respect to the country's political reconstruction, it was originally intended that an inter-Allied Control Council, established in Berlin in July 1945, would be the supreme authority in Germany. However, the rapid deterioration of relations between the former

Allies made the Control Council ineffectual, and policy was initially made at the level of individual zones. Political initiatives crossing zone borders accelerated after 1947.

- *Building political institutions: the Länder.* In the early days of the occupation, local leaders with a non-Nazi record were rapidly installed, though very much under Allied direction – the most notorious example being Adenauer’s dismissal as Mayor of Cologne by the British in October 1945. Municipal elections followed soon afterwards. The American Zone then took the lead in re-establishing *Land* government; this built on Germany’s regional traditions and on an existing tier of government, although many of the new *Länder* were somewhat artificial amalgamations.<sup>15</sup> As early as October 1945, the military government in the US Zone had handed significant powers to the *Länderrat*, a council of *Land* governments. This was followed by *Land* elections in late 1946. Progress elsewhere was slower, but the British were nonetheless holding *Land* elections by April 1947. The creation of political parties, encouraged (though under license) by the occupying authorities, also meant that politicians were already starting to look across *Land* and even Zone boundaries.
- *Next stop: the Bizone.* Power was delegated to the Germans at a still higher level following the economic amalgamation of the British and American Zones to create the ‘Bizone’ at the beginning of 1947. An Economic Council for the area was established in June 1947, comprising delegations from *Land* Parliaments. There was expert German input to the introduction of the new Deutsche Mark, in June 1948, and the Council’s economic director, Ludwig

Erhard, acted unilaterally to lift many economic controls a few days later.

- *The Parliamentary Council: Germany's Philadelphia.* As the Cold War intensified, the London Conference of spring 1948 authorised the creation of a West German state. The writing of the Basic Law was in sharp contrast to the effective imposition of a post-war constitution on Japan. *Land* Parliaments elected members of the drafting body, the Parliamentary Council, which sat from September 1948 until May 1949; the Basic Law was promulgated on 23 May. However, the Military Governors initiated the process and sought at various points to influence it, producing sharp clashes with parts of the Council, notably the Social Democrats. On at least one issue – the proposed balance of power between the Federal Government and the *Länder* – the Military Governors backed down in the face of Council opposition.<sup>16</sup>
- *Partial sovereignty.* Federal elections in August 1949 resulted in the formation of the first Adenauer government, which, however, still enjoyed only partial sovereignty. It remained under the supervision of Allied High Commissioners (who, under an Occupation Statute, replaced the Military Governors) and was highly constrained, especially in matters of internal and external security. It would take several years and the resolution of Germany's military role for full sovereignty to be restored.

## **Reforming the economy**

JCS 1067 aimed “to prohibit all cartels and other private business arrangements and cartel-like organisations” and “to effect a dispersion of the ownership and control of German industry.”<sup>17</sup> There

would be a related assault on those companies that had benefited from the aggression and abuses of the Nazi regime.

This policy enjoyed at least partial success. The notorious chemicals combine IG Farben was broken up, as were the inter-linked steel and coal cartels of the Ruhr. The big three private banks were decentralised, though their constituent parts maintained links and had re-combined by 1957.<sup>18</sup> Over time, the more radical options for breaking companies down into still smaller units were rejected, and the focus instead was put on economic recovery. Cross-shareholdings remained a widespread practice. A law to ban cartels was finally enacted under American urging as late as 1957; although it included significant concessions to industry, it was robust enough “to shunt West German industry away from cartels.”<sup>19</sup>

After the experience of the Versailles treaty, reparations were intended to be in kind (industrial plant and machinery) rather than cash. A more punitive policy – the ‘Morgenthau Plan’ – aimed at a sweeping de-industrialisation of Germany, but this concept had been abandoned even before the occupation began. Early reparations efforts were shelved following disputes with the Soviet Union, but in June 1946 the Americans nonetheless published a list of 117 plants to be dismantled, with the other Western Allies following suit. However, dismantling was fiercely opposed in Germany, and was in conflict with the growing emphasis on economic recovery. The lists were pared back, and finally abandoned in late 1949. At most, 5% of West Germany’s industrial capacity was dismantled.<sup>20</sup>

From the emergency import of 650,000 tons of grain in June 1945 to ward off the threat of famine, American aid to Germany was sizeable. Much of it was channelled through the Government Relief

in Occupied Areas (GARIOA) scheme, which spent \$1.6bn in 1946-50, three-quarters of it on foodstuffs. American aid financed around two-thirds of all western German imports in 1945-48.<sup>21</sup>

The Marshall Plan, which began disbursing funds in mid-1948, aimed at a more systematic approach to reconstruction and economic co-ordination across Europe. Germany was a much smaller beneficiary of Marshall Aid than was the UK or France, but the effect was a reasonably significant 2.9% of national income in the first year of operation, and 5.9% of 1949 GNP over the duration of the scheme. The short-run effect was to help finance food imports needed for a population swollen by refugees – “the main contribution of Marshall Aid ... [was] to provide the necessary imports to keep the population alive and able to work”<sup>22</sup> – though later an increasing share was taken up by raw materials. The reconstruction effect was more indirect, as the scheme’s ‘counterpart funds’ – money deposited to pay for Marshall Plan imports – were lent out by the specially-constituted reconstruction bank, the Kreditanstalt für Wiederaufbau.<sup>23</sup>

The Marshall Plan thus facilitated – particularly by easing balance of payments pressures – a recovery that was already under way, and which accelerated sharply after the currency reform of June 1948. The latter was, despite significant German input, very much the occupation authorities’ initiative; as Clay put it, “they [the Germans] appreciated that they could never have done a currency reform, and they also appreciated the fact that it had to be done.”<sup>24</sup> Even after this, and Erhard’s subsequent move to lift controls, the economy could show some vulnerability; the balance of payments was under severe pressure in 1950-51. However, the Korean War stimulated demand for heavy industry products;

exports soared, and the *Wirtschaftswunder* continued unabated until the mid-sixties.

## **Security dimensions**

In one sense, security considerations – the growing focus on reviving Germany to face the Soviet threat – dulled the drive for reform. However, resolution of other security issues – Germany's relations with its western neighbours, especially France – went hand in hand with Germany's democratic rehabilitation.

German revival raised France's long-standing security concerns. France, however, had some cards of its own; it was an occupying power of part of Germany, and had effectively annexed the Saarland. These questions were ultimately resolved by development of Franco-German co-operation, within the framework of a wider European unity. The two great extra-European powers, the United States and the Soviet Union, both effectively facilitated the process: the former by its encouragement of new European arrangements, the latter by providing a new threat that forced old enemies to co-operate.

France conceded the creation of a West German state at the 1948 London Conference, but at the price of restricted sovereignty, and the internationalisation of the heavy industrial centre of the Ruhr. The latter policy was fiercely resented in Germany, and represented only an interim solution. The 1950 Schuman Plan for the European Coal and Steel Community, ensuring a supranational oversight of the main war-making raw materials, provided the longer-term answer.

The revival of German military capacity, dismantled after 1945, became a live issue with the outbreak of the Korean War. Without a



German contribution, the West's conventional military position in Central Europe would remain weak. Adenauer sought to use the leverage provided by Germany's status as a desired partner: in return for rearmament, Germany should regain (almost) full sovereignty. Once more, this policy could only be acceptable to France within a wider European security framework.

The initial attempted solution was the European Defence Community (EDC); German rearmament would take place within what was to be, in effect, a European army. In May 1952, a day before the signature of the EDC treaty, a 'Basic Treaty' was signed ending the role of the Allied High Commission and restoring sovereignty to Germany. Wrangles over the EDC, and its ultimate rejection by the French National Assembly in August 1954, delayed the process. It took a new round of diplomacy, German commitment to various limitations on its military output and the British pledge of a continental troop commitment to resolve the issue. Germany undertook rearmament and joined NATO within the framework of the Western European Union, and in May 1955 full sovereignty was finally restored.

The creation of interlocking security and economic arrangements, backed up by American (and, to a lesser extent, British) involvement made it possible to overcome the historical Franco-German conflict. A sign of the new relationship was that the final issue between the two sides, the Saarland, was resolved relatively easily; the French accepted the outcome of a plebiscite in October 1955 that indicated a clear desire to rejoin Germany.

Reform and security progressed together. The development of stable democratic institutions in Germany made it a gradually more trusted partner. At the same time, the country's role within a more integrated Western Europe helped resolve long-standing problems

and thereby give the new political system greater stability. The contrast with the aftermath of the First World War – when domestic and international upheaval fed on each other – could scarcely have been greater.

## Conclusions

What lessons can be learnt from the German experience?

- *The security dimension* was critical. The anchoring of West Germany in the western security system was a precondition for economic revival and full sovereignty, both of which reinforced the post-war democratic structures.
- *A major commitment of money and effort* was made by other western powers, notably the US. This provided the breathing space for the country's industrial and skills base to reassert itself.
- *Some reliance on former elites* proved inevitable once the focus of policy shifted towards security and recovery. The reappearance of those tainted with the Nazi regime certainly had its costs, adding to the bitterness of politics in the fifties and to the alienation that fuelled the student radicalism of the late sixties. However, the successful development of democratic institutions meant that even those with questionable pasts served the new system rather than undermining it.
- *Lessons of de-nazification.* A more speedy process, focusing on the higher-ranking offenders, might have yielded a greater sense of justice. Nonetheless, the process encouraged at least some coming to terms with the past.
- *Limits of change?* The post-1947 shift of policy in both Germany and Japan has had its critics. Yet in both countries the most radical

aspects of occupation policies reflected a mixture of Morgenthau-style punitive attitudes and the more populist, anti-big business end of the New Deal coalition. Neither these approaches, nor the desire for a socialist transformation that inspired many later critics, was an essential or even desirable component of the successful building of a democratic order. In addition, by most assessments, Germany made a much a much more complete reckoning with its past than did Japan. Here a number of factors – including the greater strength of the Left in post-war Germany than in Japan, and the country's much closer relationship with its neighbours – have been at work.

Of all our case studies, Germany perhaps had – in terms of its underlying economic strength and democratic experience – the most favourable pre-conditions. Yet there was nothing automatic about its successful transformation. If the country provides a model for regime change, it is also a reminder of the complexity of the task and the scale of commitment required.

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- 1 Otto Kirchheimer, 'Notes on the Political Scene in Western Germany' *World Politics*, Volume 6, Issue 3, (April 1954), p. 306.
  - 2 Cited in Dennis L. Bark and David R. Gress, *A History of West Germany. Volume I, From Shadow to Substance, 1945-1963*. (2nd Ed), Oxford/ Cambridge MA, Blackwell, 1993, p. 26.
  - 3 Acheson's Delta Council speech, 8 May 1947; cited in Richard Mayne, *Post-war: the Dawn of Today's Europe*, London, Thames & Hudson, 1983, p.98.
  - 4 I have throughout used 'West Germany' rather than the more correct but cumbersome 'German Federal Republic'. Occasionally, I have simply referred to 'Germany', though it is of course the post-war West Germany that is meant.
  - 5 John Gimbel, 'Governing the American Zone of Germany' in Robert Wolfe (ed.), *Americans as Proconsuls: United States Military Government in Germany and Japan, 1944-52*, Carbondale, Southern Illinois University Press, 1984, pp. 92-102.
  - 6 Earl F. Ziemke, 'Improvising Stability and Change in Post-war Germany' in Wolfe (ed.), p. 63.

- 7 Lucius D. Clay, 'Proconsul of a People, by Another People, for Both Peoples', in Wolfe (ed.), p. 109.
- 8 John H. Backer, 'From Morgenthau Plan to Marshall Plan' in Wolfe (ed.), p. 160, indicates that 85% of industrial capacity was still in place. Volker R. Berghahn, *The Americanisation of West German Industry, 1945-73*, Leamington Spa/ New York, Berg, 1986, p. 77, points out that there was a major expansion of capacity during the war, so that the value of industrial fixed assets in 1948 was 11% above that of 1936.
- 9 Gordon Smith, *Democracy in Western Germany*, (3rd Ed), Aldershot, Dartmouth, 1986, p.66. The argument – of which Ralf Dahrendorf was an early exponent – is also to be found in Hans Woller, 'Germany in transition from Stalingrad (1943) to currency reform (1948)' in Michael Ermath (ed.), *America and the shaping of German Society 1945-55*, Providence RI/ Oxford, Berg, 1993, pp. 23-34.
- 10 Bark and Gress, p.74.
- 11 Bark and Gress, p. 79.
- 12 David Marsh, *The Bundesbank*, London, Heinemann, 1992, p.156.
- 13 For a number of such career paths, see Jerry Z. Muller, *The Other God That Failed: Hans Freyer and the Deradicalization of German Conservatism*, Princeton University Press, Princeton NJ, pp. 391-402.
- 14 Woller in Ermath (ed.), p.27.
- 15 Whereas Bavaria has a strong identity and historical continuity, some units such as Rhein-Pfalz were entirely artificial creations. Baden-Wurttemberg, created in 1952 out of *Länder* in the French and American zones, had never been a single entity, but arguably had a fair degree of cultural unity.
- 16 Charles Williams, *Adenauer*, London, Little, Brown, 2000, pp. 339-40.
- 17 Cited in Berghahn, p.89.
- 18 See, for example, Carl-Ludwig Holtfreich, 'The Deutsche Bank 1945-1957: War, Military Rule and Reconstruction' in Lothar Gall et al, *The Deutsche Bank 1870-1995*, London, Weidenfeld & Nicolson, pp. 357-521.
- 19 Berghahn, p. 181.
- 20 Berghahn, p. 76, citing a report of the UN Economic Affairs Department. If anything, this was on the high side; drawing on the work of Werner Abelshauser, Berghahn (p.77) suggests a total capacity reduction of 4.4%.
- 21 These figures are from Herbert C. Mayer, *German Recovery and the Marshall Plan 1948-1952*, Bonn/ Brussels/ New York, Edition Atlantic forum, 1969, p.84, and Alan S. Milward, *The Reconstruction of Western Europe, 1945-51*, London, Routledge, 1992 reprint, p.99.
- 22 For this and aid figures, see Milward, pp. 96-9.
- 23 Milward, p.110; Eric Owen Smith, *The German Economy*, London/ NY, Routledge, 1994, p.8.
- 24 Clay in Wolfe (ed.), p.111. This view – that only an Occupation regime, acting in a political vacuum, could have carried out such a drastic reform – was shared by others, including Otmar Emminger, later President of the Bundesbank.

## **2. Japan (1945-52)**

### Revolution from above (interrupted)

Roger Gough

Quite early in the American occupation of Japan, the following exchange took place between the Japanese Prime Minister, Shigeru Yoshida, and Colonel Charles Kades of the occupying forces' government section:

*Yoshida:* You think you can make Japan a democratic country? I don't think so.

*Kades:* We can try.<sup>1</sup>

Variants on the Yoshida-Kades exchange had been taking place long before the arrival of the first GIs and were to run through the entire occupation. As the end of the Pacific War approached, American policymakers debated the shape of a post-war Japan in

terms that seem eerily familiar. Many of the State Department's 'Japan hands' took a view very close to that of Yoshida; Japanese culture and history made democratisation implausible. On the other side of the debate, today's idealistic neo-conservatives had their counterparts in some of the more determined New Dealers; for them, democracy was a universal aspiration and possibility. They found support for a more radical approach from left-leaning academics, from the War Department and from China experts in the State Department, who understandably took a more jaundiced view of Japanese traditions.<sup>2</sup>

For the first two years or so of the occupation, it was the radicals who made the running. They drove through major reforms of Japan's constitution, economy and society. By 1947-48, however, as in Germany, American priorities had shifted. The Cold War struggle against communism meant that priority was now given to Japanese stability, economic recovery and its reliability as an anti-communist bulwark. As a State Department official, W.W. Butterworth, put it, Japan's development would spring from "the normal operation of merchant greed, not idealistic reforms."<sup>3</sup> The result was a growing alliance with the more conservative elements of Japanese society, many of them part of the pre-war elites, and a stunting of reforms.

This 'reverse course', coupled with the limitations of the changes already enacted, meant that the scale of transformation brought about by the occupation was less than the more ambitious reformers had hoped. That said, the occupation, and especially the burst of radical activity of 1945-47, did change Japan irreversibly, and in a more democratic direction. Before examining these achievements, and their limitations, in three areas – politics, the

economy and security – it is worth examining the distinctive features of how the occupation worked, and of the country that it was trying to change.

## **Features of the occupation**

The most distinctive feature of the occupation of Japan was that it was overwhelmingly an American exercise. Though there were advisory commissions of the Allied Powers, effective authority rested with the US government. On a day to day basis, this meant the highly personal and autocratic rule of the Supreme Commander for the Allied Powers (SCAP), General Douglas MacArthur. With US administration attention focused on Europe, there was relatively little interference with MacArthur's authority, at least until 1948.

Secondly, it was a long-lasting, large-scale commitment. Not until April 1952, almost seven years after the occupation began, was Japan a truly sovereign country again. The army of occupation was large; initially, almost half a million GIs, though falling to half that number by the end of 1945, and just over 100,000 by the end of 1948.<sup>4</sup> Much of the cost was borne by Japan; in the early post-war years, expenses related to the occupation made up a third of the national budget.

Thirdly, MacArthur's General Headquarters (GHQ), with its three thousand senior military and civilian bureaucrats,<sup>5</sup> was the unquestioned centre of decision-making. Perhaps the most dramatic example of this came in February 1946, when an American draft for a new constitution was imposed on a deeply reluctant Japanese cabinet with the threat that it would otherwise be taken direct to a

referendum. Much of the radical reform agenda of 1945-47 was driven through in similar fashion.

Of course, this enforced democracy, a revolution from above, had its paradoxes and drawbacks. MacArthur's paternalistic presence as the 'blue-eyed shogun' seemed more likely to reinforce traditional patterns of Japanese political culture than to encourage wider participation. An intrusive censorship regime, especially during the first two years of the occupation, had a similar effect.<sup>6</sup>

There were other factors that made Japan relatively favourable terrain for large-scale democratic change. It was a long-standing state with largely undisputed borders (the main exception, the northern islands seized by the USSR in 1945, did not have an internally destabilising effect). It had no large-scale ethnic disputes. Initially, security considerations were not pressing, with the consequence that radical reform could, for a while, be given its head; American policy in South Korea, where communism presented a more immediate threat, was to be very different. Large elements of the local population, disenchanted with their former rulers and relieved by the relative magnanimity of the Americans, were, for a while at least, quite receptive to the occupying forces. Economic development since the late nineteenth century had been impressive, and the twenties had seen the emergence of a competitive if rather remote party political system.

However, in contrast to post-war Germany, there had been no land battles on mainland Japanese soil and the structures of the state remained intact. American rule was exercised indirectly, through a succession of Japanese governments, and through the permanent bureaucracy. This proved a significant constraint; there was plenty of scope for passive resistance and (often deliberate) misunderstanding



and mistranslation.<sup>7</sup> This put limits on change even before the reappraisal of 1947-48 brought the Americans into closer alliance with the country's conservative elites.

## **Political change**

GHQ's reformers aimed to sweep away the feudal and anti-democratic elements in Japanese society that had, they believed, set the country on an aggressive course. The resulting changes were wide-ranging:

- *A new constitution.* The 1947 constitution made governments answerable to the Diet, not the Emperor; located the root of power in popular sovereignty; abolished the peerage and installed two elected chambers; and established the universal adult franchise (a universal male franchise had been established in 1928, but the increasing military domination of subsequent governments made this meaningless). The Emperor was kept in place, but renounced (with some qualifications) the divine status ascribed him by pre-war ideology.
- *The purge.* More than 200,000 people were purged from senior positions, usually on the basis of positions held pre-war or affiliation to what were considered militarist organisations. This focused on the military, but was by no means limited to them; the bureaucracy, business, schools, universities and journalism were also affected. However, some important parts of the wartime structure – such as the economic bureaucracy – were relatively unscathed. In addition, as will be seen below, many elements of the purge were later reversed.

- *War crimes trials.* Some 6,000 Japanese were tried, and 920 executed, for their roles in wartime aggression and atrocities (not all these trials took place in Japan). The highest-profile trial was that of twenty-eight military and civilian leaders before an international tribunal in Tokyo in 1946-48. Seven death sentences were handed down. There is little evidence that this, rather than the fact of defeat, had any impact on Japanese attitudes to the recent past; if anything, the defendants were widely seen as symbolic victims. The highly sensitive issue of the Emperor's role before and during the war was very deliberately not addressed.
- *An end to repression.* A decree of October 1945 freed political prisoners. Repressive legislation was scrapped (though GHQ's censorship remained tight), the political police abolished and their sponsoring ministry, the Home Office (*Naimusho*) broken up. Trade unions were allowed to form, the right to strike established in law and working conditions improved.
- *Demilitarisation.* The armed forces were disbanded and military materiel destroyed. Famously, Article 9 of the new constitution – the 'Peace Clause' – renounced war as an instrument of policy and the buildup of armed forces. Attempts to reconcile this with later strategic realities produced one of the major fault-lines of post-war Japanese politics.
- *Education reform.* Schools were seen as a major source of militarist ideology, and in the immediate post-war period more than 100,000 teachers were forced to resign. Courses and textbooks were reshaped, and ethics teaching – with its perceived nationalist overtones – replaced by civics. Elected school boards were given responsibility for education, and efforts made to change authoritarian teaching methods.

Some of these policies had enduring effects. Most importantly, the armed forces were broken as a major political force. Democratic mechanisms have proven enduring, even if politics has been more hierarchical and clientelistic than the reformers might have hoped. Press and personal freedoms have been far greater than was the case in the pre-war period. However, even at the start, reform of the bureaucracy was a significant absent guest, with an ineffectual civil service law enacted in 1947. Although the Americans had identified the bureaucrats as major players in the pre-war structure – along with the military and the *zaibatsu* business conglomerates – they seem to have been hampered by a lack of understanding of the bureaucracy’s mechanisms, and by the need to secure its cooperation. The power of officials – and its corollary, relatively weak parliamentary scrutiny – was to be a durable feature of post-war Japan.

In any case, after 1947 the growing importance of strategic considerations put a limit on reform and on the challenge to Japan’s old elites. Washington – in the form of the State Department’s George Kennan – worried that radical policies might be “rendering Japanese society vulnerable to Communist political pressures and paving the way for a Communist takeover.”<sup>8</sup> The purge was eventually turned on the left, affecting some 22,000 workers in both public and private sectors. More significantly, amid complaints that the country had lost many of its trained people, the Yoshida government was in 1947 allowed to review the earlier purges, with the result that about two-thirds of those previously purged were able to return to public life. Many were unable to go back to their old posts, which had been filled, but they nonetheless re-surfaced as politicians, officials and in company boardrooms.

The result was a growing conservatism in many areas of Japanese life, with some of the post-war reforms rolled back. This was notable in education, with the resumed teaching of ethics in the late fifties, and in policing, which was gradually recentralised. In the eyes of many critics, the long-term effect has been a hobbled democracy characterised by money-driven relationships and the absence of an effective challenge to a very durable political establishment.<sup>9</sup> Yet it certainly does not amount to a return to the pre-war order.

The remarkable career of Nobusuke Kishi is perhaps emblematic both of how little and how much was changed by the occupation. An economic bureaucrat with close ties to the munitions industry, Kishi was purged and arrested (though never indicted) as a suspected Class A war criminal. Released from prison in December 1948, he was able to return to public life in the early fifties, and by 1957 was Prime Minister. Nonetheless, when his efforts to negotiate a new treaty with the United States aroused suspicions (justified or not) that he was seeking a revival of pre-war Japanese military power, the resulting outcry and demonstrations forced Kishi's resignation. Though a leading member of the pre-war elite could return to high office, the 'democracy and peace' ideology of the occupation period was now a major constraint on what was politically possible.

## **Reforming the economy**

The results of attempts to change Japan's economic structure parallel those in the political field: an initial burst of radical reform, followed by a modification of policy that nonetheless did not restore the full status quo ante. The other rather sombre conclusion is the time and difficulty involved in reviving a disrupted economy.

The latter assessment may seem surprising in the light of the ‘miracle’ high-speed Japanese economy of the fifties and sixties. Yet the five years after the war were marked by inflation, depression and hunger. The result was that American policy gradually moved away from a punitive focus on reparations to an increasing attempt to revive the Japanese economy. Between 1945 and 1948, reparations estimates were cut to a quarter of the initial figure, and an early ideology of stripping Japan of its regional industrial dominance was abandoned.

Early beliefs that it was up to the Japanese to work out their own economic salvation proved similarly untenable. Emergency food supplies were provided from early in the occupation, and by the summer of 1946 a quarter of all Japanese food consumption came from allied sources.<sup>10</sup> Overall aid – effectively covering an unsustainable balance of payments deficit – was running at over \$400m by 1948. The Americans became exasperated with continuing Japanese deficits, inflation and subsidies to favoured industries, and in 1949 imposed the ‘Dodge Line’ – a plan drawn up by the Detroit banker, Joseph Dodge, that foreshadowed later IMF austerity programmes. Deficits were to be eliminated, wage and price controls scrapped and currency rates unified at a competitively low 360 yen to the dollar.

Dodge’s measures proved effective at suppressing inflation, but the economy remained depressed until help came from the unexpected direction of Pyongyang. The outbreak of the Korean War effectively solved Japan’s foreign exchange problem as massive American orders were placed for military transport, uniforms and materiel. These ‘special procurements’ were worth some \$590m in 1951, and more than \$800m in 1952 and 1953, some 60-70% of the value of Japan’s existing exports. The result was to revive Japanese

industries (including the car industry) and provide the financing for raw material and technology imports. It was only with this that the lean post-war years came to an end.

The growing focus on recovery also meant a watering down of the major economic reform issue, the attempt to disperse financial and economic power and make Japan a US-style competitive, shareholder-driven economy. The flagship initiative was to break up the *zaibatsu* industrial conglomerates, held responsible both for wartime aggression and for choking domestic competition. In 1946-47, the family holding companies were dissolved, shares sold and some 2,000 business leaders purged. An anti-monopoly law was also enacted.

Thereafter, however, the tide reversed. In late 1947, a further drive to increase competition by breaking up individual companies ran into fierce opposition, not only in Japan but also in the US.<sup>11</sup> The break-up of the *zaibatsu* had undoubtedly added to the post-war economic disruption, and the anti-big business ideology of GHQ's radicals seemed excessive both to MacArthur and to an expert commission sent from Washington. With the emphasis now on economic recovery, the proposed corporate break-ups were drastically cut back. In addition, within a few years the *zaibatsu* had effectively regrouped into bank-centred webs of cross-shareholdings known as *keiretsu*.

Yet, as in the political sphere, the economic reformers left their mark. The new *keiretsu* were more numerous and less hierarchical than their predecessors; this, coupled with those corporate break-ups that had taken place and the effect of the purges in bringing forward younger, more growth-oriented managers, increased competition in the post-war Japanese economy. A paradoxical side

effect was that, by breaking the *zaibatsu*, the reforms increased the relative power of the economic bureaucracy, especially through its influence on the financial system. Thus the Japanese economy that emerged from the occupation was both more competitive and more state-driven than its pre-war predecessor.<sup>12</sup>

The other major economic initiative of the occupation – the 1946 land reform – was an almost unqualified success. Larger landholdings were broken up, and tenant farms fell from 40% to 10% of the total land area.<sup>13</sup> The social tensions that had characterised pre-war Japan gave way to a country of peasant proprietors who became reliable voters for conservative parties. An unintended side effect was to build a strong and highly protectionist farm lobby.

## **Security dimensions**

As has been seen, there was a direct – and largely inverse – relationship between the security and democratisation priorities of the occupation. In the early days, security concerns were modest. There was no significant internal challenge to the occupation. In the eyes of many of Japan's neighbours, who had suffered from its wartime aggression, it was entirely legitimate. The exception – and this more as time went on – was the Soviet Union. Yet even this was unable to present the sort of threat seen in Korea or Vietnam. The result was that democratisation, reform and disarmament could be the main priorities for MacArthur and GHQ.

The growing Cold War produced a major shift in priorities as early as the winter of 1947-48, and this was soon accelerated by the deteriorating outlook for Nationalist China. Japan now took on a greater significance as a potential US ally. Alongside a peace treaty,

eventually signed in San Francisco in September 1951 and ratified the following year, was a security treaty allowing for the stationing and, if necessary, operation of US troops within Japan.

By this time, however, Japan was starting – with American encouragement – to revive its own armed forces. This began with the dispatch of American forces to the Korean War in 1950; a 75,000 strong Japanese ‘police reserve’ was called into being to provide some security and defence. Over time, these forces grew and took on the title of Self-Defence Forces.

Nonetheless, the growth and use of Japanese armed forces remained constrained by the attachment of a significant part of domestic opinion to the ethos of the Peace Clause, as well as the reservations of Japan’s neighbours as to any military build-up on its part. There was also a strong realisation of the economic benefits of relatively low defence expenditures while sheltering under the American security umbrella. Within a very short time, exasperated American policy-makers were starting to feel that MacArthur’s anti-militarist agenda had succeeded all too well.

## **Conclusions**

Some clear conclusions emerge from the American occupation of Japan.

- Overall, the occupation must be counted a success. Major achievements included the lasting elimination of militarism as a factor in Japanese politics, the establishment of democratic mechanisms and the land reform. There was also some impact on the structure of the Japanese economy, though without fully achieving the intended results.



- A number of factors aided this success. These included the relative legitimacy – both domestically and internationally – of the occupation, the lack of border or ethnic disputes and Japan’s relative – if still patchy – pre-war modernity.
- There was a clear trade-off between reform and security, with the former at first taking priority but giving way to the latter after 1948.
- The ability to work through established structures gave some extra legitimacy to the reforms, but also put limits on them. The bureaucracy proved particularly intractable.
- The autocratic leadership of MacArthur and GHQ made it possible for an impressive reform agenda to be enacted in a short period, but did not aid the development of a more democratic political culture.
- As security needs took priority, reliance on elements of the pre-war elites grew. This had a long-term effect on Japan’s political system and on issues such as attitudes to the war. However, the scale of the 1945-47 reforms and the downgrading of the military as a political force meant that there was no full going back to the pre-war system.
- Economic recovery was difficult and protracted. While there was no Marshall Plan for Asia, there were significant ad hoc aid packages to Japan, followed by the major boost delivered by the Korean War.

The sweeping changes of the occupation had predictably mixed results, and in some cases unintended consequences. Later American policy-makers had to deal with an agriculturally and economically protectionist Japan, exporting aggressively to the US while bene-

fitting from its military protection. To their counterparts in the 1940s, however, these would surely have seemed nice problems to have.

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- 1 Cited in John Dower, *Embracing Defeat: Japan in the Aftermath of World War II*, New York/London, W.W. Norton/ Penguin, 1999, p. 65.
  - 2 Marlene Mayo, 'American Wartime Planning for Occupied Japan: the Role of the Experts' in Robert Wolfe (ed.), *Americans as Proconsuls: United States Military Government in Germany and Japan, 1944-52*, Carbondale, Southern Illinois University Press, 1984, pp. 3-51. Domestic political divisions, reflecting attitudes to the New Deal, were frequently played out in disputes over the nature and objectives of the occupation of Japan.
  - 3 Cited in Robert Harvey, *The Undefeated*, London, Macmillan, 1994, pp. 328-9.
  - 4 Richard B. Finn, *Winners in Peace: MacArthur, Yoshida and Post-war Japan*, Berkeley & Los Angeles/ Oxford, University of California press, 1992, p. 35.
  - 5 Dower (p.205) estimates the GHQ bureaucracy at 1,500 in early 1946, peaking two years later at 3,200. Finn (p.35) suggests peak strength for GHQ was about 5,000.
  - 6 Dower (pp.203-13 and 405-40) discusses these aspects of the occupation and their paradoxical effects.
  - 7 Dower (pp. 308-18) points out how this tactic was used to change the nuances – if not indeed the meaning – of the Emperor's 'renunciation of divinity' statement of January 1946.
  - 8 Finn, p.201.
  - 9 The case has often been put; the most trenchant, if sometimes cantankerous exposition is Karel van Wolferen, *The Enigma of Japanese Power: People and Politics in a Stateless Nation*, London, Macmillan, 1989.
  - 10 Finn, p.114.
  - 11 Harvey (pp.326-30).
  - 12 Chalmers Johnson, *MITI and the Japanese Miracle: The Growth of Industrial Policy, 1925-1975*, Stanford CA, Stanford University Press, 1982, chs. 5 and 6. Takafusa Nakamura, *The Post-war Japanese Economy: Its Development and Structure*, Tokyo, University of Tokyo Press, ch.2.
  - 13 W.G. Beasley, *The Rise of Modern Japan*, Tokyo, Charles E. T

### **3. Cambodia (1990–98)**

The regime *didn't* change

Steve Heder

Cambodia is not a story of regime change. But it might have been.

Cambodia was the first of the big-footprint post-Cold War UN missions, and its basic lesson is the inability – in part resulting from unwillingness – of the UN to achieve root-and-branch political change, even if the population is on its side, as long as the forces of the status quo are determined to stay in power. The problem in Cambodia was – and the problem in other cases is likely to be – that even if these forces are prepared to accept measures like elections, they are simply not willing to give up – or even share – power with others without a fight, and unless somebody is willing and able to fight them, then they trump everyone with the card of violence or threats of violence.

#### **The promise: the Paris Agreements and the hope of real change**

The UN mission (UNTAC) was mandated by the 1991 Paris

Agreements, with the full backing of the UN Security Council in what was in retrospect an extraordinarily united moment. The Cambodia it was mandated to deal with had been at war for more than a decade. Most of the country was governed by the State of Cambodia, a one-Party, Communist bureaucratic authoritarian state originally built up by the Vietnamese with Soviet assistance and financing after the Vietnamese overthrew Pol Pot's genocidal Khmer Rouge with an invasion in 1979.

By 1991, Vietnamese troops and advisors had largely left Cambodia and Soviet finance had evaporated with the collapse of Kremlin Communism, but institutionally, the regime they left in place was reasonably formidable. Headed by ex-Khmer Rouge like Hun Sen who had fled to Vietnam to escape Pol Pot's purges and had been accepted as collaborators by the Vietnamese, the State of Cambodia was no failed state: it had an extensive national administrative structure, a large army and strong police force, built up according to the repressive Vietnamese Communist model, but led and staffed by Cambodians. It lacked political legitimacy, but was still much less hated than Pol Pot's Khmer Rouge remnants. This was the underlying political reason why Hun Sen was able militarily to hold off Pol Pot's insurgency, even though the Khmer Rouge benefited from UN recognition, Chinese military aid, Thai sanctuaries and American diplomatic support.

At the same time, because of its lack of popular support and despite its institutional strength, the State of Cambodia was unable to crush its other main insurgent opponent, Prince Norodom Sihanouk's National United Front for an Independent, Neutral, Peaceful and Cooperative Cambodia (FUNCINPEC). Although militarily weaker than the Khmer Rouge, FUNCINPEC was politically much stronger, especially in the countryside, where Prince

Sihanouk's reputation as the country's ruler in better times gave it a great subversive advantage. Like the Khmer Rouge, FUNCINPEC enjoyed Chinese military aid and Thai sanctuary, but much more than the Khmer Rouge, it was acceptable to the West; indeed, it was the West's hope for the future of Cambodia, which meant that the West and the Cambodian people were in de facto political alignment.

The Paris Agreements provided for UN disarmament of the State of Cambodia, the Khmer Rouge, FUNCINPEC and a fourth, small, insurgent group that was anti-Vietnamese, anti-Khmer Rouge and anti-Sihanouk. The Agreements were a graceful way for China, Russia, Thailand, Vietnam and the US to de-commit militarily and diplomatically from their Cambodian clients and allow them to compete politically in UN-organized elections.

Behind this in Western circles was a well-founded set of assumptions: that in a free and fair election, the population would vote against the Khmer Rouge and the State of Cambodia and for FUNCINPEC and the other anti-Khmer Rouge, anti-Vietnamese insurgency. To further ensure this outcome, the Paris Agreements included an unprecedented set of provisions, empowering UNTAC to 'neutralise' the Cambodian political environment by superimposing itself on the State of Cambodia and insurgent administrative, police and financial structures to prevent them from using these to coerce, intimidate or buy off the electorate.

Another part of the deal allowed Sihanouk to head a Cambodian Supreme National Council, which became the repository of Cambodian sovereignty. This required Sihanouk to give up his leadership of FUNCINPEC, which he turned over to his son, but allowed him to realize his overweening ambition to again be Cambodia's

chief of State, returning him to the post he had lost as a result of a coup d'état in 1970. It also positioned him to remain in that post after the elections.

Finally, the deal promised massively increased humanitarian and 'reconstruction' aid to Cambodia.

All this completed the real Western agenda behind the Paris Agreements, which was that elections would politically eliminate the highly unpopular Khmer Rouge and significantly weaken the State of Cambodia. This would allow the non-Communist election winners to take over the State of Cambodia administration, through which aid and investment would flow, stabilising Cambodia economically under the powerfully influential and internationally and domestically legitimising gaze of Sihanouk, as a variety of post-election democratising and liberalising reforms consolidated a regime change.

### **The reality: elections governed by guns and money**

The Cambodian parties signed up to all this, in part because their former foreign patrons told them they had to, in part because not only FUNCINPEC, but also the State of Cambodia and – incredibly – even the Khmer Rouge thought they were popular enough to do well in free and fair elections.

However, no sooner had the UN arrived than the Khmer Rouge decided not to disarm and threatened to resist violently if the UN tried to take their guns away or enter their zones. This was because when peace failed to bring about the upsurge in political support for it that Pol Pot fantastically expected, he decided that he had better keep his army. The result was the first trumping of the UN by a

structure of violence: although UNTAC had 20,000 troops, they were peace-keepers, not combat forces, and none of their contributing governments was about to see them used against the Khmer Rouge, who soon relaunched their insurgency against the State of Cambodia.

Meanwhile, the UN decided it needed Hun Sen to administer the country and maintain security against the Khmer Rouge pending elections. This meant that instead of neutralising the State of Cambodia, the UN actually arranged for it to be shored up financially to prevent its economic collapse, which the UN feared would mean chaos. It also encouraged State of Cambodia armed forces to launch counter-offensives to keep the Khmer Rouge at bay. In other words, faced with the possibility of having no administration to neutralise and the countryside overrun with Khmer Rouge, the UN realized it would have to deal with, and reach a *modus vivendi* with, Hun Sen, otherwise there would be no elections at all.

The UN did make some efforts to curb Hun Sen's power, but was not prepared to coerce or even seriously confront him. So, when Hun Sen realized that his remade Communist Party was not as popular as he thought, and that FUNCINPEC was more popular than he had imagined, he launched a campaign of murderous political violence to try to prevent FUNCINPEC from winning the elections. The UN criticised his killing of FUNCINPEC political activists, but took no strong action. Another aspect of the UN's accommodation to the reality of the State of Cambodia was that it in effect stood idly by as Hun Sen and his political cronies sold off many State of Cambodia assets to the highest foreign bidder to finance their own election campaigns.

Finally, because it was only going so far to de-fang Hun Sen, the

UN decided that it could certainly not go any further with FUNCINPEC, which it also left armed to help fend off the Khmer Rouge, and which was allowed to intimidate voters in the small parts of the country it controlled, and to sell off national resources in those areas to fund electioneering.

In other words, contrary to the agreements, everybody kept their guns, and the political atmosphere was violent and rife with money politics, which gave advantages to the State of Cambodia, as the most bureaucratically powerful, violent and well-financed competitor.

### **Hun Sen faces down the UN**

The real crunch for the UN came when FUNCINPEC nevertheless won the May 1993 elections, but Hun Sen refused to cede power, instead demanding a formal 50-50 sharing of power in the name of national unity. To back this demand, Hun Sen threatened civil war against FUNCINPEC and violence against UNTAC. The UN was faced with the choice either of acquiescing or calling Hun Sen's bluff. Again, behind it were the member states who had contributed its troops, none of which were prepared to back it up by risking casualties in clashes with Hun Sen. The UN and foreign embassies also acted to prevent FUNCINPEC supporters from rioting against Hun Sen's manoeuvres and FUNCINPEC itself from regrouping in its old guerrilla zones and resuming guerrilla activities until it got its electoral due.

So, Hun Sen got what he wanted: a formal 50-50 coalition government with FUNCINPEC, but one based on an administration, army and police structure that Hun Sen continued to control and through which he dominated the government. Sihanouk was re-enthroned as



King, but via a Constitution that left him a figurehead for the powerful. And when aid and investment began to flood in, much of it went into the pockets of Hun Sen and his cronies.

This was the crucial turning point, and one at which the UN and the international community erred fundamentally. Many people have in fact criticized the UN more harshly for its original lameness in the face of the Khmer Rouge's refusal to disarm. It's true that by doing nothing about that, the UN created the conditions which made implementation of much of the rest of the Paris Agreements impossible, and it also left the Khmer Rouge in place to kill Cambodians and destabilise Cambodia for another five years. But, in retrospect, this has hardly mattered to the trajectory of Cambodian politics. The Khmer Rouge were so unpopular that without foreign assistance, they could be left to implode and wither away of their own accord, which is what eventually happened. On the other hand, the Khmer Rouge would almost certainly have carried out their threat to attack UNTAC if UNTAC had attempted to play hard ball with them, and the resulting casualties might indeed have brought the whole UN mission crashing down.

Backing down in the face of Hun Sen after the elections has had much more profound results, and was probably avoidable. At the time, it seemed unlikely that he would carry out his threats, and the evidence that has come to light since seems to confirm that he was bluffing. Most of his Party was against the violence he was advocating, and he had no international support for it, not even from his old mentors in Vietnam. Without international aid, he had no way to pay his army or civil service, much of which were probably willing to join the population in backing FUNCINPEC and standing with UNTAC.

But since Hun Sen's bluff was not called, the chances for a real political rupture in Cambodia were lost. Through his domination of the state, he was able to oust FUNCINPEC from the coalition in a violent coup in 1997, murdering key FUNCINPEC organisers, thus fundamentally weakening FUNCINPEC before elections scheduled for 1998. Having expelled FUNCINPEC from the state, he was able to use its coercive and financial assets to skew those election results in his favour, thus ensuring that his Party came out on top of FUNCINPEC and other opposition forces that emerged to contest them.

For similar reasons, the results of the next round of elections, scheduled for July this year, are a foregone conclusion. The bureaucratic structure that was once the authoritarian socialist State of Cambodia has meanwhile been transformed into a corruption and money-politics machine, which allows Cambodia's dwindling natural resources to be plundered by foreign carpet-baggers, which is deeply implicated in drugs-trafficking and money-laundering and which continues to assassinate popular political opponents.

### **Conclusion: What might have been done?**

By the criteria used in these studies, the UN operation in Cambodia must be accounted a failure. The political and economic apparatus of the State of Cambodia remained in place, in spite of the wishes of both the domestic population and of the international community. In short, there was no regime change.

Could things have been different? It is quite possible. If the UN had not allowed Hun Sen to dominate the state despite his Party's defeat in the UNTAC elections, that Party would have been put in

the position of having to democratise in order to have a chance of making a political comeback. In other words, there is a chance that Cambodia would have evolved politically along the lines of Mongolia and some Eastern European countries, where discredited Communist parties have successfully reinvented themselves in order to survive and succeed politically. In the Cambodian case, it would have had a reasonable chance of doing so in electoral competition with FUNCINPEC, which probably would have not performed so well in government as to maintain its original popular support, but also would not have used political violence to keep itself in power. The result could have been the generation of a dynamic of electoral competition that would make Cambodia look considerably more democratic than it does today. Now that might have meant a real regime change.

As it is, what we have in Cambodia is more of a cosmetic cover for an ugly metamorphosis: despite its transformation from socialist bureaucratic authoritarianism to predatory private apparatus, the hard anti-democratic core remains in place in Cambodia, under a violent leader who is still prepared to kill to stay in power, convinced that the international community will let him get away with doing so.

This then poses larger question for the international community, which arises when the most bureaucratically, militarily and economically powerful elements in a transitional arrangement are its allies against pariahs that the transition is implicitly or explicitly designed to eliminate. What can and should the international community do when these forces lack popular support but are determined to use their power violently to sabotage and subvert regime change in the true sense of the word? How far can and should it go in fighting fire

with fire? To what extent should it encourage or simply allow popular domestic political forces to fight fire with fire? Must it avoid all fire to prevent the whole house from burning down; or prevent fires at risk of leaving a corrupt authoritarian edifice basically intact in the face of popular dissatisfaction with it? What are the effective alternatives to hard-ball methods?

# **4. South Africa (1990–94)**

## Regime change as democratisation

Antoinette Handley

The former US Ambassador to South Africa, Princeton Lyman tells the story of a particular phone conversation between then US President George Bush and Nelson Mandela. The conversation reveals much about the interaction between international and domestic actors in facilitating regime change in South Africa. It was 1992 and violence was threatening to derail negotiations for a new order in South Africa. President Bush saw an opportunity to boost the US role in this process and wished to offer the South Africans the services of James Baker as a mediator. The South Africans however had their own agenda. Specifically, Mandela sought instead US support for a UN Security Council resolution condemning the violence. In the interaction Lyman recalls, President Bush had called Mandela to press his offer of US mediation. Three times in the

course of this phone conversation, Bush offered the negotiating services of James Baker. Once, then twice Mandela listened to the offer and once, twice he politely but pointedly asked instead for US support of a Security Council resolution. The third time Bush repeated his offer of mediation, Mandela paused. There was a long moment of silence. “And how is *Mrs* Bush?” he enquired.<sup>1</sup>

This interaction demonstrates a fundamental characteristic of the South African ‘miracle’. Regime change in South Africa, while facilitated by international events, was from start to finish a *South African* process, driven and concluded by South Africans. International observers undeniably did much to assist this process, but their most effective interventions were assistance in support of indigenous initiatives.

South Africa is an important case study because it represents an instance of regime change by democratisation, presumably the end goal in Iraq too. However, it is not clear that South Africa offers any easy or obvious parallels for the process in Iraq, given that the latter’s transition has been driven almost exclusively by external actors. To the extent that it offers any guidance, South Africa suggests that if we want the Iraqi regime change to also be a process of democratisation, we may have to cede much of the process to Iraqis – and even then it seems doubtful that democracy will be the outcome.

### **How it happened in South Africa**

The 1980s were a period of almost unprecedented political turbulence in South Africa, following the introduction of a new racially exclusive constitution and the imposition of a series of ever more draconian states of emergency. In all of this, despite its radical mien, the exiled

African National Congress (ANC) was rather marginal; it scrambled to catch up and to try to play a leadership role in this ferment.

The international community instituted a series of ever more comprehensive trade, cultural and sporting sanctions, intended to isolate white South Africa and the ruling National Party (NP). For the most part, the political impact of these sanctions was negligible; if anything, they stiffened the resolve of many white South Africans. More serious was the impact of financial sanctions and in particular, the refusal of international banks to grant the country any more credit.

Perhaps the pivotal international development however was the fall of the Berlin Wall in 1989. For decades, the NP had presented the apartheid state as a crucial bastion of Western-style capitalist values and had used the threat of a “red” onslaught (bolstered by Cuban and Soviet support for regional wars of liberation) to win Western support. Then President De Klerk understood that the collapse of the Wall weakened the ANC’s position. Not only could the ANC no longer count on material and military support from the Soviet Union, but the triumph of capitalism would restrict any room for manoeuvre in the field of economic policy for whoever the new government of South Africa would be.

This was important in allaying white fears about the future management of the economy. As long as white dominance of the economy could not be threatened by socialist or redistributionist measures, whites were inclined not to risk their relative affluence by persisting with a patently unworkable and internationally unpopular political vision of apartheid. In this view, the handover of power by white South Africans is not attributable to a miraculous change of heart or conversion away from racism but to a pragmatic understanding that economic and political privilege could be separated

out. The collapse of communism thus facilitated talks with a now apparently less threatening ANC.

Whatever the real motivation, in February 1990, in an address to parliament, De Klerk set South Africa on the course of regime change. Hoping to reform South Africa sufficiently to safeguard white dominance, he unbanned the ANC and its allies and released all political prisoners including Nelson Mandela. It was the beginning of a journey that would end white political power.

None of this was obvious from the outset. Talks about talks were followed by the launch of the Conference for a Democratic South Africa (CODESA) where representatives of black and white South Africans fiercely debated the shape and constitution of a future South Africa. Tensions ran high as former enemies met to debate the country's future – and these tensions were not confined to the negotiation table. Political violence spiked across the country (more below). When Chris Hani, a high profile military figure in the Communist Party was assassinated by a white right-winger in 1992, it was feared that this would derail negotiations. Instead, it seemed to stiffen the resolve of the country's leadership to abjure a destructive cycle of violence. Time and again they returned to a difficult negotiation process and finally agreed to a firm date for democratic elections. Democracy and regime change were at hand.

I will now consider some of the elements of that regime change and its aftermath that may be relevant to the Iraq case.

## **Leadership changeover**

South Africa ultimately experienced a successful and almost complete change in senior leadership although, in early 1990, such an outcome



seemed unlikely. De Klerk and his supporters saw reform as a means to stave off any handover of power, resulting in power-sharing, at most. The ANC had a rather different outcome in mind, and ultimately the ANC negotiators would outmanoeuvre those of the NP. Both sides were forced to compromise in the interim.

Power sharing was the first step. At the beginning of talks about talks, the NP seemed to be firmly in command of the process. When actual constitutional negotiations and planning for the elections were underway, senior NP and ANC leadership shared power in a Transitional Executive Committee (TEC). At this stage, the NP was no longer in uncontested control of the country. Indeed when Hani was assassinated, Mandela assumed a presidential bearing and it was his address to the nation – not De Klerk’s – that staved off almost certain violent retribution.

Even after the ANC had won power via the ballot box, the interim constitution made explicit provision for a Government of National Unity (GNU). Former President de Klerk served as one of two deputy presidents to President Mandela and important ministries like Finance and Home Affairs were occupied by opposition figures.<sup>2</sup> By the end of the 1990s a complete change in senior leadership had been achieved as the NP withdrew early from the GNU. Nonetheless, the change in senior leadership had been relatively gradual, starting with the TEC and progressing via a GNU, before the ANC occupied power on its own.

### **Reshaping government . . .**

Because it had not won power unequivocally on the battlefield, the ANC had to balance, in its negotiation strategy, the sometimes radical demands of its many constituents with the fears of white

South Africans. At a crucial point in the negotiation process, the communist Joe Slovo made a startlingly conciliatory proposal for 'sunset' clauses in the transition. In the 'sunset' of white rule, it was agreed that the jobs of white bureaucrats and those in the security services would be guaranteed. This was an important step in avoiding the alienation and opposition of these politically important constituencies. Offers of amnesty to those convicted of human rights abuses under apartheid offered a similar safety valve.

### **. . . Starting with the bureaucracy**

Given that the bureaucracy was staffed, to a large extent, by conservative white South Africans, there were understandable concerns about the extent to which this bureaucracy would serve a new black government. The ANC fashioned an entirely new super-ministry under the leadership of one of their own, the former trade unionist Jay Naidoo. This new ministry would implement the Reconstruction and Development Programme (RDP), intended to systematically and comprehensively address the backlog in social services for black South Africans. In addition, those civil servants who wished to retire were offered generous retrenchment packages that would allow them to do so. It was hoped that this would offer an escape valve for those bureaucrats who were hostile to the new government as well as sweeping out the bureaucracy's 'dead wood'. Unfortunately, much of the dead wood stayed put. Instead many of the younger, more dynamic civil servants, those with 'get up and go', were the ones who actually got up and went.

Rather than encountering political sabotage from the ranks of its bureaucrats then, the new government encountered a different, and somewhat unexpected problem – the sheer technical difficulty of

administering ambitious programmes through a sloppy and inefficient bureaucracy. Under the new regime, both existing social welfare-type departments (accustomed to serving much smaller constituencies) and the newly created RDP Ministry, were simply unable to spend the budgets allocated to them. The first few budget years ended with large sums of unspent 'roll-over' expenditure (R6.4billion by the end of fiscal 1995/6, some 6.4% of general government consumption expenditure). Further, the administrative difficulties of setting up and administering an entirely new bureaucracy in the RDP were such that government decided to shut its new office down entirely in March of 1996 and redirect RDP funds through existing line ministries such as Housing and Health.

This is not to argue that there was no progress in extending social services to black South Africans. There were important albeit modest advances in what the state offered many of South Africa's poorest households.<sup>3</sup> The difficulties in rolling out these programmes however demonstrated the sheer bureaucratic problem of redirecting services designed for only a limited sector of the population to an entire nation.

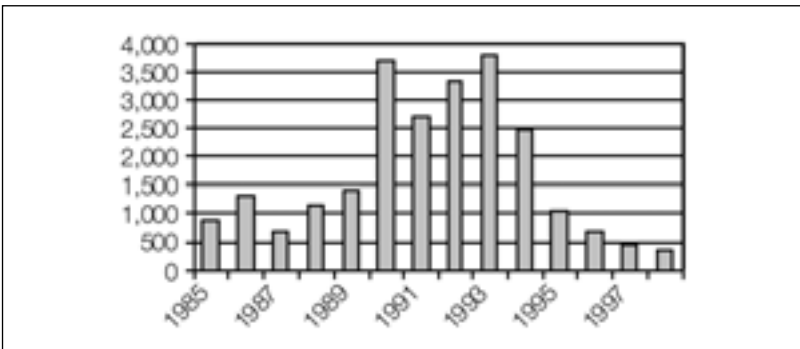
### **All things military**

I argued above that De Klerk's decision to launch the reform process was influenced by the collapse of communism globally and by the consequent gutting of any significant regional military threat to the white state. Military and strategic issues continued to shape the course of the regime change.

At the outset of the negotiations, the NP's strategic bargaining power was bolstered by the loyalty of South Africa's armed forces and the police service (both of these branches of the security forces had histor-

ically been implicated in prosecuting the policies and defence of apartheid). Ironically these same links however came to discredit De Klerk's reform credentials, particularly when a judicial commission under Justice Goldstone uncovered significant evidence of involvement by the security forces in violence. It became evident that at least some of the so-called black-on-black violence of the early 1990s had been intentionally fostered by elements within the security forces.

Despite its successful outcome, the characterisation of South Africa's regime change as a 'miracle' is profoundly misleading. There were significant and rising levels of violence from the late 1980s, and these increased exponentially with the onset of serious reform. The transition period (February 1990 to April 1994) saw close on 15,000 deaths as a result of political violence (see Fig. 1). In fact, the transition was the most politically violent period of the country's history. Much of this violence was over the setting of rules and the jostling for dominance in the process of regime change. Violence was thus engendered by the transition – not separate from it or an alternative to it.<sup>4</sup>



**Figure 1: Political violence casualties, South Africa.**

Source: South African Institute of Race Relations

The leadership of both parties to the negotiations recognised the dangers this posed. For his part, de Klerk sought to rein in the worst excesses of his security forces although it is not clear that they were any longer accountable to him. The parties also negotiated a National Peace Accord in 1991. This Accord authorised the nationwide establishment of community-based committees to monitor the local situation and seek resolution of conflicts. UN corps were attached to the Peace Accord structures and operated within this framework. (This co-operation paved the way for a significant role for the UN in the elections that were to come in 1994.) A hastily assembled National Peace Keeping Force was less successful and seemed only to contribute to the chaos. Nonetheless, the centre held, and after each new crisis, the political leadership returned to the negotiation process (Inkatha is an important exception here). While neither side remained in control of the social forces arrayed behind their side of the negotiating table, they continued to exercise leadership and to carry a sufficient share of public opinion to hold the process together.

The military men<sup>5</sup> on both sides understood fairly quickly the implications of the reform process: that they ultimately would have to negotiate – and perhaps even integrate – with the enemy. Talks between the military leadership of the South African Defence Force (SADF) and the ANC's military wing, Umkhonto we Sizwe (MK), began surreptitiously as early as 1992. Following the broader political resolution, the structural integration of the various armed forces (including APLA, armed wing of the other significant liberation movement in South Africa, the Pan Africanist Congress) into a single national force proceeded remarkably smoothly. However, the attempt to unite a conventional standing army with unconventional

guerrilla forces did undoubtedly affect the new South African National Defence Force's (SANDF) military preparedness. The new South African government repeatedly cried off regional peace-keeping responsibilities to give its new Defence Force time to integrate properly. When it was called on to quell unrest in neighbouring Lesotho, the SANDF performance was, at best, inept.

### **Destroying the weapons of mass destruction (WMD)**

South Africa's treatment of her WMD was the subject of discussion between the US and De Klerk's government – as well as with the ANC, as government-in-waiting, but again, the crucial decisions were those taken by local actors. While many had long suspected that Pretoria had nuclear capabilities, De Klerk confirmed in 1993 that the South Africans not only had that capability, but had in fact already developed six nuclear weapons. These, he also announced, had since been dismantled and destroyed, and he invited the International Atomic Energy Agency to inspect the former facilities. South Africa then proceeded to sign the Nuclear Non-Proliferation Treaty. Why did both the ANC and the NP support this course?

By this time, the NP leadership had seen the political writing on the wall. They had begun to understand that they could no longer monopolise political power – and hence control of any nuclear capabilities. They certainly did not want to see these falling into the hands of the ANC. For its part, the ANC supported the decision because of its broad opposition to such weapons and its support of the international non-proliferation process. The move was taken then under the orders of the political powers (and the consent of the

power-to-be). The renunciation of its nuclear weapons was an important step in reintegrating South Africa back into the international community and ending her isolation but it was, ultimately, a step voluntarily undertaken.

### **Judging the judges**

The reform of the judiciary was not really a major issue following South Africa's regime change (changing the country's laws and its constitution were a much bigger challenge). For much of South Africa's history, the judiciary had functioned largely independent of government and intact (at least up until the 1970s, the commission of apartheid was undertaken by means of public, legislative and legalistic measures). Following the adoption of the country's new constitution in 1996, the new regime did establish an independent Constitutional Court to safeguard and interpret that constitution. A Human Rights commission, complete with public protectors, was also established.

### **Truth and reconciliation<sup>6</sup>**

In 1995, following extensive public debate over how to deal with the country's history of gross human rights abuses, the new South African parliament voted to establish the Truth and Reconciliation Commission (TRC). While it would be fêted internationally as a great success, the TRC was a compromise. It recognised that regime change in South Africa was not the result of the unconditional surrender of the apartheid regime. For this reason, it was not possible to employ Nuremberg-style prosecutions of human rights

violators. The TRC then did not set out to deliver justice by prosecuting apartheid's henchmen.

While the ANC had not won a decisive victory, neither was the outgoing apartheid government in a position to dictate the terms of its exit. The TRC then could not go to the other extreme and offer perpetrators blanket amnesty (as occurred in Chile and, to some extent, in Argentina). Rather, an ingenious bargain was struck: amnesty would be offered to individual perpetrators in exchange for a full and frank disclosure of their activities. In this sense, truth was purchased at the expense of justice.

What of reconciliation, the second of the TRC's avowed aims? This, it was hoped, would be achieved by means of 'the truth' or, at least, the construction of a single, official history that all South Africans could acknowledge. The TRC hosted victim hearings, a non-confrontational 'witnessing' by victims to the public and frequently, to their tormentors, of the horrors that were done to them. Over 20,000 South Africans testified voluntarily and had their submissions recorded. This process was covered widely in the media and had an enormous public impact; it gave the victims a sense that their pain had been acknowledged and that their stories would now form a part of the national record. The hearings also horrified many who had, for so long, preferred to ignore the atrocities being committed in their names. These may have been the TRC's greatest achievements.

The Commission was less successful in the perpetrator hearings which began from 1997. These hearings were slowed by interminable legal wrangling, and marred by attempts by each of the country's major political parties to whitewash the excesses committed by those in their own ranks. The TRC hearings drew to a slow and ignomin-



ious close by way of a series of squabbles between the ANC government and TRC commissioner over the question of what reparations should be paid to victims.

### **A new elite?**

A new ruling elite has emerged in South Africa in the form of a small but conspicuous black middle class. Nonetheless, for the most part, economic power has remained in white hands. South Africa has a powerful business community and her financial and currency markets responded immediately and fiercely to any sign that soft left, socialist or redistributionist measures might be undertaken. The result was a set of surprisingly conservative economic policies that have been warmly approved by the predominantly white business community. It remains to be seen whether attempts at Black Economic Empowerment will make progress beyond granting a small number of prominent black figures limited involvement in the economy at the level of ownership.

### **How to assess South Africa's regime change?**

South Africa's first democratic elections were far from free and fair although that barely mattered; that they occurred at all was miracle enough for most. Despite the many flaws in the conduct of the elections, their outcome – a massive show of support for the ANC – undoubtedly approximated the preferences of South Africans broadly. The international community provided significant material support for the conduct of these elections, but this was probably not integral to their success. In fact, the expensive computer system that

was purchased for the inaugural elections was barely used. What may have been more important was the mass of international attention and observers that surrounded the polling and the legitimising support for the outcome of what was, by all accounts, a flawed process.

The contribution of the international community then to South Africa's regime change was not central; neither was it always able to secure the kind of outcomes that the US, at least, might have preferred. The foreign policy predilections of the new South African government were frequently not to the taste of the US. Because of its historical associations with the South African Communist Party and also because of its loyalties to those states that provided succour to the military efforts of the liberation movements, the new South African government remained stubbornly loyal to 'rogue' states such as Libya.

## **Lessons?**

As I argued at the outset, there are few straightforward parallels between Iraq and South Africa. If pushed, I would summarise any lessons from South Africa's regime change as follows:

1. Regime change is best left to the locals  
Princeton Lyman, US Ambassador to South Africa, has argued that "in the end, it was this ownership by South Africa [of the transition process] that made the final settlement as effective and durable as it has been."<sup>7</sup> South Africans understood, better than anybody, the aspirations and frustrations of their fellow citizens, what was required and what would not be tolerated. At every step, the

political leadership had to balance the needs and demands of their grass roots constituencies with the challenge of exercising vision and leadership that would resolve the impasse. The success of the transition is, first and foremost, a tribute to these leaders, and to the depth and resilience of the political institutions that succoured them.

2. This does not mean there is no role for international support. The international community played an important (if not central) role throughout the process. At the outset, the international sanctions campaign and developmental support for grass-roots anti-apartheid organisations inside the country laid the groundwork for negotiations and for a resilient and resourceful civil society to sustain those negotiations. Subsequently, at crucial points throughout the negotiation process, international intervention and skilled diplomacy, from the likes of the US and UK ambassadors as well as African statesmen such as Kenneth Kaunda, provided invaluable perspective and breathing room when tensions were growing unbearable. Both the ANC and the NP welcomed foreign intervention, for example, on the question of violence, and UN peace observers and various forms of international involvement in the Goldstone Commission were likewise valued. Much of their effectiveness however lay in the support that they provided to South African initiatives. I opened this piece with a story of Mandela's response to an unwanted US initiative. The response of De Klerk, his political rival, was very similar and I conclude with De Klerk's words: "It cannot be expected that South Africans should surrender responsibility for determining their own future. Neither can South Africa allow its sovereignty to be impaired. However, we value the positive

role the international community can make in facilitating the negotiation process.”<sup>8</sup>

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- 1 Princeton N Lyman, *Partner to History: The U.S. Role in South Africa's Transition to Democracy* (Washington D C: United States Institute for Peace, 2002), pp. 3-4.
  - 2 These two posts were occupied respectively by a white businessman (formerly the NP's Finance Minister) and by Buthelezi, head of Inkatha, a Zulu nationalist party opposed to the ANC.
  - 3 The outgoing NP government had raised the monthly pension of black South Africans to parity with their white counterparts. In 1995, free health care was rather chaotically extended to all pregnant women and children under the age of 5, the result of a generous decision by Mandela that appeared to catch the Ministry of Health by surprise. In addition, the provision of clean water to households expanded dramatically and in 5 years the number of connections approached two million. From 1991 to 1997, more than 1.5 million households were added to the electricity grid. John Pape and David A McDonald, "Introduction," in *Cost Recovery and the Crisis of Service Delivery*, ed. David A McDonald and John Pape (Cape Town, South Africa: Human Sciences Research Council, 2002), p. 4.
  - 4 This violence included but was not restricted to a low-level civil war in KwaZulu Natal between supporters of the ANC and Inkatha respectively; the spread of this tension to similar factions on the East Rand; violence directed against so-called informers and collaborators; injuries sustained in confrontations between protestors and police; attacks on commuters in the country's industrial heartland; and random attacks by right wingers on a range of black targets (not to mention the right wing bombing campaign leading up to the elections).
  - 5 And they were, almost exclusively, men.
  - 6 This section owes much to the analysis of Prof. Andre du Toit, based at the University of Cape Town.
  - 7 Lyman, p. 4.
  - 8 F W de Klerk, correspondence with Pres. George Bush, 27 June 1992.

## **5. Haiti (1994-96)**

### The perils of a rush for the exits

James Morrell

The United States has tried forcible regime change in Haiti twice over the past century, in both cases failing to change the essential, underlying conditions. The first regime change brought considerable modernization (1915–34), which it would take Haiti two decades to spend down before plunging into the extended darkness of Duvalierism (1957–86). The second regime change (1994) was followed by a rush to the exits and unprotected nation-building, quickly abandoned; accordingly, the relapse into prior conditions has come much faster.

Each regime change involved the invasion of a sovereign nation and so came at grievous cost to the international rule of law. In each case, however, the rule of a modern capitalist nation, even though foreign-imposed, was more democratic than that of the venal native powerholder it replaced. This was because in both cases the invader

tried to set up a state that worked for larger purposes than power aggrandisement of the incumbent individual or armed group.

The fact that neither invasion accomplished any permanent improvement would seem to seal the case against these interventions: not only were bad external precedents set, but no internal good came out of them. Yet, as we argue in the ‘audit’ of the second occupation below (with the first occupation always in the back of the mind as a comparison), the real question is whether the nation-building efforts of these external occupations could, if sustained, help the Haitians more effectively create the institutions of internal popular sovereignty than they have been able to on their own.

## **I. The regime change: how complete, how successful?**

### A. Leadership removal

In September 1991, in a country whose history is full of coups, violent overthrows, and *attentats*, the army overthrew the first democratically elected president in the country’s history. The 1994 US-led military intervention reversed this completely. It not only restored the president and exiled the military leaders put in place by this coup, it led directly to abolition of the army itself. Seemingly, the regime change which restored elected president Jean-Bertrand Aristide to office could not be more complete.

The completeness of this removal at the senior levels recalls the first occupation as well, in 1915, when the regime practically self-destructed before the Americans came in (an enraged elite mob tore the president literally to pieces, after that president had shot more than a hundred elite prisoners he had taken hostage).

### B. Institutional change

Again superficially, the Aristide regime change was impressive. In 1994 the army was taken off the board. A clean sweep was made of regime-installed ministers. A new, neutral, and professional police was created. The judiciary, deeply corrupted over the decades, proved more resistant to change. Similarly, in 1915 the successive takeovers by armed bands were ended by the Marines and a neutral, professional Haitian constabulary created, while the judiciary resisted reform.

### C. Attempts to exorcise the past

The symbolism of the 1994 regime restoration, even if accomplished at the point of foreign bayonets, marked a clear break with the past. The results of a democratic election were upheld; a coup d'état was repudiated. There was further symbolism: prosecutions of the authors of an army massacre in Raboteau, a slum in the city of Gonaives; a Truth Commission modeled on those of Latin America. The targets of these prosecutions, however, were not the ones threatening the fragile new democratic structure.

### D. Reemergence of traditional elite politics

The 1994 regime change laid the basis for transcending elite politics. In 1995 broadly democratic, although imperfect, elections were held for the parliament.<sup>1</sup> However, returned President Aristide's popularity and his untrammelled personal ambitions led him to dispense with the congeries of small social democratic parties that had promoted his original presidency. The split within the democratic camp led to a recrudescence of the old style of politics based on presidential ambition. The split was widened in late 1995 by the

president's attempt to stay in office past his constitutional term, which was opposed by both the social democratic parties and the United States. Since there was still a residual presence of US troops, the president was forced to peacefully hand over to a successor. Things took on further hallmarks of a traditional elite struggle for power when the now ex-president launched a personalistic party to further his candidacy.<sup>2</sup> By these moves Haiti was dragged back into the usual politics of presidential succession that had dogged its history for nearly two hundred years.

Similarly, from 1915 to 1934 the US occupation provided the security behind which the elite senate chose presidents, albeit those favored by the United States, and those presidents peacefully handed over to successors, although each sought to overstay. Once the United States departed in 1934, presidents routinely attempted to overstay but were thwarted by the US-created army, and not until Francois Duvalier (1957-71) did a president dominate the army and impose life presidency.<sup>3</sup>

#### E. Failure to disperse economic power

The initial nation-building in the wake of the 1994 occupation prompted a hesitant revival of the economy, opening up opportunities for both the elite and middle class. However, recovery was soon choked off by endemic political violence, coupled with an appalling infrastructure and a judicial system that failed to command confidence among either domestic or foreign investors. The result was to check middle-class entrepreneurship and, while creating difficulties for a number of traditional elite investors as well, to confine opportunities largely to those controlling the state structure, namely the president and his party.



#### F. Struggle of civil society

Post-Duvalier politics (1986 and thereafter) saw a widening role for civil society and democratic politics, which revived with greater force after the second US occupation and defeat of the army. The elected president's gradual devolution into traditional powerholder, profiled above, led to an independent, opposition role for civil society, political parties, and the media.

#### G. Free elections, rule of law, and effective governance

After the 1994 occupation, the quality of governance varied in inverse proportion to the number of foreign troops on the ground. Although the foreign presence was not all-determining, it was a crucial conditioning factor. As the troops were withdrawn, elections got worse, the police became politicised, and governance as measured by security and the effectiveness of institutions (parliament, ministerial government, judiciary) deteriorated steadily.

A similar deterioration set in after the 1994 withdrawal, but because the first occupation had had nineteen years in which to work, its achievements stood longer. After 1994, Clinton was beset on the Haiti issue by the Republicans, who took both houses of Congress only two months after he went into Haiti. He had to exit precipitously, having seemingly accomplished his main objective of staunching the refugee flow. During 1994-96 primarily, behind the security provided by foreign soldiery, United Nations missions and twenty bilateral and multilateral donors achieved reasonably free elections, neutral and professional police, a functioning parliament, the beginnings of judicial reform, and the rudiments of ministerial government.<sup>4</sup> In the ensuing years, as the troops left, each of these achievements fell away and Haiti returned to its historical pattern of

presidential power-grabbing. By 2002 the World Bank reported that all its projects in Haiti had failed due to poor governance.<sup>5</sup> Some \$3 billion in aid had been invested since the ouster of Duvalier.

## **II. Factors behind the failure of regime change in Haiti**

A. Was there an alternative elite or constituency on which the intervention could rely?

The restoration of the democratically elected president could be accomplished by a quick invasion, but the nurturing of democratic politics which would have broadened the constituency for the intervention would have required a concerted, long-term occupation and programme of nation-building which parochial US politics would not support.

The traditional elite, symbolised by the army coup of 1991, had already proved grossly incapable of constituting legitimate governance, and both the first Bush administration and the Clinton administration treated this regime as a pariah state that increasingly threatened palpable US interests as it generated refugees. The first Bush administration, transfixed by President Aristide's leftist oratory, balked at restoring him to power, but the more pragmatic Clinton rightly disregarded the oratory and sought, quite unsuccessfully, to groom Aristide as a democratic leader and reconciler.

Indeed, Clinton's original manager of Haiti policy, Amb. Lawrence Pezullo (special envoy for Haiti, 1993-94), sought to broaden beyond Aristide, whom he mistrusted, by nurturing a balance of reformed army, reconstituted parliament, restored prime minister, and presidential restoration. The checks and balances of these institutions under the 1987 constitution would provide an arena for

democratic politics and a broadened constituency for the US presence. However, the army and the other actors failed to cooperate with Pezzullo and Clinton failed to back him up (symbolized most unforgettably by the October 1993 withdrawal of the *Harlan County*, a troopship bearing the original contingent of US and Canadian military advisers that were to launch the reforms). When in spring 1994 Clinton realised that the refugee onslaught and the discriminatory treatment of them were threatening real political interests, particularly in the African-American community, he did an abrupt policy reversal, jettisoning Pezzullo and treating Aristide as if he would somehow become a guided missile for US interests.

As Pezzullo recalled in 2002:

*To its shame, the Clinton administration caved. It abandoned its negotiating leadership forged with the OAS/UN team and made a quiet deal with Aristide which, in effect, ceded policy control to Aristide in return for an end to the anti-administration lobbying effort.<sup>6</sup>*

The fatal flaw in ceding control to Aristide was that he wanted to return unfettered by the constraints imposed on the presidency by the Haitian constitution of 1987, which established a parliamentary democracy with executive authority divided between a president and prime minister.

The invasion of Haiti by US troops did further lay the foundations of democratic politics by removing the army, which had proved impossible to reform. But after removing virtually the only functioning institution in the country besides the Catholic Church, it was incumbent on the invaders to stay long enough to build countervailing institutions, or the monopolisation of power by the

Haitian presidency, so long the pattern of history, would be sure to recur.

B. To what extent did existing elites remain important?

The 'elite' in Haiti are traditionally considered the mercantile bourgeoisie, but this was an elite that, especially under Duvalier, was increasingly stripped of political power. The power elite of Haiti was whatever grouping, whether army or presidential faction, seized control of the presidential palace. The 'bourgeoisie' was typically only one of several kingmakers in this seizure.

While many of the economic elite aligned themselves first with the army, then with Aristide after he reestablished traditional personalistic rule, so as to share in the spoils, a more modern-minded portion cast their lot with civil society, creating progressive business associations such as the Center for Free Enterprise and Democracy (CLED) and supplying moderate, democratic-minded prime ministers such as Robert Malval and Smarck Michel.

By comparison with many countries, Haiti is racially and linguistically homogeneous, with a shared history of nationhood. The racial distinction between *noir* and *mulâtre* has at times in Haitian history seemed almost to take on the virulence of the ethnic divide found in tribal cultures such as Bosnia or Kosovo. On closer examination, however, this was a distinction always manipulated by the fierce politics of presidential monopolisation and succession.

C. How consistent was external control? What alternative might have been pursued?

As has been suggested above, the second occupation wound down precipitously from the twenty-one thousand troops originally sent

in in September 1994 under the Powell doctrine of overwhelming force to the full withdrawal of American troops in April 1996, at which there was a handover to a UN force that lasted another year. After that it was a dwindling number of police advisers.

This contrasts with the first occupation, which was executed by a few hundred US Marines and sailors taking over a collapsed state, and a garrison of nine hundred Marines over the nineteen years of occupation.

The second occupation was thus characterized by gross inconsistency of policy, whereas the first was remarkably consistent through nineteen years. Differences of perceived US interests, and secular change in the *Zeitgeist*, account for this contrast.

The first occupation could cite strategic goals. It filled a vacuum opened during a world war by political instability; Germany had, indeed, played an increasingly active role in Haiti before the war. Haiti was scooped up along with other struggling small states around the Caribbean. While racism, empire-building, and dollar diplomacy were all in the mix, the explicit goal of occupation was to prevent in Haiti the constant rebellions (there had been seven violent overthrows in as many years before the US takeover) that had reduced the country to near-chaos.

The only serious US interest for the second occupation was preventing a rush of Haitians to the Florida shores. The Clinton administration, just like other administrations since Nixon's, had mainly relied on cordoning off Haiti as the best way to protect US interests, for the alternative, active involvement in its internal affairs, was and still is deemed too risky in the absence of viable Haitian political structures.

But the flagrant racism of denying Haitian refugees while

admitting Cuban, and the hypocrisy of doing this after having criticised President Bush for the same thing, were a little too much for the American body politic to swallow. There was growing dissent within Clinton's Democratic Party power base, threatening the Democrats' prospects in the mid-term election. Retaining Florida—or not losing any more seats to the Republicans—was a key concern. The African-Americans had the vote and eloquent spokespeople such as Randall Robinson, Charles Rangel, and John Conyers.

In the narrow sense of temporarily stanching the refugee flow, Clinton's quick intervention may be said to have been successful. But the dramatic, fateful decision for invasion—with its trampling on the principle of sovereignty even with the full imprimatur of the United Nations—was a decision to solve this problem at the source, a decision that both President Woodrow Wilson and President Clinton made, but that only President Wilson seriously followed through. To redeem this decision with all of its fateful consequences Clinton needed, once committed, to have applied a long-term strategy by which American troops would not merely support a president, but would similarly support the range of actors and institutions that could have eventually constituted a minimally accountable, democratic government.

For truly, as the human-rights lawyer Gérard Gourgue has noted, “In Haiti presidential power is a disease.” And the failure to make any progress on this issue means that today Haiti is once again bleeding refugees. Turned aside by the US Coast Guard, they mainly reach the Dominican Republic or the Bahamas, but the pressure increases.

As noted above, the political constraints on Clinton, symbolized by ‘attack hearings’ accusing one of his ambassadors of perjury, hastened the exit. Back in 1915, the original American occupier of

Haiti, Admiral William B. Caperton, had written to the Navy Department, "For the love of anything good or bad, do not send any politicians down here yet awhile. I would like to say, never send them."<sup>7</sup> Clinton, however, faced them from the very beginning.

There was also a larger secular change in *Zeitgeist*, as the American public, never keen on empires and foreign adventures, actively rejected the concept after Vietnam. The American left, which was the natural constituency for the rights of the abused Haitian masses, was precisely the sector most sceptical of the American intervention which was the only effective way to help them.

Thus this healthy and commendable political maturation among the American public created a situation in which Clinton's intervention in Haiti was bereft of support on either the right or the left. There was no constituency for the difficult, long-term nation-building program the situation demanded; hence it is no wonder that it was abandoned so precipitously.

The skewing of American politics has proceeded to the point today that several of the most prominent and liberal Democratic ex-congressmen have allowed themselves to be suborned by the Aristide regime, while it is rigidly conservative Republicans in the Bush administration, still resenting Aristide's early populism, who are his most outspoken critics.<sup>8</sup>

As the former US ambassador to Haiti, Timothy Carney, has noted:

*Now, what is the problem by which the United States can't figure out what to do in Haiti? Part of the answer is that the issue has been turned over almost entirely to special interest groups. And unfortunately, the*

*most active special interest is the Black Caucus which has produced the most astonishing nonsense relating to what's going on in Haiti today.<sup>9</sup>*

## **Conclusion**

It is not therefore, the decision for regime change itself that the American presidents of 1915 and 1994 should be taxed for. Although the violation of sovereignty was a high price to pay, it was somewhat mitigated in both cases. In 1915 there was a world war and sea lanes to protect, creating the veneer of self-defence. In 1994 that same implausible rationale was applied to the refugees; however, the military's violation of their agreement with the United Nations, and the virtually unanimous support of the General Assembly and Security Council, bolstered the Clinton administration's moral case.

However, the reliance in 1994 on a returned president, in a country suffering from presidential 'disease,' was a short cut that has saddled both Haitian and US politics with virtually insuperable obstacles. In Haiti it lent the strength of a superpower to already fierce presidential ambitions. It skewed the balance against political parties and civil society that had yet to find their moorings among the population. It alienated and demoralised a population that is now paying a huge price for its proclivity to place its faith in an individual, rather than institutions. The resulting regime has a chokehold on the economy such that there is no feasible way, whether by aiding the corrupt government directly or by providing alms through non-governmental organizations, to address the causes of Haiti's scandalous mass poverty.

The shortsightedness of the right in American politics, evidenced in this case by ideological rejection of Aristide's early pretend-leftism



and a visceral attack on Clinton's intervention, may be taken as a given. The right, with control of the White House for more than two years, has shown much less decisiveness and courage than Clinton in addressing the Haiti problem; indeed it has done no more than blindly continue the policy inherited from Clinton.<sup>10</sup>

It is the left and liberal sectors in American politics that have discretion, yet have in effect closed their hearts and intellects to the cause of the impoverished Haitian masses. They have allowed themselves, by inattention in many cases and greed in some, to be beguiled by the historical memory of Aristide, the powerholder who once exhibited the leftist rhetoric that in a poor country like Haiti comes as naturally as breathing. Whereas this sector ought to be united in an urgent quest for a model and praxis of international humanitarian intervention in a country as stricken as Haiti, instead it is confused and compromised: for every voice that is clear and factually-based on human rights, there is another that is seemingly or actually suborned by a regime ruling by political violence. The result of this cacophony is merely to eliminate the left as a coherent voice of guidance for an American population, significant elements of which have a strong natural empathy for the plight of the Haitian people.

Thus the failure to persist in regime change has led to a reversion to the status quo ante with remarkable rapidity. And it has created a deeply confused political situation, in both the colonised nation and the coloniser, that it will take many years, and many innocent lives, to unravel.

The modern road not taken

The tragedy was all the greater because the means to avoid it lay so readily to hand. Truly, Pezzullo had been right in seeking alterna-

tives. The alternatives were there in the congeries of social democratic reformists who no less than Aristide had agitated against Duvalier and subsequent military regimes.<sup>11</sup> They were there in a portion of the formerly retrograde bourgeoisie, which as noted now awoke to the opportunity they were losing. They were there in the Haitian diaspora, whose talents placed hundreds of thousands at professional levels in US society running systems far more complex than any to be found in Haiti.<sup>12</sup>

These were genuinely new assets, created by the processes of political development and migration in the latter half of the twentieth century, which were not available to Colonel John Russell, the American high commissioner in 1920–30. What prevented the United States from using them?

First, it would have required an extended stay by US troops to shelter and nurture these alternative sources of nation-building personnel, a stay which for reasons already given the US political system would not sustain. In the US absence, no other nation was likely to come forward, nor could a weakened United Nations provide an independent presence.

Second, were the United States to throw support to the social democratic parties, it would be supporting not a pretend-leftist such as Aristide but the real thing. Several of the parties and leaders have a sincere dedication to socialist and constitutionalist ideals, which come naturally in a country as poor as Haiti.

In short, to have succeeded in the occupation would have required the United States to have used its power consciously on behalf of the impoverished masses of Haiti, in the enlightened interest of the United States to be sure, but in violation of too many ideological verities thrown up by a deeply conservative US power structure.

Given the gross asymmetry between US and Haitian power, and the deep involvement of the United States in Haitian affairs, the degradation in Haiti can only to a certain degree be blamed on Haitians. The reversion to personal rule was both predictable and containable. The ultimate blame for the failure to contain, neutralise, and transcend it lies not with Haiti, but the United States.

It was perhaps this asymmetry that a poor woman residing in the sprawling Raboteau slum in Gonaives had in mind when she screamed at a recent demonstration, “America, come and take your trash back!”<sup>13</sup>

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- 1 See Henry F. Carey, ‘Electoral Observation and Democratization in Haiti,’ in Kevin J. Middlebrook, ed., *Electoral Observation and Democratic Transitions in Latin America* (San Diego: Center for U.S.-Mexican Studies, 1998), pp.141-166.
  - 2 Further discussed in Robert Fatton, Jr., *Haiti’s Predatory Republic: The Unending Transition to Democracy* (Boulder, Colo. and London: Lynne Rienner publishers, 2002), pp 77-139.
  - 3 Robert Debs Heinl, Jr., Nancy Gordon Heinl, and Michael Heinl, *Written in Blood: The Story of the Haitian People, 1492-1995* (Lanham, Md.: University Press of America, 1996), pp. 335-560.
  - 4 The advances toward ministerial government are described in Raoul Peck, *Monsieur le Ministere . . . Jusqu’au bout de la patience* (Port-au-Prince: Éditions Velvet, 1997). See also review article of the above, ‘Driven to the Limits of Patience: My Experience as Minister in Preval’s Government,’ reviewed by James R. Morrell, at <http://www.haitipolicy.org/page.php?cat=art&articleID=145>.
  - 5 World Bank, Operations Evaluation Department, ‘Haiti: Country Assistance Evaluation’ (Report No. 23267, February 12, 2002).
  - 6 Lawrence Pezzullo, ‘Haiti’s Lessons for U.S. Leaders: Iraq: It Takes More than Bombs and Troops to Bring Democracy and Comfort to a Country Accustomed to Dictatorship,’ *Baltimore Sun* (October 11, 2002) at <http://www.haitipolicy.org/page.php?cat=art&articleID=285>.
  - 7 Heinl, Heinl, and Heinl, p. 465.
  - 8 On the payments to Americans, see ‘GOH’s Lobbying Expenditures on Consulting Firms During the Last Six Months of 2002,’ Data from U.S. Department of Justice, at <http://www.haitipolicy.org/page.php?cat=art&articleID=660>.
  - 9 Remarks by Amb. Timothy Carney at the Opening of the Haiti Democracy Project, Brookings Institution, Washington, D.C., November 19, 2002, at <http://www.haitipolicy.org/page.php?cat=art&articleID=458>.
  - 10 Georges A. Fauriol, ‘Searching for Haiti Policy: The Next Ninety Days’ (Center for Strategic and International Studies research brief, June 19, 2001), at <http://haitipolicy.org/page.php?cat=art&articleID=142>.

- 11 Peter Dailey, 'Haiti: The Fall of the House of Aristide,' *New York Review of Books*, Vol. 50, no. 4, (March 13, 2003), at <http://www.nybooks.com/articles/16126>.
- 12 See analysis of Haitian opposition by Claude Moïse, *Many More Crosses to Bear: The Uphill Road to Democracy in Haiti* (Montreal: Mémoire d'encrier, forthcoming).
- 13 Clara James, 'The Raboteau Revolt: Aristide's Political Machine,' *Z Magazine* (December 2002, vol. 15, no. 12).

# **6. East Timor (1999–2002)**

The birth of an independent and democratic nation-state?

Andrew Renton-Green

## **Summary**

East Timor was born of the international community. It exists as it does now because of co-operation between the United Nations Transitional Administration in East Timor (UNTAET/ETTA), donor countries and non-government organisations (NGOs), and of course the East Timorese people. The planning for reconstruction, development, poverty reduction, and transition to independence started before the 1999 referendum, which separated East Timor from Indonesia. That East Timor achieved rehabilitation and independence in less than three years is a tribute to this planning, and to international co-operation. It is remarkable too that multi-party

elections, the implementation of a constitution, modest economic recovery, and the restoration of much of an almost completely destroyed physical infrastructure, took place in a generally secure and peaceful environment.

These achievements must be viewed objectively. Public administration in all forms remains problematic. Many aspects of capacity-building in the areas of politics, governance, justice, economics, society, and physical infrastructure have been only partially successful. While some programmes have been successfully introduced, improvements in the underlying quality of governance, and the eradication of a patronage culture are proving harder to achieve. This is an area for which international organisations could have prepared better.

The resilience or even strengthening of old elites has also been striking. The search for those with knowledge, expertise or simply contacts has meant that old colonial era elites have emerged as a significant force.

In addition, a widespread belief remains that oil and gas income from the Timor Sea fields represents the sole economic panacea for the nation. Such singular focus does not augur well for the key developmental requirement of a broader based economy, recommended by most analysts. This broader based economy is needed both to see the nation through to the point when these oil and gas revenues become reality, and to avoid the dangers of a centralised, oil patronage-based economic system thereafter. Required infrastructure investments have been underestimated.

Overall, the end of the first year of independence report reads 'relatively good', while acknowledging that the UN and other international agencies could have done better, or done things differently,

in some areas of nation-building. Today, East Timor is a very different place from the militia-ravaged territory of September 1999. Conflict produces individual and community physical and mental stress; this in turn may lead to more conflict.<sup>1</sup> Immediate humanitarian needs have been satisfied, and work is well advanced on priority reconstruction tasks. Priorities now are to maintain momentum and focus in existing national development policies, together with government commitment to the development of legal and administrative frameworks, the institutions of central and local government, and the improvement of human capital. All this must be achieved in an environment free of personal and community conflict.

### **History of East Timor and conflict**

Timor was part of the kingdom of Sumba when invaded by the Portuguese in 1505, and colonised formally by Portugal in 1520. Two hundred years later, the Dutch pushed the Portuguese out of West Timor. From then until 1975 – with the exception of the Japanese occupation of Indonesia – Portugal remained the controlling colonial power in East Timor. The Portuguese governed East Timor as a metropolitan province, much in the same way as France governs her Pacific possessions. Roman Catholicism was, and remains, the controlling ideology with 91.4% of the population Roman Catholic.<sup>2</sup>

Internal unrest existed to greater or lesser degrees from the late nineteenth century until 1974, when the Portuguese abandoned the long-held territory, and then into the Indonesian era. The ‘style’ of the Portuguese colonial government was characterised by a lack of participation by all but the Portuguese educated Timorese elite,

together with an absence of any meaningful social and material progress for the East Timorese people. During the four hundred plus years of colonial rule, many opposition groups were formed, and armed fights between them were frequent, and bloody. Animosity ran deep<sup>3</sup> and remained during the Indonesian colonial period.

In late 1974, following a coup d'état earlier in the year, Portuguese politics took a radical turn. The left wing government that assumed power embarked on a policy of decolonisation, including, among other overseas territories, the territory of East Timor. The colonial administrators, keen to be part of the 'new Portugal', hastily abandoned East Timor, leaving a power vacuum. The unsophisticated political factions that comprised the indigenous broad political spectrum were left largely to their own devices to sort out the future.

### **Political groupings and aspirations**

In this Portuguese produced vacuum FRETILIN (for acronyms, see note 3) took control and set up a governing infrastructure, issuing a unilateral declaration of independence on 28 November 1975. The following day UDT and APODETI together proclaimed independence, and simultaneous integration with Indonesia. Bitter and prolonged fighting resulted between the rival armed groups, with many thousands killed and wounded. Indonesian Forces (TNI-AD) landed in East Timor on 7 December 1975 and secured the territory by force.<sup>4</sup> This event was probably at the invitation of APODETI and UDT, which claimed that civil war had broken out and that they were being persecuted by non-integrationists, and was carried out under the umbrella of the Balibo Declaration issued by APODETI,



UDT and others. The territory became the twenty-seventh province of Indonesia, and remained within the Republic until 1999 when, after an orchestrated period of communal violence and forced expatriation of an estimated four hundred thousand East Timorese to West Timor, Indonesia handed over the territory to the international community.

The legacy of these events was a seriously traumatised population, virtually total destruction of the physical infrastructure, government and institutions, and the collapse of law and order. United Nations (UN) sponsored independence followed on 20 May 2002 when the independent nation-state of East Timor entered the global community of nations. A radical transition for a country that had been a colony for five hundred years or so, a transition assisted and underwritten by the international community under mandate and guidance of the United Nations and other international agencies.

### **National identity and political challenges**

In the FRETILIN-dominated post-independence country there exists significant national pride both in East Timorese resilience under successive colonisers, and in achieving 'nationhood'. Eager anticipation and high expectations abounded about what 'independence' would mean for the 'average' East Timorese; sadly many were unrealistic. Long standing internal resentments, recriminations and animosities began to surface, and new ones emerged.

Resentment remains among some East Timorese about decisions made by the UN and the East Timor Transition Authority

(UNTAET/ETTA), decisions regarded as fundamental to the 'ethos' of the new nation-state. The choice of Portuguese as the national language caused considerable and widespread resentment, largely because of a perceived lack of consultation with the population at large. Timorese have told me that less than ten percent of East Timorese speak and/or understand Portuguese.<sup>5</sup> The *lingua franca* was Bahasa Indonesia, the medium of education and government for 25 years, while Tatum and local variants is used within the family and close community. At the time of choosing the new national language, there was a strong and widespread community preference for English as the official language, and a strong belief that English should have been chosen. The basis for this is that English and not Portuguese was likely to be of far more value to East Timor in the globalised world.

Speculation remains rife among the wider community, as they ponder the true Portuguese interest in East Timor; is it a desire to help, is Portugal a 'stalking horse' for EU/EC influence, or is it Portuguese 're-colonisation'?<sup>6</sup> Is the decision to make Portuguese the national language a decision made by these elites in conjunction with Portugal in an effort to ensure continued funding from the EU/EC, and if so what is the *quid pro quo*?

Accusations of 're-colonisation' by the Portugal are still strongly expressed by some East Timorese, together with community resentment about the return and appointment of some Portuguese sponsored Timorese elites with connections stretching back far into the colonial era. Many of these personalities comprised the transitional government, and now the post-independence government. This return of the 'old guard' has brought accusations of nepotism, cronyism, and corruption in the area of

official appointments, and business deals with central and local government.

### **The political challenges post-independence**

During the Indonesian period in East Timor, political activity among East Timorese was at a low level and generally clandestine. In common with the rest of the republic, the Indonesian government did not encourage mass political participation, other than that which was officially sanctioned and orchestrated. On achieving national independence, the political capacity of the mass of the people was rudimentary, with existing political groupings being based very much on a party model, which may be described as ‘revolutionary combatant’. The first real taste of ‘democratic’ political activity for most East Timorese was the International Force East Timor (INTERFET) protected referendum that saw the end of Indonesian rule. From then on, with UN and other assistance there was a building of understanding of political processes within the community. This greater understanding was demonstrated in the pre-independence general election, with the formation of political parties, growth of local media and other signs of a developing civil society.

Today East Timorese are assured constitutionally that they can participate in the political process, register and vote without restriction, and political parties are freely able to campaign for election. The ‘democratic rights’ of all East Timorese, not just those of political parties and elites, are enshrined in a strong and enduring constitution. These are vital changes from the status quo ante and essential for protecting the population against the realities of

political non-participation, and the political excesses experienced under previous administrations. Ensuring and entrenching these 'human rights' presents a significant challenge to both the political elite, and the government agencies created to ensure constitutional compliance.

## **National development**

East Timor's future security and well being is very much dependent on the quality of post-independence international partnerships and co-operation. None is more vital to stability and security than that with Indonesia. It is in the interests of both nations, which share common land and maritime borders, to ensure peaceful coexistence. More broadly, the whole of the Asia-Pacific region has a strong interest in maintaining a stable and secure East Timor that has constructive relations with all of its neighbours.<sup>7</sup>

Immediately before achieving independence, the East Timor Transition Authority (ETTA) agreed with international donors a long-term national development plan and budget, including a specific plan for the 2002-03 years. The result has been that the post-independence Government has had clear strategic direction, budget certainty, and specific interim targets to meet. Evaluation of the progress of this plan and the desired outcomes it seeks to achieve is key to success, as it will highlight existing and emerging risks and weaknesses in the national reconstruction process.

This plan incorporated a priority development programme which identified and focused on four principal areas: poverty reduction; governance; public fiscal management; and repair and development of power generation and delivery.

### Poverty reduction

Rather than concentrating on the inheritance at independence, the Government has pursued a clear poverty reduction strategy. International donors have been generally complimentary about the progress achieved in improving the focus of poverty strategies within Government. High absenteeism among government employees, and a general lack of urgency in some sectors (e.g. education and health) interferes seriously with the efficient and effective delivery of poverty reduction services to the East Timor community. Clear accountabilities built into a legislative framework covering the public service will go some way in redressing these shortfalls.

### Governance

Post-independence East Timor demonstrates clearly how all other areas of development are wholly dependent on a robust and independent judicial system, and the adverse effects if not in place before independence. Governance, or perhaps more correctly the lack of it in some sectors, poses serious problems for East Timor's stability and development. The urgent development of clear policies, and the underpinning legislation on the functioning of the justice system, the law of property, commercial law, and a code of conduct for the public service are crucial to stable future.

Post-independence problems experienced in achieving this include: a lack of a robust and widely accepted policy process in Government; poor capacity within the parliamentary system to debate both policy and the legislation that is needed to underpin it; a lack of suitably qualified law draftsmen; a lack of judges to implement and interpret all types of law. Institution-building has

been slow, and those institutions established by the constitution, such as the Supreme Court, the Court of Accounts and the Office of the Ombudsman have yet to become reality. An exception is the Truth and Reconciliation Commission. By the end of January 2003, the Commission had received 203 statements from perpetrators, and conducted hearings for 103 of these cases.

Keen competition exists for employment in the public service. There remains a belief in the 'cradle to grave' philosophy, perhaps an overhang from both the Portuguese and Indonesian administrations. Nepotism, favouritism, bribery and so on all go unpunished through lack of a performance management system, a public service Code of Conduct, and public service legislation eliminating corrupt practices and poor performance. Corruption and lack of discipline in the civil service is a very serious problem that must be eliminated if governance is to be, and is seen to be, efficient, effective and equitable.

### The economy

The Indonesian government subsidised East Timor \$50-80 million annually. The vital need for sustainable economic development in East Timor depended upon creating a functioning infrastructure of government and public services, internal and external communications, a pool of trained and skilled East Timorese, underpinned by an internal environment of peace and stability.

Following independence, the 800,000 East Timorese faced the challenge of becoming economically independent. Presently, with a per-capita GDP of about \$500 and unemployment up to 90% in Dili and Baucau, economic hope is based firmly on royalties from offshore oil and gas fields, which are expected to start flowing in by

2005. A donor conference immediately post independence pledged more than \$440 million in financial aid for the 2002-2005 period, or until oil and gas royalties start flowing. Until then, the country is reliant on this aid, and the restoration and development of the agriculture sector, development of tourism, fishing, forestry, and mining sectors.

### *Foreign Direct Investment (FDI)*

The key to these latter possibilities is foreign direct investment (FDI), investment that has been very slow in coming. East Timor's roads, particularly those leading up into the mountainous and less developed interior, demand massive investment, while power and telecommunications are virtually nonexistent. Urgently needed mobile and terrestrial telecommunications systems could experience significant delays before becoming operational.

Before independence the business and investment unit of the transitional authority received over five hundred investment enquiries; few went ahead because of concerns about infrastructure, land tenure, and security. These concerns remain. One contributing factor is the lack of job opportunities in remote rural areas, which has caused drift into urban centres. Dili now has a population of about 140,000, nearly double what it was at the end of Indonesian rule. A rise in violent crime committed by gangs of unemployed youths roaming Dili is one outcome of this urban drift.

### *Oil and gas revenues*

Decisions on the use of future oil and gas revenues from the Timor Sea will have a major bearing on East Timor's long-term prosperity. East Timor's oil income last year was projected to be \$20 million, or

5.3% of GDP of \$371 million. That projection rises to \$36 million in 2003, \$78 million in 2004 and then \$103 million each in 2005 and 2006, by which time it will account for 25 % of GDP, most of which will come from the Bayu Undan field. The East Timor government, with limited domestic sources of revenue apart from oil and gas, and with a high demand for economic and social development, faces many difficult policy decisions in establishing a sustainable level of public expenditure.

### *Public expenditure*

The World Bank and Asian Development Bank, among other funding agencies have generally expressed confidence and satisfaction in the accountability systems established under ETTA.<sup>8</sup> They also generally support the budget policies' focus on poverty alleviation. Priority is being given to transferring public expenditure management functions, presently managed by expatriates in the main, to East Timorese. Such transfer will need the continued commitment to capacity building, the underpinning legislation needed to ensure public accountability and transparency, and a clear set of ethical standards for the public service.

### *Power generation and reticulation*

On independence, this utility remained highly dislocated and barely functional. The inadequate infrastructure and unsustainable funding of largely free electricity was close to collapse. No long-term development planning for the generation and reticulation had been undertaken for either commercial or residential supply prior to independence. The eventual plan was for the introduction of cost recovery for the provision of the service. This



policy posed socio-economic and political risks because of unpopularity, based largely on an expectation of continued free supply.

## **Lessons**

It was critical that the UN presence post-independence covered development of both security and non-security elements, including the civil administration and the provision of community services. The monumental task of establishing an effective and sustainable civil administration was addressed. It was clear that an effective civil administration would take time to build, and the building would have to continue post-independence. Such capacity-building required hard work, skill, dedication, and co-operation between East Timorese and the international community, a community suffering some 'donor fatigue', and uncertain future commitment.

The over-arching principle for the post-independence mission was to ensure East Timorese were empowered to take over at the earliest possible opportunity. Programmes designed and initiated pre-independence which were designed to address long-term development priorities remain in place.

### Planning

Early efforts by UN agencies and NGOs in the reconstruction planning and setting clear benchmarks for East Timor, followed by the national development planning process and evaluation procedures, assisted in giving a clear direction and priority of effort post-independence.

## Public administration

Those East Timor Government agencies involved early in policy and institution-building during the transition period are now operating relatively efficiently and effectively in some social policy sectors, and in the public service financial management system.

### *Capacity-building*

A lack of capacity-building in the justice and parliamentary sector can and did hinder the transition from reconstruction to development across the government spectrum, resulting in severe risks to political and social stability. A stronger transitional and capacity-building strategy for the justice and central government sectors, implemented at the beginning of the reconstruction period, would have minimised these constraints.

### *Structures and systems*

Building national capacity by developing public policy structures and systems, including informed parliamentary debate, should be priorities early in the planning of any reconstruction programme. Commonly in a post-conflict period, there is only a short period of time to frame and implement sustainable administrative development programmes (e.g. public service remuneration, anti-corruption legislation, institutions). If not addressed in this short initial period, these matters make future negative outcomes more likely, and clearly more difficult to reverse. One major outcome of this lack of development is a direct negative effect on public service and central government performance. Poor or unethical performance cannot be corrected because there is neither legislation covering public service accountabilities, nor a public service Code of Conduct covering ethics.

Selection for appointment to the new East Timor public service is often cited by 'ordinary' East Timorese as an area where preferment and corruption have emerged as significant problems. If these accusations are valid, it does not bode well for the new administration. These weaknesses limit long-term recovery and diminish faith in the institutions of the post-conflict state, which in turn risks the re-emergence of social unrest or destabilising political forces.

### National security

Internal peace and stability remains, and will remain, a serious problem, particularly as some former militia members return from West Timor. Deep-seated friction exists between former militia – those in East Timor, and those remaining in West Timor – and others in the community, friction that can quickly turn to communal violence.

Traditionally East Timor is a violent society and lawlessness remains, as witnessed by the rising crime rate. Memories are long, and an air of retribution is pervasive. To reconcile these various factions remains a problem.<sup>9</sup>

### *Police*

The under trained and resourced East Timor police, even with supplementation from the militia-like defence force, will not be capable of managing internal security threats for some considerable time. A well trained, funded and equipped law enforcement agency is a priority in a newly created nation-state potentially vulnerable to domestic criminals, organised international crime and so on; necessarily it requires laws to enforce.

### *Defence force*

A means of maintaining territorial and maritime integrity (e.g. illegal migration, resource protection, smuggling) is also a crucial requirement, particularly for a nation-state like East Timor, which has scarce resources. The early development of Armed Forces to be responsible for these duties, as well as aid to the civil power is a priority need. These developments started in East Timor well before independence. Progress has been relatively good, with many young officers receiving training in Australia.

### *The economy*

Continued economic development in East Timor depended upon creating a functioning infrastructure of government and public services, internal and external communications, a pool of trained and skilled East Timorese, and an internal environment of peace and stability. These are also prerequisites for attracting crucial international investment. The fundamentals of infrastructure cannot be put into place without considerable investment in capital works and human resources over a lengthy period, perhaps a generation or more. The underestimation of the scale of devastation and the ongoing disintegration of what public services that remained (roading and electricity supply in particular) delayed poverty reduction programmes in rural areas, and served to defer external investment.

### *Electrical power*

The crucial economic question of the generation and reticulation of electricity, which had been enjoyed as a virtually free commodity by East Timorese during the Indonesian administration, should have been addressed urgently during the political transition. Unrealistic

expectations of virtually free electricity resulted in negative reactions from the vast bulk of East Timorese when a charging regime was proposed, while potential overseas investors have been deterred by the lack of an assured source of power.

### *Communications*

Shortfalls in vitally important reliable physical communications (road, air, and maritime) and telecommunications had negative impacts on socio-economic development programmes, and acted as a disincentive to prospective investors. These should have had high priority in transition and developmental programming, certainly before the move to independence. Communications with the East Timorese people about the implementation of socio-economic poverty reduction and governance strategies were, on balance, quite well managed. They could have been better co-ordinated across government and non-government agencies and the UN.

### **. . . and conclusions**

What does all this mean now and in the future for an international community that assisted in the creation of this new ‘independent nation-state’ on 20th May 2002? While accepting that a truly ‘independent nation-state’ in our globalised and increasingly interdependent world is a questionable concept, I believe that it is nonetheless unrealistic to imagine that East Timor has the capacity to be a truly ‘independent nation-state’, in the way we have come to accept this term, for at least the medium term.

In East Timor, expectations were raised by international intervention of a return to peace and stability, conflict resolution, and

closure. What this means is that the international community cannot abdicate from the responsibility it chose to assume pre-referendum, and pre-independence. This further means that the international community is obligated (morally at least) to support East Timor's development and capacity-building for the medium to long term.

The conclusions that may be drawn from the East Timor intervention include the following:

- planning must take place as early as possible to avoid an unacceptable delay between relief and reconstruction
- the local community must be consulted as early as possible in the planning process
- planning and implementation of relief and reconstruction strategies must be co-ordinated closely between sectors, and phased if necessary
- strategies for reconstruction and development must be sustainable, and include building local capacity as a priority
- all strategies must contain rigorous evaluation measures
- empowerment of the local community at the earliest possible opportunity
- donor nations need to develop a comprehensive and coordinated approach to the provision of assistance, including a transparent 'exit strategy' understood by the entity receiving the aid

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1 Tillet, Gregory; *Resolving Conflict – A Practical Approach* (2nd Ed), Oxford University Press, Victoria, Australia, 1999, p. 216

2 Bureau Pusat Statistik, Jakarta, 1999

3 The groups remaining in 1974 were: the conservative Democratic Union of Timor (UDT), which advocated a co-operative and progressive process of independence from Portugal,

- ensuring that Portugal lived up to what UDT perceived to be its obligations; more revolutionary and most popular, the Timorese Democratic Peoples Union (ASDT), (which had affiliation with the Indonesian Communist Party (PKI)), and which, in 1975, merged with another radical party, FRETILIN, and its armed wing, FALANTIL. It called for immediate independence from Portugal, and a complete overhaul of the social and economic structure of East Timor, following left wing principles; and the least popular, the Timorese Democratic Peoples Union (APODETI), which favoured integration with Indonesia.
- 4 The UN called for Indonesia to withdraw. The UN Security Council denounced the integration as invalid on the basis that the people of the territory had not been consulted. It stopped short of condemning Indonesia for aggression, and did not recommend or impose any form of sanctions.
  - 5 While this figure remains unverified, other than apocryphally, the point (and the figures) was often repeated to me, and reinforced in conversations with Timorese, with expatriate NGO representatives, and aid workers.
  - 6 According to a November 2002 World Bank report the largest aid donors in East Timor are Portugal, Japan, the European Commission, the United States and Australia.
  - 7 Andrew Renton-Green, 'Is there a need for a New Forum?' in *Identifying Challenges and Opportunities in the (South) West Pacific Region*, Dr. Reni Winata (ed.), Australia Studies Centre, University of Indonesia, Jakarta, 2002, pp. 157-167
  - 8 Roland, Klaus, Cliffe, Sarah: *East Timor Reconstruction Program: Success, Problems and Tradeoffs*. CPR Working Papers, Paper No.2, World Bank (November 2000).
  - 9 FALANTIL, the armed wing of FRETILIN was disbanded in 2000. On the formation of the East Timor Defence Force, about 30% of FALANTIL/FRETILIN activists joined, perhaps with the aim of consolidating a future political power base. Such use of state appointments by these former guerrilla veterans could prove a destabilising influence if not appropriately monitored.

# **7 . The West Balkans (1995- )**

## Beyond change to transformation

Kristie D Evenson and Petar E Doric

The arrival of Slobodan Milosevic at The Hague in June of 2001 symbolically marked the end of the Milosevic regime. For many, the nighttime seizure was the culmination of what appeared to be an inevitable democratic process taking hold of the Federal Republic of Yugoslavia (FRY) and the region. However, the legacy and fibres of Milosevic's regime proved more difficult to eradicate. Gaining control of Milosevic-era parts of the structure proved more challenging and ultimately more deadly. Changing the regime did not change the nature of the regime. Serbia and Montenegro, as it now was, bore, like its neighbours, the marks of a decade of war, isolation, and institutional corruption.

Much has been written about the various ways that regime change came about in the Balkans. However, little attention has been focused on what comes after the change in leadership. This



somewhat messier and definitely less sexy period of time has proven to be the real challenge, not the toppling of the previous leadership. The change of leadership, whether in a (re)constructed Bosnia and Herzegovina (BiH) and Kosovo or a reforming Serbia and Montenegro and Croatia, was the beginning of regime change and transition, not the end. While the exact political arrangements, and in particular the degree of involvement of the international community, varies from state to state, the underlying political pathology is very similar.

The missing ingredient for the stabilisation of Serbia and Montenegro, like many of its fragile neighbours, accordingly, has been the political will, co-ordination, and staying power of both the international community and the domestic leaders to transform the nature of the regimes. The region has been partially stabilised and each side has learned some lessons, but as detailed below, without a medium to long-term international commitment to the region, the underpinnings necessary for a sustainable peace and normalisation are still some time away.

### **Power to rule, but not power to reform**

Central to the phenomena of transition is the notion of structural reform or the ability of a regime to become institutionalised, in this case to become a consolidated democracy<sup>1</sup> Such a process is often long, painful, and not without its political backlashes. A clear portion of the problem rests with the political will of the new governments themselves to carry out the necessary reforms.

Generally free and fair elections eventually brought new governments to power, but the new governments were often hesitant or

unable to carry out their mandates. The complex web of alliances that brought many of these leaders to power also had their own set of special interest strings attached. Clearly, no politician is without special interests. In the Balkan context, these special interests are often closer to the axiom of “the enemy’s enemy is my friend...”

Even without special interests, the new leaders’ grasp on power was tenuous. With large and unwieldy coalitions, some coalition members made even stranger bedfellows than the more discrete special interests.

For instance, the Croatian coalition included Social Democrats as well as a Peasants’ party. In Serbia, the eighteen coalition members were even more diverse. As in many countries, grand opposition coalitions agree largely only on ousting the former regime. When suddenly in power, the squabbling began in earnest for ministerial spoils and their moment in the ideological spotlight. This political inertia might be expected as part of the political consolidation process, but in the doubly challenged countries of the region attempting to escape years of war and begin reform from a socialist Yugoslavia, the challenge has proven just that much more difficult.

### **Reckoning or not with the near past**

Public reckoning with the responsibility for war crimes remains low throughout the region. In the case of Croatia and Serbia, precious political capital of the new governments was lost on relations with the International Criminal Tribunal for the former Yugoslavia (ICTY) in The Hague.

Whether pledging co-operation or stonewalling, public and fragile coalition attention was devoted to this spectacle. Gradually public

opinion has been shifting to support efforts at co-operation, but not without its costs.

A vicious cycle emerged where symbols of defiance by rogue elements in the countries, whether veterans group protestors in Croatia or the Red Beret in Serbia, distracted the governments and often weakened their resolve to confront the segments of the populations that such groups supposedly represented.

With approximately a quarter of voters in both Serbia and Croatia clearly voting for right wing nationalist leaders and both broad ruling coalitions comprised of both moderate and more nationalist political groups, the broad-based coalition of reformers in power felt the necessity to placate this populace to some extent, even when it proved to create problems with the international community.<sup>2</sup>

### **Dogs of war as patriots and businessmen**

Despite the change in governments, those pillars within each government loyal to an earlier regime have continued their activities and maintained or sometimes even increased their levels of influence throughout society. The relative power of this segment of the population is partially to be attributed to the system of values formed during the past decade throughout the region. Most governments in the region at one time or another opened the prisons to find recruits for the armed forces. Embedded in the front lines and given free rein to do whatever was necessary to secure territory or goods, many of these serious criminals came to dominate their particular societies through lawlessness, violence, and heroic deeds committed for the nationalist cause. It is not only that many crimes

were committed in the name of just causes, but also that many of those crimes were forgotten by the domestic judicial systems and societies for the same reasons.

### **Black is white and no one is accountable**

The system of values formed during the wars in former Yugoslavia was based on the simple logic that “our side was the defender” while “the other side was the attacker.” Black became white, and survival was the only goal. For instance, economic sanctions did not shake Milosevic’s government; rather, it allowed him to build parallel structures of governance in which black market trading of oil and other goods directly implied the need for the services of paramilitaries and criminal elements. To some extent this pattern was present throughout the region. Those able to break the economic embargo were considered heroes for their smuggling activities during the war years. These state sanctioned smugglers predictably did not feel the need to curb their activities under the new governments.<sup>3</sup>

All levels of the government and economic structures became infused with this mandate, from the most normal postal worker to the hardened war criminal, turned businessman. Accordingly, the government efforts to reform elements of this structure while attempting to gain control of others like the crucial security sector produced endless disputes among the broad coalition members, slowing the reform efforts for key institutions, disenfranchising many moderates, and producing the need for compromises with at least some of the unsavory characters. The impact of this inertia can be seen in the public perception in most of these countries that

living conditions continue to decline while politicians remain unaccountable for past and present abuses.<sup>4</sup>

### **Appearance of stability**

Local politicians are not the only ones that have appeared unaccountable to the populations of the region. The international community was instrumental in eventually bringing peace to the region. Through a military stabilisation force, assisting in reconstruction, institution-building and economic development, the international community succeeded in demonstrating that it had stabilised the region, but it has performed less admirably in showing its dedication to effecting comprehensive structural change.

The international community has exerted different amounts of power and pressure in the countries, dependent on the level of state-building necessary. In countries like Croatia and Serbia and Montenegro, the change in regime through elections suggested that the governments could take over the major role of reform. However, years of war in the country and the region created a structure rotted through to its very core. For example, the government of Serbia and Montenegro spent the past three years in a dangerous balancing act. Like its former Yugoslav neighbors, Serbia and Montenegro's leaders faced the daily challenge of pushing reform in some sectors while attempting to still gain control of others, notably key institutions like the military and security services.

International pressure, political support, and financial assistance influenced these decisions, but did little to truly tip the balance. While demanding quick signs of a stabilised Serbia or Croatia, both Washington and the EU perhaps rightly demanded value for their

dollars and euros. Lessons learned from Bosnia (described below) demonstrated to the international community that allowing a country to take baby steps leads to a country with the same currency and license plates, but with no one truly in charge. However, demanding that governments reform while key segments of the official machine were not under their control suggests that the international community has been more concerned with the appearance of stability rather than its reality.

### **Quick impact and success**

Working in Bosnia during the mid-1990s, it was easy to see which projects international donors considered most popular. Building bridges, houses, schools, anything that could be photographed was proof of Bosnia's successful transition from war to a functioning state. Only later, when attempting to rephotograph these achievements did the evaluators notice the gaps in the new bridge railings, the potholes in the new roads, and the broken doors and windows on the schools. The reason: shiny new reconstruction was in place without a structure that could maintain or support it. The illusion of a functioning state at least at that stage in the game was just that, an illusion. Through a combination of needing to demonstrate real progress as well as growing fatigue with governing the region, the international community applied rose-coloured glasses when assessing its strategy and progress in BiH. This view was supported by many of the local politicians eager to keep their power gains from the war. Only after several years of elections and painfully slow progress in re-establishing basic government institutions did the international community face up to the Bosnian reality. The OHR today has an upgraded mandate,

but this is more dependent on the personality of the High Representative than a renewed commitment to get BiH in shape.

### **A waiting game**

Neither Serbia nor Croatia faced quite the same challenges as Bosnia. Perhaps only Kosovo suffered a comparable level of physical and institutional breakdown within its territory. However, all of the countries share the similar problem of having transition timelines that do not conform to international community schedules. This has created a situation where international support for the multiple levels of reform required has not been consistent, targeted or accountable for the long-term.

Kosovo offers a sobering reminder of the fragility of the situation. Moderates claimed victory in the election booths, but thugs rule the streets. The international presence is strong, if partially uncoordinated.

Municipal government institutions are beginning to function, but the progress would not be possible without sustained efforts of the various members of the international community, particularly NATO. The organization of political and economic structures in Kosovo is slow and unlikely to gain pace as long as security remains the preoccupation and power structures are dominated by those most benefiting from the transitional chaos. In other words, it is a waiting game that the internationals are unlikely to win.<sup>5</sup>

### **A question of co-ordination**

Coordinated international action still remains an elusive goal for the region. The experience of head agency squabbles in BiH did lead to

clear pillars of responsibility in Kosovo and clear advisory rolls for the respective international agencies in Serbia and Montenegro, but organisational differences in operating, vague mandates, and frequent staff turnover has resulted in more than one wheel being reinvented in many a co-ordination meeting. Even in situations such as Serbia, where the OSCE has a clear advisory role on specific institutional reforms such as in the ministry of interior or with the parliaments, the number of parallel initiatives has led the OSCE to play the role of coordinator rather than key advisor.

### **Integration with the world, not each other**

The years of experience in Bosnia also demonstrated to the other countries in the region that they could hold the international community to some extent a hostage in its desire, particularly on the part of the European powers, to demonstrate its influence in bringing peace and democracy to the region. Countless conferences, proclamations and elaborate co-ordination efforts strategised a new way for the states of the trendy and politically correct region of South-East Europe. Fatigue soon set in. New crisis points around the world emerged and local leaders proved embarrassingly unco-operative in carrying out this PR game. Rather each of the countries quickly learned a new PR game of its own that glossed over the missing structural reforms in a way that would make any European Commission or Congressional report proud. 'Invest in Serbia' minidisks were distributed to potential Western investors. 'Croatia in the EU' bumper stickers appeared overnight on cars throughout Croatia and the Herzegovian region of Bosnia. 'Macedonia in NATO' campaigns began and then were quietly discarded as the reality of



fighting in Macedonia hit home. The local leaders promoting the (dis)integration of the new state of Serbia and Montenegro continue to benefit from the international community's indecision over the future of this awkward country, not to mention that of the region known as Kosovo.

### **A roadmap without clear signposts**

The roadmap to regional stabilisation is full of meandering and contradictory paths. The international community likes to keep options open for future negotiations, but unspecified end dates or objectives regarding the future of Kosovo, the consolidation of state power in BiH and the Union of Serbia and Montenegro have created a situation where anything and everything is possible. The EU has renewed its commitment to integrate the region into Europe, but this feels far off for many in the region, even as the EU standardisation tools provide one of the best methods of arguing for and implementing reform. Stability from the perspective of those wishing for predictability to invest and reform is in short supply. Stability for those wishing to continue their questionable activities of the past decade appears to stretch far into the future.

### **Regime change beyond the Balkans**

Regime change in the Balkans came about through a variety of means. History will decide which of the various international tools, whether the bombing of Milosevic, the economic embargoes, the pressured diplomatic efforts on Zagreb, Sarajevo or Skopje, or the billions of dollars and euros for civil society, humanitarian aid and

political reform was most effective in stabilising the region. The truth is probably that a combination of these efforts was necessary to bring some level of stability to the region.

Embedding a new regime and changing the nature of a regime, however, has produced mixed results. The political consolidation and transformation necessary for real reform to stick has been slowed by the double whammy of war and political and economic transition from the former Yugoslavia. The guns in the region have quieted, but it is unclear how long it will take the region to achieve the glossy future portrayed on any UN, EU or USAID brochure. Many lessons have been learned in the region. Co-ordination of efforts has improved and awareness of the slow nature of political consolidation has been heightened. Whether the most important lesson, that of staying power, will be followed, remains to be seen.

The assassination of Serbian Prime Minister Zoran Djindjic was a tough wakeup call to the country, the region and the international community. It is clear that those like Milosevic will continue their watch, patiently believing that they have all the time in the world. It is less clear whether the international community has the will to contribute its bit to the regime transformation that it proudly proclaims. The alternative is a Balkan region somewhat stabilised, but far from the relatively peaceful, prosperous, and integrated South-East Europe envisioned.

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- 1 The term 'consolidated democracy' is described by political scientist, Jack Snyder, as a country exhibiting key characteristics that ensure a range of institutions being in place, which allow the functioning of a state that is subject to its citizens. 'Nationalism and the Crisis of the Post-Soviet State.' *Survival*, vol.20, no.1 (Summer 1995).
  - 2 For a detailed analysis of the effects of ICTY co-operation on the reform governments of Croatia and Serbia, please see an article entitled, 'The Hague Effect: War Crimes and Political

Stability', *LEGSIS Quarterly Report*, Eurasia Group-Lehman Brothers, April 2002.

- 3 For a comprehensive look at the growth in transborder crime in South-East Europe, please see a 2002 publication on *Smuggling in Southeast Europe* by the Centre for the Study of Democracy in Sofia, Bulgaria.
- 4 The mass investigations and arrests taking place in Serbia after the assassination of Djindjic appear to be a dramatic shift in policy. Whether this results in a thorough cleaning of the regime remains to be seen.
- 5 For a closer look at reconstructing Kosovo, check out Stephen Schwartz's recent article, 'UN Go Home,' *Weekly Standard*, April 14, 2003.

## **8. Afghanistan (2001- )**

### After the Taliban: true regime change?

Alexander Evans

*The United States is committed to building a lasting partnership with Afghanistan. We'll help the new Afghan government provide the security that is the foundation for peace . . . The United States is also committed to playing a leading role in the reconstruction of Afghanistan.*

President George W. Bush<sup>1</sup>

#### **Too early to call**

The jury is still out on regime change in Afghanistan: President Bush's commitment to a lasting partnership waits on events in 2004, when the first post-Taliban national elections are due. While the US-led invasion of Afghanistan in 2001 liberated the country from the Taliban, it has yet to be fully liberated from warlords, poverty and local fighting.

## **Afghanistan**

Afghanistan is a poor, landlocked country that has been ravaged by war since 1979. Over 30 percent of the national infrastructure has been destroyed in fighting. The country is extremely underdeveloped and largely arid. It has a population of around 28 million (2002 estimate), with a large refugee population in neighbouring Iran and Pakistan – six million at its height, but barely half that today. Three main ethnic groups dominate the country. For every four Pashtuns, there are about two Tajiks and one Hazara. There are also significant Uzbek and Turkmen minorities. The country was and remains deeply divided. Following a decade-long Soviet occupation (1979-1989), Afghanistan slipped into civil war. Competing ethnic, religious and political factions vied for local and central government power.

In 1996, the ruling government (which controlled the capital, Kabul) was overthrown by an Islamist movement, the Taliban. This movement ended up controlling most of the country. Although the Taliban controlled the capital, only three foreign countries recognised Taliban rule – Saudi Arabia, Pakistan and the United Arab Emirates. The UN seat was maintained by representatives of the former government. Taliban rule was initially welcomed by Afghans, who were glad to be rid of the constant violence that came with competing warlords. However, the Taliban came to represent rule by one ethnic group (the Pashtuns) at the expense of others (particularly Tajiks), and over time its fundamentalist approach to Islam alienated a significant proportion of the Pashtun community. In itself this would not have been enough to merit international intervention, but the Islamic Emirate (as the Taliban regime dubbed itself) played host to an unsavoury house-guest, Osama Bin Laden.

Following the East African Embassy bombings in 1998, attributed to Bin Laden, the US demanded that he be handed over for trial. The Taliban declined, pointing out that they did not have an extradition agreement with the US. Besides, they declared that they felt 'obliged by Islamic traditions of hospitality' to protect Bin Laden.

In October 1999 the UN Security Council passed Resolution 1267 that imposed sanctions on the Taliban movement, effective from November 1999. However, these sanctions, which primarily involved the seizure of planes from Afghanistan's national airline, Ariana, and the seizure of overseas Taliban assets, had little effect. If anything, they pushed the regime into a more hostile stance towards the outside world. The Taliban, which controlled 90 percent of Afghanistan by late 2000, also became less popular – especially as it now controlled territories populated by non-Pashtun minorities, in addition to their Pashtun heartlands. Internally, it instituted a radical form of clerical rule. Cultural policy was one example. Men were forced to grow their beards long, or faced summary punishments by Taliban units. In May 2001, the Taliban forced non-Muslim minorities, including several thousand Hindus, to wear distinguishing tags. All women had to adopt the veil. Several months beforehand the movement blew up Afghanistan's most famous monument, the giant Buddha statues of Bamiyan, in a defiant show of iconoclasm. Internationally, the regime grew ever more isolated. UN sanctions, while largely ineffective, emphasised the regime's outcast status. The US had launched missile strikes in 1998 on suspected militant bases in Afghanistan following the US Embassy bombings in East Africa. Neighbouring countries provided covert military support to Tajik factions based in the Panjshir Valley, with each country supporting their favourites. The Uzbekistan government backed their Afghan:

General Dostum, in the north. And the Tajik-led Northern Alliance was sustained by Iranian, Uzbek and Western support. The civil war grimly continued.

### **AFGHANISTAN IN 2003<sup>2</sup>**

<i>Population:</i>	c.25m, inc. c.3.5m refugees in Pakistan and Iran
<i>Life expectancy:</i>	40-46 years (EU estimate)
<i>Literacy:</i>	36 percent
<i>Economy:</i>	Agriculture is 53 percent of GDP, and employs up to 70 percent of the population. GDP is estimated at c. US\$1.7bn (1998)

### **Regime change in 2001**

Following the 9/11 attacks on the US, Afghanistan was invaded by a US-led coalition. The coalition used airpower, along with support to the Northern Alliance. Taliban rule quickly collapsed, with Kabul falling on 13 November 2001. The Taliban regime disintegrated, and local factions and the Northern Alliance stepped into the breach. Just over a month beforehand, on 3 October 2001, the UN Secretary General appointed a Special Representative for Afghanistan, the Algerian Lakhdar Brahimi. In late November 2001 various (non-Taliban) Afghan factions met for UN and US sponsored talks in Bonn, Germany. With considerable arm-twisting by the United States, an agreement was finally signed on 5 December 5 2001. On paper, it was promising. The Bonn Agreement provided for an interim power-sharing arrangement, with a 30-member interim council running Afghanistan from 22 December 2001 for six months. By then an

emergency Loya Jirga (grand assembly) would be held to appoint a transitional authority, leading to full elections in 2004. A new constitution would be drafted. The agreement as a whole set out a schematic roadmap for reform in Afghanistan, covering reconstruction, restoring key institutions, and protecting human rights. And finally, it also enabled a UN peacekeeping force to protect Kabul.

## **The Loya Jirga**

The Bonn agreement also called for an Emergency Loya Jirga (Grand Assembly), which was to be held within six months. It was opened by the former King of Afghanistan, Zahir Shah, and it was designed to decide a broad-based transitional government until free and fair elections (which should take place by June 2004). The Loya Jirga had three stages, and can perhaps be described as a series of public selections at district level, with those selected going on to similar regional meetings. These selected delegates then chose final delegates for the Loya Jirga itself – which, by secret ballot, agreed the final composition of the interim government.

### **UNAMA**

The United Nations Assistance Mission in Afghanistan (UNAMA) was established on 28 March 2002 by UN Security Council Resolution 1401. It was initially set up for one year. It integrates all sixteen UN agencies working in Afghanistan, and is headed up by the Special Representative of the Secretary General for Afghanistan (SRSG). The SRSG is Lakhdar Brahimi, a former Algerian Foreign Minister and UN diplomat. UNAMA consists of about 450 staff (175 of whom are internationals), and its annual budget is in the region of \$54m. UNAMA deals with both political and humanitarian affairs, and has offices across Afghanistan.



On 11-19 June 2002, 1,551 delegates from 32 provinces across Afghanistan met under a large purpose-built tent in Kabul to discuss the future of their country. Their week-long meeting was the culmination of several months' intensive work, beginning with district level jirgas (assemblies) held across Afghanistan. The Loya Jirga faced a number of practical challenges.<sup>3</sup> Not least of these was the unstable security situation. This was mainly down to inter-warlord disputes, but there were also concerns about 'spoiler' groups opposed to the UN and US presence. The other constraint was the short window for the entire process. The final rules were only agreed on 31 March 2002, and the Loya Jirga Commission and supporting UN officials had a major logistical challenge on their hands to organise the process effectively.

Despite these difficulties, the process was carried out largely successfully. One Loya Jirga Commission vehicle was damaged, and two staff members injured, in a blast on 30 April 2002. There were also minor incidents along the way, although jirgas were postponed or cancelled if there was actual fighting. And 25 or so international monitors provided oversight of the district, regional and final Loya Jirga (although this should be compared to 750 international monitors assessing the parliamentary election in Macedonia, a country of just two million people, in September 2002).

The Loya Jirga in June did see irregularities. Several warlords, prohibited from taking part by the Bonn Agreement, nonetheless appeared. There were attempts to woo or intimidate delegates, leading Michael Semple, a senior UN official, to publicly suggest that delegates *should* take bribes – but vote for whoever they wanted.<sup>4</sup> The secret ballot at this stage was designed to provide some insulation for delegates, who inevitably came under pressure. Hamid Karzai, an

ethnic Pashtun, was confirmed as President of Afghanistan in the Afghan Transitional Authority that followed. Karzai, a little-known figure before the Bonn Conference, was an important Pashtun presence in an otherwise Tajik-dominated administration.

The Loya Jirga was not a democratic process, but it was reasonably representative. It was Afghan-led, but with a considerable degree of UN involvement. Under the circumstances – a variable security environment, embedded warlords, major ethnic differences exacerbated by the civil war – the Loya Jirga was an ambitious attempt to forge the best possible process. A better process would only have been achievable with much larger deployments of peacekeepers across Afghanistan, to neutralise the coercive power warlords could bring to bear, both locally and regionally. It's unsurprising that the best places for Phase I jirgas proved to be Kabul itself, rigorously secured by ISAF.

### **The International Security Assistance Force (ISAF)<sup>6</sup>**

ISAF is a UN-mandated security operation, designed to 'assist the Afghan Transitional Authority in maintaining security'. UN security council resolutions 1386, 1413, and 1444 provide the operation with its mission. The 29 nation coalition force maintains security within Kabul, operating the airport and providing security for the city. It consists of 4,600 personnel, and in addition to its security duties, ISAF also engages in civil-military cooperation projects (including rehabilitating water and electricity supplies, and rebuilding schools and hospitals).

When it was first established, Britain led the force for the first six months. In June 2002 Turkey took over the lead responsibility for ISAF. Germany and the Netherlands are the lead national contributors in April 2003, having taken over from Turkey in February 2003. At time of writing, it looks as if NATO will take over operational control of the mission from summer 2003.

## **Reform in 2002**

Following the Loya Jirga, the priorities for the US in Afghanistan continued to be security, stability and prosecuting the continuing military campaign against Al Qaeda and the Taliban. For the Afghan administration, state-building and reconstruction were as important as security. However, the Afghan government (effectively the Tajik-dominated Northern Alliance, with other major warlords also represented) faced tremendous difficulties on the ground. It lacked military power to impose its authority across the country. Military forces are still organised on a factional basis, with loyalties to warlords rather than the national government.

Security has been a bug-bear. In February, 2002, the Civil Aviation Minister Abdul Rehman was killed by political rivals. A few months later, in July, the Deputy President, Haji Abdul Qadir, was assassinated in Kabul. And in September Hamid Karzai was nearly assassinated in Kandahar. All these incidents took place in major cities. Across the country intermittent fighting continued, mainly between rival warlords, although there were also instances of Taliban remnants launching hit-and-run attacks on US forces.

Delivering on reconstruction has been another challenge. Take roads, for example. On 10 November 2002, a number of VIPs gathered for the formal inauguration of the Kabul-Qandahar-Herat highway. Hamid Karzai joined the US Ambassador to Afghanistan, Robert P. Finn, as he welcomed the project. "As we build this road into the desert and the mountains, so let us build a brighter future for this country, and a more prosperous and safer tomorrow", Finn announced. The project will take three years and provide employment for many Afghans. For ordinary Afghans, upgrading the road

(which is mainly unpaved) will provide a major boost to trade within Afghanistan, cutting journey-times. But no sooner had work begun on the project, it stopped. A few weeks later, the Afghan winter set in, which prevents any kind of major infrastructural work at all. To Afghan spoilers, it was easy to present the inauguration as a triumph of style over substance.

## **Prospects for the future**

The current regime in Afghanistan is a marked improvement on the Taliban.<sup>6</sup> Engaged with the outside world, it can draw upon international assistance for the twin tasks of reconstruction and economic development. However, central government authority is limited, and mainly applies in the capital, Kabul. Hamid Karzai, the president, is known locally as the ‘mayor of Kabul’ – a mocking reference to his lack of power. Elsewhere, regional warlords continue to rule the roost, raising – and pocketing – revenue and only participating in the central government for a share of the aid coming through it. Ismael Khan, the warlord who controls the Western city of Herat, is but one example. He levies local ‘taxes’ on goods coming into Afghanistan from Iran via Herat, and is estimated to earn \$20m a month. This is enough to secure control of Herat and the surrounding countryside, and keep central authority at bay.

## **Committed donors**

The general situation throughout the country is still difficult, and the thousands of returning refugees from Iran and Afghanistan are finding little cause for celebration. A major positive has been donor

commitments to assist Afghanistan. At a January 2002 conference in Tokyo, donors pledged \$1.8 billion in aid. But this has been slow to materialise, and is dwarfed by the estimated costs of reconstructing Afghanistan (which range up to \$10 billion).

The US, Afghanistan's biggest donor, provided \$531m of humanitarian assistance in 2002-2003, and promised \$820m for 2003-2004.<sup>7</sup> There is political support in Washington for aid. In November 2002 the US Senate passed the Afghanistan Freedom Support Bill, authorising \$3.3 billion in assistance over the next four years. The EU has pledged €400m for reconstruction and recovery assistance for 2003-2004, after spending about €205m in 2002. In addition to this support, targeted at rural development, food security, economic infrastructure, health and capacity building, the EU is continuing to provide millions of euros of humanitarian assistance to the country.<sup>8</sup> In addition, the European Commission has opened a representative office in Kabul.<sup>9</sup> The World Bank is also closely engaged, signing off on its first \$10m of assistance to the Afghan government in April 2002.

Both aid and democracy were promised by the international community. Under the terms of the Bonn Agreement, national elections are tentatively due to be held in June 2004. Much needs to be done between now and then to allow them to take place. As Abdullah Adbullah, Afghanistan's Foreign Minister, recently acknowledged, better infrastructure will be needed across the country to facilitate these elections.<sup>10</sup> In view of the enormous development task ahead, allied to the challenge of voter education, these elections might not take place as planned. There is international support for elections; for example, the Canadian government pledged C\$1.5m to support the electoral system. The Bonn

Agreement stipulates that UNAMA will also support Afghanistan in holding elections. However, in Afghanistan's case, it's not just the process of elections that count. The substance matters. It is not clear whether free and fair elections can be delivered next year – yet alone inclusive ones.

### **Freedom beckons?**

Whether Afghans are free, in real terms, is debatable. The excesses of the Taliban are past; but the warlords and weak central government that have supplanted the Taliban, while making better progress on education, remain culturally conservative. Afghanistan is barely a free and open society.<sup>11</sup> In fact, there are signs that the country is heading back towards cultural isolation. In January 2003, Afghanistan's senior judge, Fazl Shinwari, outlawed local cable TV distributors, blaming them for importing 'smut'.<sup>12</sup> In Herat, Ismael Khan has ruled that male teachers cannot teach female children. In a December 2002 report, Human Rights Watch also described how women and girls seen with unrelated men in public are taken to hospitals for gynaecological examinations to determine if they have recently had sexual intercourse.<sup>13</sup> Far from implementing major social reforms, the successors to the Taliban continue to rely on traditional, tribal patterns of discrimination to police their communities.

On other fronts, progress is tangible. By October 2002 over two million refugees had returned to Afghanistan – a walking vote of confidence, despite problems in assimilating them. Three million children had returned to school, working with fifteen million new USAID-funded textbooks. And famine, a threat in late 2001, has

been averted thanks to substantial food aid from overseas. Mobile bakeries have been one of the major success stories of international assistance to Afghanistan, keeping people fed, particularly in refugee camps. Political freedoms may, in part, be paper promises, but there is progress towards economic and social health.

## **Lessons from Afghanistan**

The 11 September attacks on America led to regime change in Afghanistan. US objectives directly followed from these attacks, and the primary military objective was to remove the Taliban, and hunt down, seize and punish Osama Bin Laden and his fellow militants. The future of Afghanistan was a second-order issue for the United States, although Washington has inevitably become embroiled in reshaping the political structure of the country. Above all, there has not been a heavy deployment of international ground forces to guarantee security, disarm warlords and develop democracy.

Little surprise, then, that commentators like Marina Ottaway and Anatol Lieven dismiss the chances of developing an effective modern democratic state in Afghanistan as negligible.<sup>14</sup> Ottaway and Lieven observe that heavily armed tribal groups in the country will not disarm unless they are forced to do so by a national government with a powerful army of its own. Without an international military presence on par with that seen in Bosnia and Kosovo, a 'democratic-reconstruction model' cannot be implemented. They conclude that the international community must accept some kind of ordered anarchy instead. In essence, the pessimists conclude that incremental change is the best hope. Democracy is potentially destabilising, as it can accentuate conflict between armed groups in an already weak state.

An Afghan National Army is slowly emerging with US, British and French military assistance. Recruits are paid about \$70 a month – less than the pay in many warlord militias. In April 2003 nearly 5,000 troops had been trained, but this is still an insignificant force compared to the tens of thousands of local fighters under the control of various warlords. Increasing income from drugs and local revenue-raising allows warlords to afford loyal foot-soldiers. The central government, however, still depends on income from outside Afghanistan.

What are the lessons of regime change in Afghanistan? Primarily, that the follow-up to regime change is critical. Political will, major infusions of foreign aid, and security matter. In Afghanistan, there has been a shortfall of all three since the change of government. Throughout 2003, the security situation in Afghanistan has deteriorated. In February and March there were ominous claims by the Taliban that they would return to power, and violent incidents involving foreigners increased. In late March a Swiss water engineer working for the ICRC, Ricardo Munguia, was shot dead by unidentified gunmen near Kandahar. US coalition forces, Italian troops operating with the US-led coalition, and ISAF forces came under fire in a variety of incidents. Two US soldiers were killed in operations against suspected Taliban remnants.

Meanwhile, promised aid to Afghanistan continues to filter through slowly, with a few (major) hiccups en route. In February 2003 the Bush administration failed to request any money for Afghanistan in its latest budget: the US Congress had to step in to find nearly \$300m to plug the gap. Officials blamed difficulties in predicting Afghan needs, and promised it would not happen again. A wider problem has been slow delivery of national pledges of assistance, with donors dragging their feet on actually delivering



assistance. In August 2002, of \$2 billion pledged by donors to the country at the Tokyo donors conference eight months beforehand, only \$1.3 billion had actually been spent or made available.

Such recalcitrance could rebound not just on Afghanistan, but also the West. On 14 March 2003, Ghani Ahmadzai, Afghan finance minister, warned that the country would slip back into heroin production if promised assistance was not forthcoming.<sup>15</sup> His warning partly comes too late. Already Afghan poppy production has shot up from less than 200 tonnes in 2001 to an estimated crop of more than 4,000 tonnes in 2003. Ironically, the growth in narcotics may be the one area in which Afghan regime change two years ago has damaged global security.

The lessons from regime change in Afghanistan are only just emerging. While both pessimism and cautious optimism can be justified, the jury is out, and the West remains committed to help Afghanistan recover. Only time will tell whether a representative, stable order will emerge. However, ambitious international rhetoric on Afghanistan's future has not been matched by international action to support state-building.

As for democracy, the regime in place in Kabul leaves much to be desired. Ethnic Pashtuns do not feel well-represented: and, as with Afghan central governments past, Pashtun factions that feel excluded are bound to challenge the legitimacy and authority of the present government. The problem with Afghanistan is that it is a case of neither democracy nor order, for both require significant outlays of money and coercive force. With ISAF contained to Kabul, US coalition forces determined to avoid being sucked into state-building, and insufficient funds to finance reform, Afghanistan is unlikely to become greatly more coherent in future. A long-term UN

presence will help. So far, UNAMA has been limited by the willingness of the US (and other allies) to secure Afghan cities with further peace-keepers.<sup>16</sup> (The US blocked attempts in 2002 to widen ISAF's remit beyond Kabul.)

Long-term engagement from donors and recipients is also critical. But expectations have already been dashed, promises broken, and warlords left with as much power as they enjoyed before the arrival of the Taliban in 1996. For ordinary Afghans, true freedom can seem elusive. Nevertheless, the present government is an improvement on Taliban rule. The economy is in better shape, with a stable currency and much more foreign assistance flowing in than was the case before 2001. Regime change in Afghanistan has (so far) not been overly ambitious: the US has not chosen to push for full representative democracy before stabilising the country. Much hinges on proposed elections in 2004. The environment for these elections will be set by the national government (depending on how much power it wields by then – in particular, will the Afghan National Army be in a position to secure the process country-wide?). And political commitment from the West, present but limited to date, will determine how meaningfully an electoral process can run. The security situation will be critical – as will the impact on the ground of Western assistance. For all the policy documents, Afghans will judge the success or failure of regime change on institutions, roads, justice and security. That judgement should come next year – peace, progress and democratic process permitting.

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1 Press Conference with President George W. Bush and Hamid Karzai, 28 January 2002.

2 All data on Afghanistan is, by nature, provisional. The country is so under-developed, and has been in a state of near permanent conflict since 1978, that there is little meaningful data.

- 3 See International Crisis Group, *The Loya Jirga: One Small Step Forward* (ICG Asia Briefing Paper, 16 May 2002)
- 4 'Afghans prepare for the Loya Jirga' *BBC News*, 5 June 2001.
- 5 For more information, see [www.isafkابل.org](http://www.isafkابل.org)
- 6 See Ravi Tomar, *Afghanistan: a year after* (Canberra: Australian Parliament, Current Issues Brief No.7, 10 December 2002).
- 7 Announced at the 17 March, 2003 donors forum in Brussels.
- 8 'The EU's relations with Afghanistan', European Commission (February 2003)
- 9 Commissioner Chris Patten signed the aid package on 17 March 2003.
- 10 Speech by the Afghan Foreign Minister, Dr Abdullah Abdullah, Australia National University, 13 November 2002.
- 11 Human Rights Watch, *All Our Hopes Are Crushed: Violence and Repression in Western Afghanistan* (New York: Human Rights Watch, November 2002).
- 12 Rory McCarthy, 'Afghan judge outlaws 'immoral and smutty' cable television' *The Guardian*, 22 January 2003
- 13 See 'We want to live as humans: Repression of Women and Girls in Western Afghanistan', Human Rights Watch (December 2002)
- 14 Marina Ottaway and Anatol Lieven, 'Rebuilding Afghanistan: Fantasy versus Reality', *Carnegie Endowment for International Peace Policy Brief*, January 2002
- 15 Ghani Ahmadzai, comments at Brussels donor conference on Afghanistan, 14 March 2003.
- 16 See the useful piece by Simon Chesterman, 'Walking softly in Afghanistan: the Future of UN State-building', *Survival* (Vol 44, No 3, Autumn 2002) pp. 37-46.



# Appendix:

## The regime change record

	Leadership replaced? (1)	Support structure reformed? (2)	Accounting for past? (3)	New elites? (4)
<b>West Germany</b>	Yes	Nazi Party destroyed, bureaucracy hard to reform	Trials of many seniors; de-nazification mixed results	Yes, though many with Nazi past became quite prominent
<b>Japan</b>	Yes	Military lose power, but bureaucracy if anything stronger	War Crimes trials, but widely seen as victors' justice	Limited, though some generational change in business and politics
<b>Cambodia</b>	No; initially diluted but then largely restored	Some formal changes and dilution, but hard core remains and state violence continues	Minimal for Khmer Rouge; none for Vietnamese or their Cambodian clients	Infusion of shady business partners and often corrupt technocrats
<b>South Africa</b>	Yes	Some change, but bureaucracy protected	Truth & Reconciliation Commission	Yes, but largely in politics
<b>Haiti</b>	Yes	Army abolished. Police reformed, then re-politicised. Unofficial armed militia resumes.	Leaders amnestied, a few followers convicted at one trial	No, successor elite rules in traditional way
<b>East Timor</b>	Yes	Capacity-building required; progress patchy	Truth & Reconciliation Commission	Mixture of old and new
<b>West Balkans</b>	Yes	Limited; reform of bureaucracy and security apparatus is slow	Patchy, though International Tribunal getting some acceptance	Some new political leadership, but change elsewhere is slower
<b>Afghanistan</b>	Yes	Capacity-building the main issue, modest progress	Not a major issue	Reassertion of old elites weakened by Taliban

In more detail, the questions were: (1) How successfully and unequivocally did the process remove the senior leadership of the old regime?(2) What kind of qualitative change was brought about within the original support structure (senior bureaucracy, armed forces, judiciary)? (3)Was there an effort to deal with the social, political and economic remnants of the past? (Efforts ranging from Nuremberg-style trials to South Africa's Truth and

<b>Economic power dispersed?</b> (5)	<b>Growth of civil society?</b> (6)	<b>An open political system?</b> (7)	<b>Overall assessment</b> (8)
Yes, though less than many radicals had hoped	Yes	Yes	Successful consolidation of liberal democratic state
Zabetsu dissolution partly reversed, but a more competitive economy	Yes	Yes, though increasingly money-driven system, single dominant party (LDP)	Successful move to democracy, though some old elites resilient
New stratum of super rich, but countryside remains very poor	Major, but dependent on international protection and subject to serious harassment	in form, but first election results disregarded and later elections very flawed	More an ugly metamorphosis than a regime change
Not greatly	Yes	Yes	A success; some concessions to the old order
No, spoils redistributed to successor elite	Circumscribed, but promising	No, recrudescence of traditional presidential absolutism	Regime changed, political pathologies did not
No; dependence on aid and anticipated oil wealth	Yes, though historically weak	Yes, though single dominant party (FRETILIN)	Successful so far, but many tasks ahead
Economic reform varies across region, some progress	Yes	Yes, though BH and Kosovo still under international supervision	Leaderships have changed, but reform and security issues still outstanding
Poverty rather than concentration main issue	Some, especially in and around Kabul	Loya Jirga quite successful, 2004 elections real test	Improvement from Taliban, but security issues outstanding

Reconciliation Commission). (4) Did a new elite structure emerge and how did this marry with the objectives of the initial regime change? (5) Did the process effect a change and dispersion of economic power?(6) Was there a measurable growth in civil society? (7) Did the process establish free and fair elections/ a new constitution/ an independent and effective system of governance?

What does true regime change mean? Can democracy really be exported? With the end of the military campaign in Iraq, these questions are taking on a new urgency. So is the need to learn from the past. These essays, by an international group of contributors commissioned by Policy Exchange, examine case studies ranging from the post-war reshaping of Germany and Japan to the current situation in Afghanistan.

While each case provides its individual lessons, certain themes recur. One is the sheer scale of commitment required for full and effective democratisation. Another is the constant and difficult trade-off between security and reform.

These essays are highly topical, but also of longer-term relevance. As Lord Hurd points out in his Foreword, Iraq may be the latest case of regime change, but it is unlikely to be the last.

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