

THE SECOND ACT OF VICTORY

U.S. FOREIGN POLICY AND POST-CONFLICT STATE-BUILDING

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ABSTRACT

Post-conflict operations have become a key, yet widely contested topic in international relations, particularly due to the U.S.-led interventions and post-conflict operations in Afghanistan and Iraq. Post-conflict state-building – the initial construction of the institutions, structures, and processes of a functioning, minimally capable state after the major combat operations of a war – is a critical concept within this debate. This thesis evaluates U.S. foreign policy regarding post-conflict state-building, specifically U.S. strategy and planning for the immediate post-conflict period. Through an *institutional approach* based on Allison & Zelikow’s Model II organizational behavior paradigm, the thesis identifies structural, resource, and policy issues that create institutional challenges for post-conflict state-building strategy and planning within the U.S. foreign policy-making process.

This thesis assesses three critical institutions – the Defense Department, State Department, and Congress – and evaluates the structural, resource, and policy issues *within* each of these institutions as they pertain to post-conflict state-building. Two case studies – post-conflict state-building strategy and planning in Panama after U.S. invasion in December 1989 and in Iraq after the U.S.-led invasion in March 2003 – are used to identify the institutional factors that shape U.S. foreign policy regarding post-conflict state-building.

State-building is conceptually part of warfighting in U.S. foreign policy. However, the immediate post-conflict period is not adequately addressed in current planning or operations. Structural, resource, and policy issues often prevent the strategic proposition of post-conflict state-building from becoming an operational reality. There are disconnects between strategic goals and operational resources that relegate the importance of post-conflict state-building and limit its effectiveness in U.S. foreign policy. U.S. government institutions conceptualize long-term transformational goals for state-building, yet neglect the transitional, shorter-term components of post-conflict state-building, which link the major combat operations to the longer-term development assistance.

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INTRODUCTION

Post-conflict operations have become a key, yet widely contested topic in international relations, particularly due to the U.S.-led interventions and subsequent post-conflict operations in Afghanistan and Iraq. Post-conflict state-building – the initial construction of the institutions, structures, and processes of a functioning, minimally capable state after the major combat operations of a war – is a critical concept within this debate. This thesis evaluates U.S. foreign policy regarding post-conflict state-building, specifically U.S. strategy and planning for the immediate post-conflict period, through an *institutional approach* to determine the key issues and challenges in the policy-making process. This thesis assesses three critical institutions involved in post-conflict state-building – the Defense Department, State Department, and Congress – and evaluates structural, resource, and policy issues *within* each of these institutions.

Post-conflict concepts are overly broad, lack precision, and often become “catch-all” terms that confuse rather than clarify. The term post-conflict in itself is an artificial term. Does post-conflict state-building further cloud the conceptual arena? It is still an incomplete term. However, post-conflict state-building focuses on a critical timeframe and a limited set of operations within an uncertain, dynamic period that is defined by what it is not: not major combat operations, but also not yet a peaceful, stable environment. Operations within the post-conflict state-building framework are designed to support the establishment of governance institutions and processes in an environment emerging from conflict.

State-building is conceptually part of the warfighting process in U.S. foreign policy. Post-conflict state-building connects the major combat operations to the long-term development assistance. However, structural, resource, and policy issues often prevent this strategic proposition from becoming an operational reality. Critical institutions within the U.S. foreign policy-making process are not prepared in terms of structure, resource, or policy to establish comprehensive strategies and plans for post-conflict state-building operations.

U.S. government institutions conceptualize long-term transformational goals for state-building, yet neglect the transitional, shorter-term components of post-conflict state-building. Although post-conflict state-building goals are transformational in nature – fundamentally

altering the composition of a state – the process by which to reach this transformational end is through transitional means. As such, the period immediately after major combat operations is a critical part of the transitional process toward state-building. The structures, resources, and policy of U.S. government institutions reflected the tendency to look toward the long-term transformational goals to the detriment of the transitional nature of post-conflict state-building. Whether building or rebuilding a state, the post-conflict state-building process is incremental and transitional.

The U.S. government is a dominant force in post-conflict state-building, from doctrinal development to operational strength. In some cases and time periods, particularly the immediate post-conflict period, the U.S. government – particularly the Defense Department – is the only viable actor. No other institution has the ability to operate in the transitional, uncertain post-conflict environment that hovers between varying levels of conflict and stability. Yet, there is a disconnect between the U.S. government’s conceptual commitment and institutional capacity to conduct operations during the transitional, uncertain period of post-conflict state-building. The resources and policy commitments set out by the high-level policymakers do not reflect their stated goals and objectives, leaving the mid-level implementers without the resources and authority to achieve the goals.

Post-conflict state-building must be placed within the strategic framework of U.S. foreign policy decision-making. Post-conflict state-building might not be part of every warfighting campaign. However, when a mission includes the end-state goal of transitioning power to a representative government (as it did in Panama and Iraq), there is a necessity for post-conflict state-building to be placed within the warfighting process. State-building is often an ambitious endeavor that confronts significant resource, capacity, and time constraints. Post-conflict state-building – when it is defined as part of the warfighting process and limited in its goals – is an achievable *and* strategic goal within the capacity and resource limits of the U.S. government.

Chapter 1

Post-conflict state-building is not a precise term. Scholars and practitioners considering “post-conflict” operations have developed concepts that are useful, but also vague and inexact. For example, a term such as stability operations ranges from kinetic-based military operations that establish a secure environment in the immediate post-conflict period to longer-term development assistance. Nation-building, post-conflict reconstruction, stabilization and reconstruction, stability operations, and other related terms all attempt to define “post-conflict” operations by emphasizing different perspectives, time horizons, and goals. This introductory chapter evaluates these key concepts and works toward a definition for post-conflict state-building, comparing and contrasting it to the related concepts. While it does not solve the semantic and conceptual confusion found in academic literature or institutional doctrine, the term “post-conflict state-building” defines a critical period and set of operations in warfighting that is not fully conceptualized in theoretical or practical terms. In terms of time period, post-conflict state-building is best framed according to U.S. military doctrine, formerly Phase IV (transition) operations and now referred to as Phase IV (stabilize) and Phase V (enable civil authority) operations.

Post-conflict state-building is meant to explain the construction or creation of the governing institutions, processes, and structures of the state in the period immediately following major combat operations of a war. Post-conflict state-building combines: the “minimally capable state” of Robert Orr’s post-conflict reconstruction definition; the “creation of new government institutions and the strengthening of existing ones” of Fukuyama’s state-building definition; and the time horizon of Phase IV and V operations within U.S. Defense Department doctrine.¹ While it raises questions like other “post-conflict” concepts, this “definition by amalgamation” also focuses on a set of operations and time period that are not fully conceptualized within academic and policy communities.

After defining different related concepts, Chapter 1 includes a discussion of the assumptions within the definition of post-conflict state-building. How should post-conflict state-building

¹ Robert C. Orr (2004a) “Chapter One: The United States as Nation Builder: Facing the Challenges of Post-Conflict Reconstruction” in Robert C. Orr, ed. (2004) *Winning the Peace: An American Strategy for Post-Conflict Reconstruction*, Washington, D.C.: Center for Strategic and International Studies Press, p. 10-11; Francis Fukuyama (2004) *State-building*, Ithaca: Cornell University Press, p. ix; Department of Defense – Joint Chiefs of Staff (2006) *Joint Publication 3-0: Joint Operations*, September 17, 2006; updated February 13, 2008, Washington, D.C.: Department of Defense.

be framed within a discussion of U.S. national interests and national security strategy? What are the fundamental differences between state-building and state-*rebuilding*, or post-conflict *construction* and post-conflict reconstruction? How does the difference between a nation and a state conceptually affect post-conflict state-building? What is the relationship between democracy promotion and state-building? While these brief reviews of assumptions might raise more questions than they answer, they further frame the key topic for this thesis. Through these discussions, the concept of post-conflict state-building takes shape as a transitional and transactional process, not a transformational one.

Chapter 2

Post-conflict state-building is part of the warfighting process. Post-conflict state-building is part of the larger intervention, caught between the major combat operations that traditionally define war and the long-term development assistance that is possible with a transition to a more stable environment. Post-conflict state-building is placed within this transitional process, which is also squarely within warfighting. Applying concepts from Clausewitz, post-conflict state-building is the “second act of victory” within warfighting.

No victory will be effective without pursuit; ... the importance of the victory is chiefly determined by the vigor with which the immediate pursuit is carried out. ... In other words, pursuit makes up the second act of victory and in many cases is more important than the first.²

State-building, as part of the warfighting process, should be framed within its political objectives. In many interventions (including the two case studies in this thesis), the goal stated by the President was to have a representative government formed in the intervened upon state after major combat operations. Rather than ending warfighting with major combat operations, regime change is only the beginning of the post-conflict state-building process. State-building flows immediately from the major combat operations in the warfighting process. Framed within this context of conflict, state-building is not a separate, distinct set of operations, but fits within the larger rubric of warfighting. State-building objectives are part of the larger strategic vision that includes the political goals of conflict.

² Michael Howard and Peter Paret, eds. (1976) *Carl von Clausewitz: On War*, Princeton: Princeton: Princeton University Press, p. 261, 264, 267.

In the conflict period, mission goals are centered on more kinetic, offensive, often destructive objectives. In the post-conflict period, the goal is to establish and then maintain order in the territory governed. Yet, there is not a simple distinction, or bifurcation of responsibilities, between military (conflict) and civilian (post-conflict) efforts. One might have a stronger role in one situation (e.g., the military leads conflict operations); however, both military and civilian “instruments of power” are necessary throughout the spectrum of warfighting. There is not a single line to be crossed from the conflict to the post-conflict period.

State-building in the immediate post-conflict period balances a transition from coercive to cooperative legitimacy, although both forms of legitimacy always exist. In this transitional process, a state and its governing institutions attempt to establish legitimacy, often first by more coercive, security-based means and ultimately through a combination of coercive and cooperative means. Post-conflict is not an entirely coercive process; to provide the necessary link to longer-term state-building, actors must consider the political dimensions – the cooperative legitimacy – of post-conflict state-building operations. Political objectives must continue to guide the overall state-building process.

Chapter 3

This thesis evaluates post-conflict state-building within U.S. foreign policy decision-making and planning processes from an institutional perspective. Based on Allison & Zelikow’s *Essence of Decision* Model II – organizational process paradigm – this thesis looks beyond the unitary actor of the state – the United States – and assesses institutional actors that shape strategy and policy processes.

Inter-agency coordination is often oversold as the cause of failure of U.S. foreign policy. Failure of inter-agency coordination places the emphasis on the *coordination*, not the institutions’ policies or dynamics that lead to broader policy decisions. The foundation of policy decisions is located at the *institutional* level. This thesis assesses the institutional factors that shape an institution’s ability to participate in the inter-agency policy-making process. The overall premise for the structure of the case studies is that internal institutional dynamics explain more about policy-making than inter-agency relationships and dynamics. Institutional outputs are better understood by examining internal institutional factors, not the relationships between institutions.

Two case studies – Panama and Iraq – focus on U.S. foreign policy strategy and planning regarding post-conflict state-building. Three units of analysis – the Defense Department, State Department, and Congress – are the institutional actors that form the basis of the case study analysis. While other institutions and actors play key roles in post-conflict state-building (e.g., the National Security Council, U.S. Agency for International Development), these three actors are key institutions and provide a representative assessment of the institutional challenges facing various U.S. government institutions.

To evaluate these three institutions (or units of analysis) within each case study, there are three categories of analysis: structural, resource, and policy. The fundamental goal of this thesis is to identify the structural, resource, and policy issues that create institutional challenges for post-conflict state-building strategy and planning within the U.S. foreign policy-making process. This thesis aims to identify key factors within institutions that inhibit more comprehensive U.S. foreign policy strategy and planning related to post-conflict state-building.

The Case Studies

The first case study – chapter 4 – assesses U.S. post-conflict state-building strategy and planning in Panama, following the U.S. invasion on December 20, 1989. The second case study – chapter 5 – assesses U.S. post-conflict state-building strategy and planning in Iraq, following the U.S.-led invasion on March 20, 2003.

The case studies are intended to be vehicles by which to better understand the institutional dynamics of the three units of analysis: Defense Department, State Department, and Congress. This thesis is not intended to provide a more definitive account of U.S. operations in Panama or Iraq. Rather, the goal is to better understand the actors involved within the U.S. government and their particular roles, responsibilities, and limits regarding post-conflict state-building. The value of the analysis is to *expose the dynamics, constraints, and enabling factors within these institutions and how they affect the overall U.S. foreign policy process toward post-conflict state-building.*

Chapter 4 – Panama

This first case study on Panama assesses U.S. post-conflict state-building strategy and planning after Operation Just Cause, specifically December 1989 to December 1990. National Security Presidential Directive 21, signed by President George Bush on September 1, 1989, stated that “United States policy towards Panama continues to be to achieve the departure of General Noriega from power and *the establishment of a democratic government based on the will of the people as expressed in free elections.*”³ While the major combat operations were considered an overwhelming success, post-conflict strategy and planning did not exist. Did a lack of post-conflict state-building in Panama threaten U.S. national security? No. However, that question misses the point that resources, personnel, and policy priority were devoted to an invasion and post-conflict operation in Panama. If the U.S. foreign policy leadership decides to devote resources to major combat and attendant post-conflict state-building operations in Panama, it should be conducted in the most effective manner possible – that was not the case with the post-conflict state-building operations in Panama after Operation Just Cause.

Institutional dynamics – structural, resource, and policy – explain much of the overall effectiveness (or ineffectiveness) of post-conflict state-building in Panama. The issues and differences that institutions faced internally explained more about overall post-conflict state-building policy than issues and differences between the institutions studied. However, another glaring institutional lesson from Panama is the disparity in influence, resources, and overall capabilities of the Defense Department compared to all other actors. In many regards, the Defense Department was *the* actor in post-conflict state-building, particularly in the immediate post-conflict period. If post-conflict state-building was to occur, the Defense Department was the only institution capable of planning and implementing post-conflict state-building operations.

What was the goal of post-conflict state-building in Panama? The goals ranged from economic recovery to counter-narcotics, removing Noriega (as an end in itself) to democracy promotion. Post-conflict state-building was not a priority within any institution of the U.S.

³ The White House (1989) *National Security Presidential Directive 21: U.S. Policy Towards Panama Under Noriega After September 1, 1989*, September 1, 1989. Declassified on September 10, 1996; obtained through the George Washington National Security Archives. Emphasis added in italics.

government during Panama contingency planning or operations after the December 20, 1989 invasion. Each institution had structural, resource, and policy issues that contributed to the institutions' inability to conduct post-conflict state-building effectively. The failure began at the strategic level. The senior civilian foreign policy leadership – in the Defense Department, State Department, and Congress – neglected post-conflict state-building. It was not a priority. Consequently, this lack of focus and priority on the strategic level led to inadequate resources devoted to the mission set and structural impediments that inhibited the achievement of post-conflict state-building goals.

Chapter 5 – Iraq

The second case study assesses U.S. post-conflict state-building planning and operations as a part of and after Operation Iraqi Freedom, specifically from April 2003 to November 2003. NSPD 24, issued two months before the invasion, provided presidential direction for post-conflict Iraq operations, stating:

If it should become necessary for a U.S.-led military coalition to liberate Iraq, the United States will want to be in a position to help meet the humanitarian, reconstruction, and administration challenges facing the country in the immediate aftermath of the combat operations. The immediate responsibility will fall on the U.S. Central Command; overall success, however, will require a national effort.⁴

Post-conflict state-building was conceptualized as part of the warfighting process since the initial briefings of war plans in 2001. However, that conceptualization remained abstract. Institutions within the U.S. government did not transfer this theoretical conceptualization into the requisite strategy and planning. There were post-conflict goals; there was some post-conflict planning; but there was no post-conflict plan. U.S. government institutions – specifically the Defense Department, State Department, and Congress – did not devote the resources to develop a plan for state-building in the immediate post-conflict period in Iraq. Consequently, post-conflict operations lacked strategic vision or the capacity to move from major combat operations to longer-term development. The transitional immediate post-conflict period was neglected.

⁴ Bob Woodward (2006) *State of Denial*, London: Simon & Schuster, p. 112.

Post-conflict state-building was not an institutional priority in the lead up to the invasion of Iraq in March 2003. Post-conflict operations were relegated in terms of importance, priority, and resource. There was planning – although no plan – and there were even ample resources in the end. Yet, nobody took responsibility for the actual execution of the post-conflict plans and prioritizing those resources until after the major combat operations had concluded.

Conclusion

Theoretically, post-conflict state-building is part of the warfighting process. Yet, how does this conceptual framework relate to the institutional decisions found within the case studies? From an institutional perspective, is the United States government structured and resourced to support post-conflict state-building policy and operations?

There are elements of transition and transformation within post-conflict state-building. However, post-conflict state-building immediately following major combat operations is largely a transitional process toward a transformational long-term goal. How is post-conflict state-building viewed as a transitional or transformational process within post-conflict state-building? Do the institutional capabilities match the conceptual commitments?

CHAPTER 1: DEFINING POST-CONFLICT STATE-BUILDING

Introduction

Post-conflict state-building is the initial work toward the construction of a state and its requisite governing processes, structures, and institutions in the timeframe immediately following major combat operations. This thesis evaluates post-conflict state-building that is part of external interventions conducted by the U.S. government. While this rudimentary definition might raise more questions than it answers, this chapter seeks to understand the concept of state-building, the assumptions within this concept, and the limited nature of post-conflict state-building assessed in this thesis.

This chapter provides a foundation for the thesis, working to define post-conflict state-building, particularly as it relates to other “post-conflict” terms. The first task is to assess the numerous concepts within the field of post-conflict operations, including nation-building, stabilization and reconstruction operations, stability operations, peacebuilding, and post-conflict reconstruction. The goal is to examine various terms and set out a definition for post-conflict state-building that is precise, useful, and limited in scope for this thesis and frames a critical time period and set of operations in warfighting.

Exploring the assumptions within the term “post-conflict state-building” provides more depth to the definition. There are ideological, political, and philosophical assumptions within all post-conflict operation concepts, including post-conflict state-building. These assumptions expose differences particularly regarding the goals of post-conflict missions. Examining these assumptions is meant to expand the discussion and raise questions that expose both the strengths and weaknesses of the concept “post-conflict state-building.”

The time dimension of state-building also limits the scope of the thesis. It is difficult, if not impossible, to state exactly when conflict ends and post-conflict operations begin, even in a small community let alone an entire state. Yet, state-building must be defined within a time horizon as it can be a considerably long-term endeavor. There are short-term and long-term perspectives on state-building, which share some similarities, but also present different challenges, actors, interests, and goals. This thesis focuses on state-building in the immediate

post-conflict period, defined according to military doctrine as Phase IV (stabilize) and the beginning of the transition into Phase V (enable civil authority).¹ The long-term components are important (Phase V and into Phase 0); however, the more short-term components are less understood yet critical to the long-term transition, particularly due to the U.S. government's – particularly the military's – ability to be part of the conflict and immediate post-conflict period. In addition, shorter-term dimensions emphasize the “conflict” variable of state-building. Long-term state-building, which is not part of this thesis, is a broader study that can find applications, lessons, and examples in issues ranging from European Union expansion to promoting democratic institutions in Latin America.

To further limit the scope of this thesis, it is important to distinguish exactly what parts of this larger state-building concept are included within the thesis' focus on post-conflict state-building. As state-building can be broken down into four broad areas – political, economic, security, and justice and reconciliation – this thesis focuses on the political dimensions, particularly governance.² Security is indispensable in the post-conflict period; however, the viability of a post-conflict state beyond the external guarantee of security is largely political.³ Once external actors have left a post-conflict state, a viable political order within the state is needed for it to continue to exist. Yet, all components are interdependent. Security is considered the *sine qua non* of post-conflict operations, but the importance of other components is not diminished. One further qualification: this chapter and thesis do not endeavor to compare and contrast political models in the post-conflict state-building timeframe. Rather, the goal is to assess how the U.S. government conceptualizes and plans for post-conflict state-building operations, focusing particularly on the political component of state-building in the immediate post-conflict period.

¹ Department of Defense – Joint Chiefs of Staff (2006) *Joint Publication 3-0: Joint Operations*, September 17, 2006; updated February 13, 2008, Washington, D.C.: Department of Defense, p. IV-26-27.

² Robert C. Orr (2004a) “Chapter One: The United States as Nation Builder: Facing the Challenges of Post-Conflict Reconstruction” in Robert C. Orr, ed. (2004) *Winning the Peace: An American Strategy for Post-Conflict Reconstruction*, Washington, D.C.: Center for Strategic and International Studies Press, p. 10-12. Orr presents the “four pillars of post-conflict reconstruction” as security; governance and participation; social and economic well-being; and justice and reconciliation.

³ On the importance of the security dimension of state-building, see among others: Alan Bryden and Heiner Hånggi, eds. (2005) *Security Governance in Post-Conflict Peacebuilding*, London: Transaction Publishers.

The many terms for post-conflict operations

As there are many different types of *actors* in the post-conflict period, there are many types of *actions* and *terms* that describe post-conflict operations. There are nominal or semantic differences – such as when some American scholars, journalists, and policymakers use the phrase “nation-building” to describe post-conflict operations – and more substantive differences – such as the difference between nation-building and state-building when considering fundamental differences between a nation and state and the requirements to “build” both. An overview of key literature related to post-conflict state-building provides a context for this thesis and creates a space to define the critical term of the thesis: post-conflict state-building.

The phrase “post-conflict state-building” can be broken down according to its two parts, yet it should be viewed as a complete phrase as its meaning changes when read as two separate concepts. The “post-conflict” portion describes the time horizon while “state-building” defines the operations, activities, and policies. There are post-conflict operations that are not state-building, just as there are state-building operations that are not in the post-conflict period. All discussions of state-building in this chapter (and thesis) are placed within the “post-conflict” context. However, as post-conflict state-building only covers a portion of the entire range of state-building activities, the discussions below of state-building do range into the longer-term state-building arena.

Nation-building vs. State-building

The most commonly used phrase for post-conflict operations, particularly in the United States, is nation-building. Is nation-building the same as state-building? It depends. When used by American scholars and practitioners to describe the construction of a minimally capable state, they are the same. When the definition focuses on the creation of a nation, not a state, they are different.

For the purposes of this thesis, the term “nation” refers to the political entity within which members share a common history, culture, and/or identity; a “state” refers to the political

entity defined by its institutions, structures, and processes.⁴ Like the terms “nation” and “state,” there are similarities and differences between the terms “nation-building” and “state-building” based on how the concepts are defined. In general, state-building is a much more limited term than the expansive, long-term nature of nation-building. There are semantic and substantive differences between the terms. Regarding the semantic difference, some scholars and policymakers accept that nation-building is the recognized term of use in the United States lexicon and, although they mean state-building, they use the term nation-building.⁵ Zalmay Khalilzad, former U.S. Ambassador to Afghanistan and Iraq, wrote “How to Nation-Build,” yet asserts in his first sentence that the U.S. has been involved in *state-building* in Afghanistan.⁶ Khalilzad demonstrates this interchangeable nature of terms for many American scholars and practitioners when he defines the key tasks of U.S. efforts in Afghanistan to “establish a legitimate political process and rebuild state institutions,” two core tasks that fit within the state-building definition presented in this thesis.⁷

In another example of the semantic difference, Barnett defines nation-building as “the practice of helping countries overcome conflict and build effective and legitimate political institutions.”⁸ Barnett uses the phrase “state-building” to describe what he had referred to as nation-building elsewhere in his writing.⁹ Simon Chesterman provides an explicit acknowledgement of the semantic difference, but also provides a short explanation into the difference between the nation and the state. Chesterman asserts, “The focus here is on the *state* (that is, the highest institutions of governance in a territory) rather than the *nation* (a

⁴ See Chapter 2 for a more analysis of these terms related to the thesis.

⁵ Karin von Hippel recognizes that state-building is a more suitable term for the debate, but also understands that the US debate uses the phrase nation-building. Von Hippel states, “*Nation building, which really means state building, has over the years signified an effort to construct a government that may or may not be democratic, but is preferably stable. Today, nation building normally implies the attempt to create democratic and secure states.*” In a footnote, von Hippel expands on the “confusion” between a nation and state. “The term ‘nation’ is often confused with ‘state,’ particularly in the United States. Although the term ‘nation-building’ incorrectly depicts what the U.S. government is attempting to do, as it rarely strives to create a nation inhabited by peoples of the same collective identity, this term has become synonymous with state building. For example, when the U.S. government and the UN attempted to rebuild Somalia, they did not try to reunite all Somalis living in Djibouti, Kenya, and Ethiopia with Somalis in the former Somali Republic, which would have indeed created a Somali nation; rather, they focused on rebuilding the former Somali Republic.” Karin von Hippel (2000) “Democracy by Force: A Renewed Commitment to Nation Building,” *Washington Quarterly* 23:1, p. 1. Emphasis added in italics.

⁶ Zalmay Khalilzad (2005) “How to Nation-Build,” *The National Interest*, Summer 2005, p. 1. Khalilzad begins his piece on *nation-building* by using the phrase *state-building*. “For three and a half years, the United States has been engaged with the Afghan people in an ambitious program of *state-building*.”

⁷ Khalilzad (2005) p.1

⁸ Michael Barnett (2002) “Nation Building’s New Face,” *Foreign Policy*, November-December 2002, p. 98.

⁹ “If state building is now an ensemble activity, the ‘why’ of these efforts surely must transcend Great Power ambitions.” Barnett (2002) p. 98.

people who share common customs, origins, history and frequently language) as such. 'State-building' is therefore a more precise term. Due to its prevalence in US debates on the topic, however, 'nation-building' will be used in this article."¹⁰ While he does not fully develop the concept of nation-building, Chesterman refers to President Bush's description of post-conflict operations in Afghanistan as "the stabilization of a future government."¹¹ This limited conception of nation-building more accurately reflects the limited concept of state-building. As Charles Tripp notes,

The term 'nation-building' is highly misleading. It could plausibly be argued that the two undisputed success stories in this [U.S. nation-building] – Germany and Japan – were in large part successful precisely because there was no need for 'nation-building'. In each case, a highly developed – some might say overdeveloped – sense of national identity and purpose long antedated the efforts by the US and others to build the framework for democracies and liberal policies.¹²

In effect, what is referred to as nation-building in Germany and Japan was, in fact, state-building. The nation-building, the creation of a community identity, had already been established. Nation-building in Germany and Japan was "the reconstruction of the state."¹³

An historical explanation explains some of the confusion between nation-building and state-building in American scholarship. As a nation-state, although now not an ethnically or otherwise homogeneous one, the United States conflates the terms state-building and nation-building due to its historical narrative and the forces that have shaped its creation as a nation-state. "In the United States, this effort [state-building] has come to be known as nation-building. This terminology perhaps reflects the national experience, in which cultural and historical identity was heavily shaped by political institutions like constitutionalism and democracy," according to Fukuyama.¹⁴ The nation and state of "the United States of America" are woven together.

¹⁰ Simon Chesterman (2004) "Bush, the United Nations, and Nation-building," *Survival* 46:1, Spring 2004, p. 114, footnote 2.

¹¹ Chesterman (2004) p. 102. Also, see: Chesterman (2004) p. 114, footnote 6: George W. Bush (2001) "President Holds Prime Time News Conference," Washington, D.C., October 11, 2001, available at <http://www.whitehouse.gov>.

¹² Charles Tripp (2004) "The United States and state-building in Iraq," *Review of International Studies*, Volume 30, p. 547.

¹³ Tripp (2004) p. 558.

¹⁴ Francis Fukuyama (2004) *State-building*, Ithaca: Cornell University Press, p. 99.

The creation of the United States of America was in fact a state-building and nation-building operation. Neither previously existed. The Founding Fathers, the symbolic and philosophical architects of the United States, attempted to create both at the same time. John Jay, one of the principal authors of the *Federalist Papers* argued,

With equal pleasure I have as often taken notice that Providence has been pleased to give this one connected country to *one united people--a people descended from the same ancestors, speaking the same language, professing the same religion, attached to the same principles of government, very similar in their manners and customs*, and who, by their joint counsels, arms, and efforts, fighting side by side throughout a long and bloody war, have nobly established general liberty and independence.¹⁵

Developing a set of political institutions involved *building a nation* under a set of political values and principles as well as building a state with institutional capacity and functioning governance structures. The critical debates on the Constitution and the future of the United States found in the *Federalist Papers* are largely concerned with the unity and preservation of the Union of States, or the maintenance of the state-building operation of the United States.

Marina Ottoway acknowledges the inconsistency of the term and establishes a definition for nation-building that adequately describes state-building. Arguing that nation-building is *not* about building a nation, Ottoway asserts, “the goal of nation building should not be to impose common identities on deeply divided peoples but *to organize states that can administer their territories and allow people to live together despite differences.*”¹⁶ The goal of nationhood, national identity, or any broader, more abstract sense of the nation is not part of Ottoway’s nation-building definition. In this sense, nation-building can be viewed as synonymous as state-building. Thus, in further citations in the thesis, particularly from American scholars, journalists, and policymakers, nation-building is used to mean state-building. While this can create confusion, efforts are taken to note differences when they arise; however, the assumption is that nation-building, when only a semantic difference, describes the same general process as state-building.

Yet, there are substantive differences between conceptions of state-building and other post-conflict terms, including some definitions of nation-building. Discussing substantive

¹⁵ John Jay, “Federalist No. 2: Concerning Dangers from Foreign Force and Influence; For the Independent Journal” in Alexander Hamilton, John Jay, and James Madison (1787) *The Federalist Papers*, http://thomas.loc.gov/home/histdox/fed_02.html. Emphasis added in italics.

¹⁶ Marina Ottoway (2002) “Nation-building,” *Foreign Policy* 132, Sept-Oct 2002, p. 17. Emphasis added in italics.

differences between state-building and nation-building, Francis Fukuyama provides a critical starting point for this analysis of substantive differences, arguing, “state-building is the creation of new government institutions and the strengthening of existing ones.”¹⁷ Fukuyama describes nation-building in two distinct manners. First, he relates it closely to a long-term approach to state-building, arguing, “nation-building means the creation of self-sustaining state capacity that can survive once foreign advice and support are withdrawn.”¹⁸ In a sense, the state is built and can now function independently, with the prospect of becoming a more cohesive nation. Emphasizing the nation, Fukuyama later writes, “Europeans tend to be more aware of the distinction between state and nation and point out that *nation-building is the sense of creation of a community bound together by shared history and culture* is well beyond the ability of any outside power to achieve. They are, of course, right; only states can be deliberately constructed. If a nation arises from this, it is more a matter of luck than design.”¹⁹

While there is some overlap in terms and confusion within his definition of nation-building, Fukuyama differentiates between nation-building and state-building. As he notes the difficult record of the international community in both endeavors, Fukuyama highlights the more limited scope and goals of state-building, stating the possible benefits from “a science, art, or *techné* to state-building.”²⁰ “Strengthening these states through various forms of nation-building is a task that has become vital to international security but is one that few developed countries have mastered. Learning to do state-building better is thus central to the future of world order.”²¹ State-building, not nation-building, is the mandate for the international community, particularly the United States.

Following Fukuyama’s logic, I view state-building more narrowly as the creation of the institutions of the state (the means) and nation-building more broadly as the products and the process of the institutions over time (the ends). However, I would place the processes of the institutions related to governance into state-building. The institutions, from the physical structures to the policies and processes that allow them to function, are the essential components of state-building. The long-term products of the institutions and the processes

¹⁷ Francis Fukuyama (2004) *State-building*, Ithaca: Cornell University Press, p. ix.

¹⁸ Fukuyama (2004) p. 38.

¹⁹ Fukuyama (2004) p. 99. Emphasis added in italics.

²⁰ Fukuyama (2004) p. 99.

²¹ Fukuyama (2004) p. 120.

established are nation-building. Moreover, nation-building must be led, or possibly worked through, by a legitimate domestic political class that represents the interests of the domestic constituencies.

James Dobbins, one of the most experienced practitioners in post-conflict operations in the U.S. government, provides a different definition for nation-building. Dobbins' definition of nation-building, while it contains parts of Fukuyama's state-building definition, emphasizes democratization. Dobbins defines nation-building as a post-conflict operation "to use military power in the aftermath of a conflict to underpin an enduring transition to democracy."²² In addition, Dobbins regards nation-building as "rapid and fundamental societal transformation."²³ Although democratization appears to be an essential component of his definition of nation-building, Dobbins explicitly highlights this point when describing U.S. efforts in Iraq as "democratic nation-building."²⁴

The "societal transformation" portion of Dobbins' nation-building definition is instructive as it eliminates interventions and post-intervention support by external actors that aims to maintain the status quo, which is generally not democratic. "US interventions in such places as the Dominican Republic, Lebanon, Grenada, and Panama were undertaken to overthrow unfriendly regimes and reinstall friendly ones, rather than bring about fundamental societal transformation."²⁵ While individual case studies can be argued, Dobbins' nation-building is guided by supporting democratization and "fundamental societal transformation." The overall, longer-term process of state-building is a transformational experience. Warfighting, indeed, is transformational. However, within the more limited context of post-conflict state-building, the emphasis in this thesis is on the transitional – vice transformational – process of post-conflict state-building operations. Post-conflict state-building can support the longer-term transformational goals of democratization. As discussed later, democratization is often set as a long-term foreign policy objective for interventions, but post-conflict state-building can only set the initial conditions for this longer-term transformational goal.

²² James Dobbins (2003-2004) "America's Role in Nation-Building: From Germany to Iraq," *Survival* 45:4, p. 87.

²³ Dobbins (2003-2004) p. 87.

²⁴ Dobbins (2003-2004) p. 105.

²⁵ Dobbins (2003-2004) p. 88.

While Fukuyama and Dobbins' arguments are not mutually exclusive, they do emphasize different points. Fukuyama focuses on the creation of institutions while Dobbins looks at nation-building as a transformational process toward democracy. Fukuyama does not include direct references to democracy in his core definition, but they are not completely absent in his discussion of state-building. Is Dobbins' definition of nation-building substantively different from state-building? Apart from democratization, the other core components of Dobbins' nation-building definition are essentially state-building tasks, such as establishing security, promoting political development, and implementing justice and reconciliation efforts. Dobbins' nation-building definition, including the core aspect of democratization, should be considered state-building. The definition includes both shorter-term, more immediate priorities (e.g., security) and longer-term, more aspirational goals (e.g., democratization). Later in the chapter, I explore the idea of democratization as an assumption in many academic and policy-related definitions of state-building. Democratization is not an essential characteristic of state-building; however, it should be explored as a longer-term goal after U.S. state-building efforts.

State-building is not neutral and this thesis conceptualizes it within warfighting and foreign intervention. "The essence of nation-building is getting the guns out of the warlords' hands and opening up spaces for political competition free of violence," according to Michael Ignatieff.²⁶ U.S. efforts in Vietnam were considered "imperial nation-building;" the situation in Afghanistan is, "peacekeeping or nation-building, call it what you like -- imperial policing is what is going on in Mazar [Afghanistan]."²⁷ However, this imperial presence is not necessarily a negative development, according to Ignatieff. Explaining the relation between imperialism and nation-building according to his term "nation-building lite,"

Imperialism used to be the white man's burden. This gave it a bad reputation. But imperialism doesn't stop being necessary just because it becomes politically incorrect. Nations sometimes fail, and when they do, outside help -- imperial power -- can get them back on their feet. Nation-building is the kind of imperialism you get in a human rights era, a time when great powers believe simultaneously in the right of small nations to govern themselves and in their own right to rule the world.²⁸

The imperial presence is providing the necessary security guarantee, one component of state-building, to allow other state-building operations to progress.

²⁶ Michael Ignatieff (2002) "Nation-Building Lite," *New York Times Magazine*, July 28, 2002, p. 3.

²⁷ Ignatieff (2002) p. 1.

²⁸ Ignatieff (2002) p. 11.

“Nation-building lite” is a paradox. The United States wants to establish a strong government in Afghanistan, yet it is not willing to invest in that endeavor sufficiently. The United States is acting in an imperial fashion, yet it advocates for self-determination and promotes governance. The United States wants to see instant results, yet nation-building is a long-term process. Ignatieff’s “nation-building lite” illuminates the dangers of state-building. “Nation-building lite” identifies the problems of U.S. state-building efforts as a disconnect between resources and goals; between the reality of budgets and political will on one hand, and the rhetoric of democracy promotion on the other. There are two lessons for this thesis. First, the goals of state-building must be limited. The paradoxes of “nation-building lite” expose these limits, often self-imposed by the intervening force.²⁹ Second, while the goals are limited, the force, focus, and financing of the external actor cannot be decreased because the goals are limited. State-building cannot be fully achieved within the timeframe that this thesis limits it; however, a focus on building the capacity of the state and constructing state institutions, processes, and structures in the short-term can affect long-term state-building.

There are other definitions that broaden the scope of nation-building beyond state-building. Amitai Etzioni defines nation-building as “three related but different tasks: unification of disparate ethnic groups; democratization; and economic reconstruction.”³⁰ The first form, “unification of disparate ethnic groups,” is the essential difference between nation-building as a goal of creating a nation and state-building as a goal of creating a state. Etzioni describes this unification process of different ethnic groups as “community building,” referring to studies that define nation-building as the creation of a national identity among different ethnic groups within the context of a state.³¹ The other two forms of nation-building that Etzioni defines, democratization and economic reconstruction, could potentially fit within the state-building definition used in this thesis.³² “Whether one uses the term ‘nation-building’ in

²⁹ Ignatieff defines nation-building in Afghanistan as “creating a state strong enough to keep Al Qaeda from returning.” However, “the Bush administration wants to do this on the cheap, at the lowest level of investment and risk. In Washington they call this nation-building lite. But empires do not come lite. They come heavy, or they do not last. And neither does the peace they are meant to preserve.” Ignatieff (2002) p. 2.

³⁰ Amitai Etzioni (2004) “A self-restrained approach to nation-building by foreign powers,” *International Affairs* 80:1, p. 2.

³¹ Etzioni cites: Pal Kolsto, ed. (1999) *Nation-building and ethnic integration in post-Soviet societies: an investigation of Latvia and Kazakstan*, Boulder, CO: Westview; Wendell Bell and Walter E. Freeman, eds. (1974) *Ethnicity and nation-building: comparative, international, and historical perspectives*, Beverly Hills, CA: Sage.

³² There is a crucial distinction between how Etzioni defines nation-building and how other scholars might define the concept. In above discussions, I have referred to different “parts” or “components” of a scholars’

only one or more of these senses (many use it in all three, interchangeably), one should take into account that the reference is to the building of a *nation*, not a *state*.”³³ All three components, in essence, are nation-building. As argued above, the first component, “unification of disparate ethnic groups,” is clearly nation-building; democratization and economic reconstruction could fall within a longer-term perspective on state-building. Democratization and economic reconstruction work toward creating a state (not necessarily a nation) whereas “unification of disparate ethnic groups” has an explicit goal of creating a nation.

Etzioni provides important cautions to the limits and role of external actors in the process of nation-building; however, Etzioni’s conclusions must be taken within the proper context. Nation-building based on Etzioni’s definition is beyond the scope of state-building. Moreover, Etzioni’s description of democratization and economic reconstruction are not indicative of the scope of post-conflict state-building assessed in this thesis. Democratization and economic reconstruction are long-term goals. In the end, Etzioni’s conclusion comes close to an endorsement of state-building. Calling for a restrained approach to nation-building, Etzioni quotes Robert Kaplan, who argued, “we shouldn’t try to fix a whole society; rather, we should identify a few key elements in it, and fix them.”³⁴ Etzioni’s “restrained approach” includes “working *initially* with whomever is in power” and “focuses first and foremost on pacification (to avoid inter-ethnic armed conflict) and security.”³⁵ The “restrained approach” appears to be state-building, limiting the scope of the mission, focusing on short-term actions to build state capacity, and recognizing nation-building as a long-term process.

Adding another perspective to nation-building that differs from state-building, Talentino defines nation-building as:

definition of nation-building. In short, these parts make up the whole of the nation-building definition. Etzioni, however, describes unification, democratization, and economic reconstruction as “forms” of nation-building. In other words, unification, democratization, and economic reconstruction are all independently nation-building. This difference in terms between “parts/components” and “forms” is significant because democratization and economic reconstruction are considered nation-building by themselves. Whereas others might consider these functions to be state-building, Etzioni defines democratization and economic reconstruction as nation-building forms in and of themselves. See: Etzioni (2004) p. 11 for an example of the phrase, “forms of nation-building.”

³³ Etzioni (2004) p. 3.

³⁴ Etzioni (2004) p. 14. Robert D. Kaplan (2003) “Supremacy by stealth: ten rules for managing the world,” *Atlantic Monthly*, July-August 2003, p.78.

³⁵ Etzioni (2004) p. 14-16.

the process of creating a stable, centralized, and cohesive state that represents a definable community. There is no precise and unambiguous definition of the term. Some authors view it as a shift from instability to order, while others describe it specifically as a transition to democracy. In all cases the process includes establishing and formalising political and economic institutions, though the connection to democracy is most closely associated with post-1945 definitions.³⁶

Nation-building includes both state-building and identity-building as “state function and identity are equal components of the term [state-building],” according to Talentino.³⁷ State-building is performed by, or at least led by, external actors in a top-down manner and is the essential first step in nation-building. Identity-building, consequently, is led by domestic actors in a bottom-up approach, which creates the opportunity for long-term state consolidation.³⁸

Rather than separate nation-building and state-building as two distinct processes (as I attempt to argue in this thesis), Talentino subsumes the concept of state-building into nation-building. Talentino’s definition of identity-building, however, closely reflects the long-term nature of nation-building that I have argued above. Identity-building is defined by Talentino as “the creation of a community identity,” a goal that Talentino would include in the overall definition of nation-building. Talentino’s definition of state-building generally reflects the concept that I am working to define; however, including state-building under the term nation-building is not consistent with this thesis’ definition of nation-building. Rather, Talentino’s definition of identity-building closely reflects this thesis’ definition of nation-building. Instead of viewing nation-building as an inclusive term with which state-building is included, I would argue that nation-building (Talentino’s identity-building) is a separate, distinct term from state-building that may, depending on the situation, have a relationship with nation-building, but does not have a dependent linkage.

Another broader point to consider is the linkage between state-building and nation-building. Is there a direct, conditional link? Are they separate processes? According to Talentino, “International nation-building, therefore, pursues state-building tasks in the hopes that a stable political structure will provide an adequate environment within which identity-building

³⁶ Andrea Kathryn Talentino (2004) “The Two Faces of Nation-Building: Developing Function and Identity,” *Cambridge Review of International Affairs* 17:3, October 2004, p. 559. Emphasis added in italics.

³⁷ Talentino (2004) p. 559.

³⁸ Talentino (2004) p. 557-558.

can occur over time.”³⁹ This conditional linkage, while true in some environments, should not be considered a rule. Germany and Japan had strong national identities before the post-World War II post-conflict operations. In other words, nation-building (or in Talentino’s terms, identity-building) was either present or not necessary; however, state-building was necessary.⁴⁰ Conversely, there are environments where nation-building is conditional upon state-building. Before Iraq or Afghanistan would be able to consider goals to pursue nation-building, it would appear to need to pursue state-building operations first, including governing structures and institutions to provide security and essential services. Yet, in other environments such as Timor-Leste, leaders are pursuing both state-building and nation-building simultaneously.

State-building and nation-building are two separate, distinct processes and sets of goals. Talentino’s subsuming of state-building into nation-building and her conditional linkage between state-building and identity-building (what I refer to as nation-building) does not advance the relationship between state-building and nation-building; rather, it confuses terms and creates unnecessary relationships and linkages.

When there are only small semantic differences, nation-building should be viewed as synonymous with state-building for the purpose of this thesis. However, there are substantive differences when nation-building describes the goal to create a nation with a common identity, history, or “shared story.” In this case, nation-building must be differentiated from state-building and the differences between the concepts in terms of scope, time horizon, and goals should be assessed.

Stabilization and Reconstruction Operations vs. State-building

Stabilization and reconstruction is a phrase used commonly used across the U.S. government to describe post-conflict operations; interestingly, though, the term is not found in core military doctrine.⁴¹ The Defense Science Board 2004 Summer Study defined stabilization

³⁹ Talentino (2004) p. 560.

⁴⁰ See: Tripp (2004) for argument that German and Japanese nation existed before post-World War II state-building.

⁴¹ For example, it is not found in the 2001 or 2006 Joint Publication for Operations (JP 3-0) or Army Field Manuals for Operations (FM 3-0). Department of Defense – Joint Chiefs of Staff (2001) *Joint Publication 3-0: Doctrine for Joint Operations*, September 10, 2001, Washington, D.C.: Department of Defense. Department of Defense – Joint Chiefs of Staff (2006) *Joint Publication 3-0: Joint Operations*, September 17, 2006; updated

and reconstruction operations as “efforts that seek to ensure stability, democracy, human rights, and a productive economy in a nation of concern.”⁴² “It is clear from recent experiences in Afghanistan and Iraq that the United States will encounter significant challenges in its future *stabilization and reconstruction* efforts,” according to the 2004 study.⁴³ This description of stabilization and reconstruction closely reflects the definition of *long-term* state-building in this thesis. There is a focus on stability and order, yet an emphasis on the (re)construction or (re)creation of institutions, processes, and structures of the state.

Brent Scowcroft and Samuel Berger, two former U.S. national security advisors, referred to nation-building and stabilization and reconstruction interchangeably.⁴⁴ Providing a description of stabilization and reconstruction operations, Scowcroft and Berger assert, “Stabilization and reconstruction operations straddle an uncomfortable perch between conventional war fighting -- the purview of the military -- and traditional economic development assistance -- traditionally a civilian responsibility.”⁴⁵ In short, state-building could fit within the framework of stabilization and reconstruction, but it is a much broader, more aspirational concept. When discussing the “uncomfortable perch” between warfighting and development assistance, there are many similarities between stabilization and reconstruction and post-conflict state-building. However, other stabilization and reconstruction goals (e.g., democracy promotion) are more aspirational *ends* that could also be part of a longer-term state-building effort, but are not shorter-term *means* to conduct the post-conflict state-building operations.

February 13, 2008, Washington, D.C.: Department of Defense. Department of Defense – Department of the Army (2001) *FM 3-0: Operations*, June 2001, Washington, D.C.: Department of Defense. Department of Defense – Department of the Army (2008) *FM 3-0: Operations*, February 27, 2008, Washington, D.C.: Department of Defense.

⁴² Office of the Under-Secretary of Defense for Acquisition, Technology, and Logistics (2004) “Defense Science Board 2004 Summer Study on Transition to and from Hostilities,” December 2004, Washington, D.C.: Department of Defense, p. iii.

⁴³ Office of the Under-Secretary of Defense for Acquisition, Technology, and Logistics (2004), unmarked page, p.1 of “Memorandum to the Chairman, Defense Science Board.” Emphasis added in italics.

⁴⁴ Brent Scowcroft and Samuel R. Berger (2005) “In the Wake of the War,” *The National Interest*, Fall 2005. Scowcroft and Berger state, “Warfighting has two important dimensions: winning wars and winning the peace. The United States excels in the first, but without an equal commitment to stability and reconstruction, combat victories can be lost. Just as initial combat operations require advance planning and substantial commitment of money and manpower to succeed, so does the second phases of victory, commonly called ‘*nation-building*’ -- known inside the Pentagon as ‘*stabilization and reconstruction*’ activities.”

⁴⁵ Scowcroft and Berger (2005) p.2.

The current military phasing doctrine does not reference the exact term stabilization and reconstruction, but Phase IV (stabilize) and Phase V (enable civil authority) embody at least a portion of stabilization and reconstruction as described above. Phase IV (stabilize) requires the military to “perform limited local governance ... [which] includes providing or assisting in the provision of basic services to the population.”⁴⁶ Phase IV (enable civil authority) includes a largely similar mandate, but assumes that a governing body has been established and that external military forces are supporting this government to provide the basic government services to citizens.⁴⁷

Established in August 2004 and further endorsed by National Security Presidential Directive 44 in December 2005, the State Department’s Office of the Coordinator for Reconstruction and Stabilization (S/CRS) is tasked to “coordinate and lead integrated United States Government efforts, involving all U.S. Departments and Agencies with relevant capabilities, to prepare, plan for, and conduct *stabilization and reconstruction* activities.”⁴⁸ Based on the stated objectives of S/CRS, “to promote peace, security, development, democratic practices, market economies, and the rule of law,” there is a relationship between the concepts of stabilization and reconstruction operations and state-building.⁴⁹ Similar to the definition set out by the Defense Science Board, the State Department defines stabilization and reconstruction according to both its short and long-term elements.

While the terms state-building and stabilization and reconstruction share many similarities, there are reasons to distinguish between the terms. One difference is time horizon. While the focus of the post-conflict state-building definition is on the short-term, the time horizon of stabilization and reconstruction is varied. The focus is broad, working from immediate post-conflict to longer-term development. Additionally, as a matter of scope, the State Department, focuses on the reconstruction, the longer-term development and reforms. Conversely, the U.S. military focuses principally, if not solely, on the stabilization component of the definition. State-building, as defined in this thesis, should be viewed as a limitation of the term stabilization and reconstruction. The focus is primarily based in the immediate post-conflict period. While it is important to distinguish between the terms, it is

⁴⁶ Department of Defense – Joint Chiefs of Staff (2006) p. IV-29.

⁴⁷ Department of Defense – Joint Chiefs of Staff (2006) p. IV-29-30.

⁴⁸ Office of the Spokesman – Department of State (2005) “Fact Sheet: President Issues Directive to Improve the United States’ Capacity to Manage Reconstruction and Stabilization Efforts,” release 2005/1166, December 14, 2005, page 1. Emphasis added in italics.

⁴⁹ Office of the Spokesman – Department of State (2005) p. 1.

also critical to understand that stabilization and reconstruction and state-building share many common goals and objectives. The terms are not irreconcilable; post-conflict state-building fits within the framework of stabilization & reconstruction, but that framework also includes *longer-term* state-building operations.

Stability Operations vs. State-building

Stability operations is another catch-all term for post-conflict operations. The 2006 joint operations manual defines stability operations as “An overarching term encompassing various military missions, tasks, and activities conducted outside the United States in coordination with other instruments of national power to maintain or reestablish a safe and secure environment, provide essential governmental services, emergency infrastructure reconstruction, and humanitarian relief.”⁵⁰ Army publications are also vague, placing a wide range of operations within the stability operations sphere, from peace operations and foreign internal defense to noncombatant evacuation operations and arms control.⁵¹

In 2005, U.S. Department of Defense Directive 3000.05, “Military Support for Stability, Security, Transition, and Reconstruction (SSTR) Operations,” established another catch-all post-conflict term: SSTR operations; however, the focus of Directive 3000 is stability operations, defined as “military and civilian activities conducted across the spectrum from peace to conflict to establish or maintain order in States and regions.”⁵² Stability operations “include security, transition, counterinsurgency, peacemaking, and the other operations needed to deal with irregular security challenges.”⁵³ SSTR operations, which includes stability operations, falls within this thesis’ definition of state-building, but also goes beyond the scope of the thesis to include broader and longer-term operations (e.g., counterinsurgency).

⁵⁰ Department of Defense – Joint Chiefs of Staff (2006) p. GL-25.
⁵¹ Department of Defense – Department of the Army (2003) *FM 3-07 (FM 100-20) Stability Operations and Support Operations*, February 2003, Washington, D.C.: Department of Defense, p. 1-2. Equally vague, “*Stability operations* promote and protect US national interests by influencing the threat, political, and information dimensions of the operational environment through a combination of peacetime developmental, cooperative activities and coercive actions in response to crisis.” Department of Defense – Department of the Army (2001) p. 1-15.
⁵² Department of Defense (2005) “Directive 3000.05: Military Support for Stability, Security, Transition, and Reconstruction (SSTR) Operations,” November 28, 2005, p. 1-2.
⁵³ Office of the Under-Secretary of Defense for Acquisition, Technology, and Logistics (2005) “Report of the Defense Science Board Task Force on Institutionalizing Stability Operations Within DoD,” September 2005, Washington, D.C.: Department of Defense p.3.

What is the relationship between state-building, stability operations, and stabilization and reconstruction? Stability operations appear to share a similar broad scope as stabilization and reconstruction operations and have a more expanded time horizon than state-building. Like the term stabilization and reconstruction, stability operations appear to include state-building. “The immediate goal often is to provide the local populace with security, restore essential services, and meet humanitarian needs. The long-term goal is to help develop indigenous capacity for securing essential services, a viable market economy, rule of law, democratic institutions, and a robust civil society.”⁵⁴ These responsibilities, particularly in the long-term, go beyond a limited view of this thesis’ definition of post-conflict state-building. While it should be noted that the Defense Department does not consider the longer-term nature of stability operations to be within its long-term mandate in a post-conflict environment, it does take responsibility for these activities during the immediate post-conflict period. This expanded explanation of stability operations brings the definition much closer to both stabilization and reconstruction and long-term state-building. State-building goes beyond “maintaining order,” highlighting similar issues found in the long-term aspects of stability operations, such as promoting rule of law and developing democratic institutions.⁵⁵

Peacebuilding vs. State-building

In *Agenda for Peace*, Boutros Boutros-Ghali introduced the concept of peacebuilding, stating that peacebuilding is “action to identify and support structures that will tend to strengthen and solidify peace in order to avoid a relapse into conflict.”⁵⁶ Based on this definition, there are similarities between state-building and peacebuilding. Within Boutros-Ghali’s definition, there are parallels to state-building, such as establishing and maintaining order (stabilization) and reconstructing institutions, processes, and structures of the state (reconstruction). However, some definitions of peacebuilding, including Boutros-Ghali’s, are concerned with maintaining order, most likely through a status quo. Rather than survey the entire field of peacebuilding, I discuss key points to highlight similarities and differences between peacebuilding and state-building.

⁵⁴ Department of Defense (2005) p. 2.

⁵⁵ Department of Defense (2005) p. 2.

⁵⁶ Boutros Boutros-Ghali (1992) *Agenda for Peace*, New York: United Nations Press, p. 11. As Roland Paris states, “There is no universally accepted definition of peacebuilding.” Roland Paris (2000) “Broadening the Study of Peace Operations” *International Studies Review* 2:3, p.33, footnote 18.

Peacebuilding definitions range from a focus on maintaining a status quo peace to conceptualizing peacebuilding as a transformational process. And sometimes one definition contains both. “International peacebuilding operations seek to stabilise countries that have recently experienced civil wars. ... International ‘peacebuilding’ operations typically aim to prevent violence from recurring in countries that are just emerging from civil conflicts,” according to Roland Paris.⁵⁷ This definition reflects Kofi Annan’s definition of peacebuilding as “actions undertaken at the end of a conflict to consolidate peace and prevent a recurrence of armed confrontation,” also very similar to Boutros-Ghali’s definition.⁵⁸ Paris characterizes peacebuilding as “operations that aim to prevent violence from reigniting after the initial termination of hostilities.”⁵⁹ “Strategic liberalization,” Paris’ solution to peacebuilding strategy, “preserves the liberal internationalist goal of transforming war-shattered states into market democracies,” but Paris asserts that tensions in the internal logic of democracy and capitalism pose a potential threat to the domestic peace of these states.⁶⁰

Paris’ conception of peacebuilding as “transforming war-shattered states” is well beyond the scope of state-building. Yet, the narrow focus to “aim to prevent violence from reigniting” is much less ambitious than state-building. State-building considers post-conflict stabilization to be a pre-requisite, or at least an initial step, in the process of (re)constructing and/or (re)building a state. Based on the difficulty of sustaining a peace, there could be an argument for focusing principally on peacebuilding. The argument is that peace, or at least stability, in the near-term is critical to establish an environment for state-building. While this is a fair point, state-building provides a means toward the goal of a sustainable peace. Another way to view the connection is that peacebuilding relates closely to the “stabilization” component of stabilization and reconstruction operations. Long-term peace, however, is not possible without the (re)construction or (re)creation of state institutions, structures, and processes. While the timeframe for full-scale state-building (and peacebuilding) is long-term, the focus of this thesis is on the short-term steps, particularly in the political processes, that work to sustain a long-term state-building effort.

⁵⁷ Roland Paris (2002) “International peacebuilding and the ‘mission civilisatrice,’” *Review of International Studies* 28:4, p. 637.

⁵⁸ Paris (2002) p. 637.

⁵⁹ Roland Paris (1997) “Peacebuilding and the Limits of Liberal Internationalism,” *International Security* 22:2, p.54.

⁶⁰ Paris (1997) p. 81.

Michael Doyle and Nicholas Sambanis define peacebuilding as “an attempt, after a peace has been negotiated or imposed, to address the sources of current hostility and build local capacities for conflict resolution. Stronger state institutions, broader political participation, land reform, a deepening of civil society, and respect for ethnic identities are all seen as way to improve the prospects for peaceful governance.”⁶¹ Doyle and Sambanis focus the definition of peacebuilding on the process to create a lasting peace “after a peace has been negotiated or imposed.” The list of activities to support peacebuilding closely reflects activities and programs that would also support state-building. “One of the most important challenges for the international community is *how to rebuild stable polities* in the aftermath of civil war.”⁶² In this quote, the difference between peacebuilding and state-building is minimal. “How to rebuild stable polities” is state-building.

At the risk of being too simplistic, the difference between peacebuilding and state-building relates to the basic understanding of “peace” and “state.” While peacebuilding does appear to concentrate on the creation or process of peace, state-building focuses on the institutions, processes, and structures of the state. The terms are used almost interchangeably with nation-building (as commonly used by American scholars and policymakers) and state-building (as defined in this thesis). Peacebuilding is the preferred term of international organizations, particularly the United Nations. Thus, while it is a valuable exercise to explore possible differences between the terms, it is necessary to focus on the similarities, particularly found in Doyle and Sambanis’ description of peacebuilding as “how to rebuild stable polities.”⁶³

Although her definition of nation-building extends beyond the more limited scope of state-building, Talentino provides a useful distinction between peacebuilding and nation-building. Pointing out that peacebuilding operations are much more prevalent than nation-building operations, Talentino focuses on the transformational nature of nation-building as opposed to the more limited scope of peacebuilding. Talentino argues,

The distinction [between peace-building and nation-building] is subtle yet important. ‘Peace-building’ refers to a broad category of reforms designed to promote political, economic, and social development and decrease the potential of future violence. *‘Nation-building’ is the most comprehensive form of peace-building* and refers to the process of defining, shaping, and

⁶¹ Michael Doyle and Nicholas Sambanis (2000) “International Peacebuilding: A Theoretical and Quantitative Analysis,” *American Political Science Review* 94:4, December 2000, p. 779.

⁶² Doyle & Sambanis (2000) p. 779. Emphasis added in italics.

⁶³ Doyle & Sambanis (2000) p. 779.

facilitating the creation of *new* processes and organizations rather than reforming existing structures. ... International operations only qualify as nation-building, however, if they are designed to recreate or fundamentally reconstitute structures of government in a way that represents a *radical break* from past practices.⁶⁴

The idea that nation-building is the most comprehensive form of peacebuilding provides an opportunity to place state-building within this continuum. Unlike nation-building, state-building is not the most comprehensive form of peacebuilding; rather, state-building includes elements of peacebuilding, but goes beyond the scope of peacebuilding. Particularly for *post-conflict* state-building, however, there is a less transformational element than compared to the aspirational goals of nation-building. Whereas peacebuilding would tend to focus on stabilization, state-building includes a stabilization component and moves beyond that to include the (re)construction of state institutions, processes, and structures.

Post-conflict reconstruction vs. State-building

Another key term in the state-building debate is post-conflict reconstruction. As defined by Robert Orr, post-conflict reconstruction closely reflects the definition of state-building in this thesis, yet also provides a key insight into state-building based on its subtle difference. In addition, separating the term “post-conflict reconstruction” into the “post-conflict” and “reconstruction” components provides insights into the term post-conflict state-building.

The term “post-conflict reconstruction” would initially appear to include everything in post-conflict operations. A 1998 World Bank study, *Post-Conflict Reconstruction: The Role of the World Bank*, defines post-conflict reconstruction as “the rebuilding of the socioeconomic framework of society” and the “reconstruction of the enabling conditions for a functioning peacetime society [to include] the framework of governance and rule of law.”⁶⁵ This definition appears to include references to nation-building (rebuilding society), peacebuilding (functioning peacetime society), and state-building (governance and rule of law). Robert Orr, however, limits the scope of post-conflict reconstruction to reflect the scope and goals of state-building, or nation-building when used by many American scholars and practitioners. Post-conflict reconstruction is the “efforts by the United States and other outside actors to

⁶⁴ Andrea Kathryn Talentino (2004) “The Two Faces of Nation-Building: Developing Function and Identity,” *Cambridge Review of International Affairs* 17:3, October 2004, p. 562. Emphasis added in italics.

⁶⁵ World Bank (1998) *Post-Conflict Reconstruction: The Role of the World Bank*, Washington, D.C.: World Bank. Also, see: Orr (2004a) p. 10.

help local actors build up a minimally capable state in four key areas: security; governance and participation; social and economic well-being; and justice and reconciliation.”⁶⁶ Two parts of this definition provide insight into the definition of state-building for this thesis. The phrase “minimally capable state” defines the limited scope of the objectives of state-building, particularly in the short-term. “A minimally capable state is an appropriate goal in the short to medium run because outside actors must be realistic, even humble, about what they can achieve in the context of a failed state or a devastated postwar environment. The long-term goals of nation-building address the root causes of conflict in the country and building a durable nation are beyond the scope of what external actors can realistically aspire to.”⁶⁷

In addition, the four pillars of Orr’s definition limit the goals of state-building to activities designed to develop state capacity. Although Orr uses the term “nation-building,” he uses it in the context of American scholarship that reflects the definition of state-building.⁶⁸ Within Orr’s definition of post-conflict reconstruction, there is no reference to efforts meant to develop a community or national identity or other characteristics of a nation. Post-conflict reconstruction, like state-building, focuses on the state and its structure, processes, and institutions.

The term “post-conflict reconstruction” and Orr’s analysis of the term provides insight into the “post-conflict” portion of the term “post-conflict state-building.” The post-conflict period is “neither war nor peace.”⁶⁹ State-building, like post-conflict reconstruction, is conducted in the immediate post-conflict environment. However, where conflict ends and the “post-conflict” period begins is not easily determined.

Many of the rebuilding activities can, and in fact usually do, occur while conflict is still taking place in some parts of the nation. ‘Postconflict’ does not mean that conflict is concluded in all parts of a given country’s territory at the same time. The term simply recognizes that most reconstruction tasks cannot be addressed until at least major parts of the country’s territory

⁶⁶ Orr (2004a) p. 10-11.

⁶⁷ Orr (2004a) p. 12. This quote, beyond highlighting the similarities between post-conflict reconstruction and state-building, underscores the differences between state-building and nation-building. Nation-building is a long-term goal well beyond the scope of external actors. In addition, it is a process that will be able to be affected by external actors in a more limited manner.

⁶⁸ Orr began his edited book by stating, “The United States is in the nation-building business.” Robert C. Orr (2004b) “Preface” in Orr, ed. (2004) p. x. Like many American scholars and practitioners, Orr uses the term nation building almost synonymously with his term “post-conflict reconstruction.”

⁶⁹ Hugh Seton-Watson (1960) *Neither War Nor Peace: The Struggle for Power in the Postwar World*, London: Methuen.

have moved beyond conflict. Therefore, the term postconflict applies to those areas where conflict has indeed subsided, but not necessarily to all parts of a nation's territory.⁷⁰

The phrase "post-conflict" does not assume that all security concerns have been alleviated; however, it does assume that a lack of security eliminates the possibility of other state-building operations, such as political and economic development.

The one subtle difference between the two terms – post-conflict reconstruction and state-building – could be more semantic than substantial, but should be briefly explored. The word "reconstruction" implies that there is something to construct again and that there was something, such as a physical institution, that existed before the conflict. In many post-conflict operations, this assumption is false. Rather than *reconstructing* a state, external and domestic actors are working to *construct* a state. The difference between including the prefix "re" is not worthy of major debate, but it is a point to recognize. However, the implications between *reconstruction* and *construction* are significant. Applying this difference to a current state-building operation, it is the difference between *reconstructing* an Iraqi ministry by re-hiring bureaucrats and making physical repairs to an existing building compared to *constructing* an Iraqi ministry that has no physical structure nor institutional processes, frameworks, or standard operating procedures. To defend Orr and others who use the term "reconstruction" or "rebuilding," an argument could be made that "construction" and "building" operations could be considered to be within the same general idea as "reconstruction" and "rebuilding" operations. I use the term "state-building" in order to reflect the goal – the *building* (and possible rebuilding) of a state and its structures, processes, and institutions.⁷¹

The assumptions of post-conflict state-building

As with any definition, there are assumptions. There are certainly more assumptions within the term post-conflict state-building than are covered here, but these ideas add depth to the discussion and raise important questions:

⁷⁰ John J. Hamre and Gordon R. Sullivan (2002) "Toward Postconflict Reconstruction," *The Washington Quarterly* 25:4, p. 90.

⁷¹ Like the American scholarship's use of the term nation-building, I will use the term "post-conflict reconstruction" interchangeably with "post-conflict state-building." Unless differences are clearly stated, as there are differences in the World Bank definition, the general definition of post-conflict reconstruction and post-conflict state-building reflect similar principles, objectives, and scope.

- U.S. national interests and state-building;
- the difference between reconstruction/rebuilding and construction/building;
- the ability to build a nation or a state; and
- the role of democratization in state-building.

The aim of this section is to expose contradictions and work through assumptions to provide a more complete understanding of the definition of state-building in this thesis.

U.S. national interests and state-building

U.S. involvement – and any external actors’ involvement – in post-conflict state-building is not completely motivated, or even largely motivated, by altruism or moral responsibility. Rather, strategic interests determine resources and level of engagement in state-building operations. The 2002 *National Security Strategy* said, “America is now threatened less by conquering states than we are by failing ones.”⁷² In a 2000 report by the Commission on America’s National Interests, vital interests did not include post-conflict state-building or any associated operations, although it could be argued that state-building could be instrumental in working to support some of these interests.⁷³ State-building has been conducted by the United States for many years; however, shifts in policy and consequences of policy decisions after September 11, 2001 have raised awareness regarding state-building. Whether it is a “vital” or “very important” interest can be argued. In any situation, though, there are U.S. strategic interests in state-building.

The 2005 Defense Department Directive 3000 provides a clear example of this direct reference to U.S. strategic interests and state-building. Directive 3000 explains the Defense Department role in state-building as “activities that support U.S. government plans for stability, security, transition, and reconstruction operations, which lead to sustainable peace

⁷² President of the United States of America (2002), *The National Security Strategy of the United States of America*, Washington, D.C., September 2002, <http://www.whitehouse.gov/nsc/nss/2002/nss.pdf>.

⁷³ The Commission on America’s National Interest (2000) *America’s National Interests*, http://bcsia.ksg.harvard.edu/BCSIA_content/documents/AmerNatInter.PDF, July 2000, p. 6.

while *advancing U.S. interests.*"⁷⁴ State-building is not "foreign policy as social-work," but a strategic policy decision designed to advance U.S. interests.⁷⁵

The issue of multiple interests and motivations regarding state-building can be seen in the broader issue of intervention. Adam Roberts cautions against the term humanitarian intervention, stating,

Increasingly, the term 'humanitarian intervention' seems a misnomer. It is a form of justification, and one that deserves to be viewed skeptically. It carries the implication that a military intervention in another country can be humanitarian in four respects: in its original motives, in its stated purposes, in its methods of operation and in its actual results. Recent practice confirms doubts as to whether it can really be humanitarian in all of these ways.⁷⁶

Just as Roberts' cautions against viewing intervention in altruistic, "humanitarian" terms, state-building should not be viewed principally in these terms either. Roberts acknowledges a "vagueness of aims," but sharply criticizes the use of the term "humanitarian" as a means of justification for an intervention with mixed motives.⁷⁷ More important than a simple misuse of terms, Roberts warns of the larger implications.

The claim that an intervention by one's forces is 'humanitarian' – the provision of assistance to unfortunate peoples incapable of providing for themselves – appeals too easily to the ethnocentrism that lurks in all of us. In particular, it appeals to a streak of unilateral universalism – a belief that certain truths are not only self-evident but also that they should be actively applied abroad – which is a hardy perennial element of the American world-view and is not entirely lacking in that of others, including the British.⁷⁸

These arguments do not diminish the need or importance of state-building, but they do reframe the justifications. While there are "humanitarian" components to state-building (and other forms of intervention), labeling state-building as a humanitarian action moves the focus away from the national security interests and goals related to this form of intervention. In all foreign policy decisions, the United States seeks to advance its national interests, whether defined in terms of security or other interests.

⁷⁴ Department of Defense (2005) p. 2. Emphasis added in italics.

⁷⁵ Michael Mandelbaum (1996) "Foreign Policy as Social Work," *Foreign Affairs* 75:1, Jan/Feb 1996, p. 16-32.

⁷⁶ Adam Roberts (1993) "The road to hell...a critique of humanitarian intervention," *Harvard International Review* 16:1, p. 1.

⁷⁷ Roberts (1993) p. 4.

⁷⁸ Roberts (1993) p. 5.

(Re)construction and (Re)building

What “activity” is occurring in post-conflict operations? Is it post-conflict *reconstruction* or *construction*, *state-building* or *re-building*? As discussed above, while the issue might be largely semantic, it is important to acknowledge the assumptions of the words commonly used. “Economic reconstruction assumes that there was a well-functioning economy, but that some catastrophic event, such as a war or civil strife, undermined it, so that the economy must be put back on its feet.”⁷⁹ The prefix “re,” in terms such as “reconstruction” and “rebuilding,” presumes that something was “constructed” or “built” beforehand and now the task is to construct or build it again, usually not completely over again, but rather fixing, updating, or adding to an existing structure. In many conflict contexts, the external and domestic actors are building, creating, or constructing institutions, processes, and structures of the state that have not existed in the distant or near past of that country. “It is best not to equate, as many do, economic reconstruction with economic development. ... The phrase ‘economic development is best reserved for building a modern economy where none previously existed: an even more demanding task.’”⁸⁰ Reconstruction or rebuilding could be misperceived as a shorter-term task whereas economic development must be viewed with a longer-term perspective.

Providing another important perspective in the discussion of (re)construction and (re)building, Paris argues, “While peace operations promulgate the principles of liberal market democracy, these principles presupposed the existence of state institutions, and *where no such institutions exist, they must first be built.*”⁸¹ Paris’ identification of biases and presumptions of what he refers to as peacebuilding has direct relevance to state-building. An external actor cannot, and should not, presume that a state exists before (or during) the conflict. The goals of state-building must reflect this probable reality. The goal of state-building is the *building*, or construction/creation, of a state and its structure, processes, and institutions. Rebuilding, reconstructing, or recreating might be part of this process, but that is not assumed. While common usage of terms such as reconstruction and rebuilding might include this understanding of the situation, *state-building* is more precise.

⁷⁹ Etzioni (2004) p. 2.

⁸⁰ Etzioni (2004) p. 2-3.

⁸¹ Paris (2002) p. 639. Emphasis added in italics.

Nation v. State: Chicken, Egg, or Neither

While there are many questions regarding the nation and state with respect to state-building (and nation-building), there are two specific questions to be assessed briefly here. First, is it possible for an external actor to build either a nation or a state? Additionally, is there an order to how nations and states are created? In other words, must a state exist before a nation, or a nation before a state? It is not possible to answer fully these questions within the scope of this thesis, if there are answers. However, it is important to consider the implications of the questions and how different perspectives shape the discussion of state-building.

Regarding the influence of an external actor in forming a nation or state, there is a presumption in related state-building literature that external actors can have a role in the formation of a state, but little or no role in nation-building.⁸² While the long-term demands for state-building are considerable, there are objective tasks that can be achieved in state-building operations. External actors can make direct contributions to the core elements of state-building – security, political development, and economic development. Using the language of the U.S. Defense Department, stability operations – one part of state-building – can be imposed; order is imposed upon the intervened country, or at least attempted to be imposed. Nation-building, when viewed as distinct from state-building, works toward the creation of a common or community identity that is shaped by a sense of shared values, history, language, and overall culture. Although state-building takes time, nation-building is something that cannot be imposed and takes an even longer time to be formed. While an external actor might influence the environment under which nation-building occurs, the direct imposition is not considered to be a viable strategy. As with most relationships, the relationship between domestic, intervened and external, intervening forces is one of degrees. Both broad sets of actors have an effect on the creation of a state and a nation; however, the external actor's capacity to affect an outcome is considered to be much higher in the creation of a state.

⁸² See: Talentino (2004) and Etzioni (2004).

Another issue to consider in the nation/state discussion, is whether one of these entities must be created before the other? There is no one sequence of events. State-building and nation-building are two separate processes that are at times linked, but do not necessarily have a sequential order. The answer to the first question (the influence of external actors on state-building and nation-building) informs this answer to the second question. If external actors are more likely to be able to assist in building a state, the assumption is that the state must exist before the nation. In an indirect manner, Francis Fukuyama advocates this “state-first, nation-second” approach. “Strengthening these states through various forms of nation-building is a task that has become vital to international security but is one that few developed countries have mastered. Learning to do state-building better is thus central to the future of world order.”⁸³ Fukuyama considers state-building to be a more achievable, realistic, and urgent goal compared to the longer-term, less-regimented nation-building process. Said another way, state-building could form a foundation upon which internal actors could work towards nation-building.

Charles Tripp presents another perspective, arguing that “there was no need for ‘nation-building’ [in Germany and Japan].”⁸⁴ In other words, a nation (or national identity) existed before state-building commenced in Germany and Japan after World War II. Thus, the existence of a nation led to the creation of a state. This example helps to expose the difference of initial circumstances, not necessarily whether a nation or state should be created first. For example, in Timor-Leste, neither a state nor a nation existed in the post-conflict period. It was not a question of one before the other (state-building or nation-building), but beginning both processes and pursuing a “dual-track” approach.

Tripp’s argument allows for a further re-definition of the question. When neither a state nor a nation exist (or there are competing claims to one or the other), what should be created first, a nation or a state? Regarding this question, I continue to assume that the state must be created before the nation when neither exists initially. This answer is largely informed by the idea that state-building is a process in which external actors can have some role, whereas nation-building is a much more internally-driven process.

⁸³ Fukuyama (2004) p. 120.

⁸⁴ Tripp (2004) p. 547.

Democratization and state-building

While not all scholars and practitioners link democratization (or democracy promotion) to state-building, some, particularly in the United States, provide very explicit links. James Dobbins asserts, “democratisation is the core objective of nation-building operations.”⁸⁵ Viewing state-building as “fundamental societal transformation,” Dobbins presents democracy promotion as a key goal of U.S.-led state-building efforts. Zalmay Khalilzad, former U.S. Ambassador to Afghanistan and Iraq, argued, “Our [U.S.] objective in Afghanistan is to create a political and geopolitical beachhead – a moderate and democratic state in a turbulent and unstable region.”⁸⁶

I do not reject democratization as a goal of state-building. However, it is not the fundamental purpose for state-building. In *America’s Mission*, Tony Smith presents U.S. foreign policy as a history of democracy promotion, since the “foreign” policy of the Reconstruction of the South in the 1860s.⁸⁷ Karin von Hippel illuminates the importance of democratization with respect to state-building.

Nation-building, which really means state building, has over the years signified an effort to construct a government that may or may not be democratic, but preferably is stable. Today, nation building normally implies the attempt to create democratic and secure states. Thus, democratization efforts are part of the larger and more comprehensive nation-building campaign, but democratization can also occur in places where the state is secure and does not need to be rebuilt, such as with electoral reform in Mexico.⁸⁸

Democratization is a goal, but only one of several goals in a larger state-building strategy.

State-building is certainly informed by principles of democracy promotion. “A single paradigm – liberal internationalism – appears to guide the work of most international agencies engaged in peacebuilding. ... The principal flaw in the current approach to peacebuilding is that international agencies have prescribed market democracy as a remedy for civil conflict without adequately anticipating, or taking actions to limit, the inherently

⁸⁵ Dobbins (2003-2004) p. 93

⁸⁶ Khalilzad (2005) p. 6.

⁸⁷ Tony Smith (1994) *America’s Mission: The United States and the Worldwide Struggle for Democracy in the Twentieth Century*, Princeton: Princeton University Press.

⁸⁸ Von Hippel (2000) p. 1.

destabilizing side effects of this remedy.”⁸⁹ Current peacebuilding missions are “the globalization of a particular model of domestic governance – liberal market democracy – from the core to the periphery of the international system.”⁹⁰ This state-building is similar to “*mission civilisatrice* - the colonial-era belief that the European imperial powers had a duty to ‘civilise’ their overseas possessions,” according to Roland Paris.⁹¹ While there are clearly differences between the eras of colonialism and the current international system, a particular set of values and preferred system of rule appears to guide interventions. Paris’ alternative strategy, “strategic liberalization,” “shares the liberal internationalist goals of recent peacebuilding operations – peace through political and economic liberalization – but consciously aims to minimize the destabilizing effects of liberal internationalism.”⁹² Yet Paris’ recommendations demonstrate that the prevailing thought of state-building and a general liberal internationalist, market democracy approach.

As indicated in literature related to state-building, there is an assumption of moving toward market democracy and liberal democratic reforms. “In today’s world, the only serious source of legitimacy is democracy,” according to Fukuyama.⁹³ This bias is a fact of the current international system.⁹⁴ However, what this bias means and how it is enacted is contestable. In other words, there might be one general direction (market democracy), but there are still many options and possible ways in which to travel in that direction. Another way of assessing the situation is to examine how this political transition occurs. What are the guiding principles? Or, what are the ways in which legitimacy is conferred? Is democracy a – or, *the* – legitimate form of political development (or a useful policy goal) for state-building? These questions are important to consider throughout this thesis, particularly when assessing the different “institutional” approaches in the case studies. In short, however, the assumption in this thesis is that the United States must balance its goals of democracy promotion with its national security and strategic interests within the context of each operational environment and set of resource constraints.

⁸⁹ Paris (1997) p. 56-57

⁹⁰ Paris (2002) p. 638.

⁹¹ Paris (2002) p. 638.

⁹² Paris (1997) p. 58.

⁹³ Francis Fukuyama (2004) *State-building*, Ithaca: Cornell University Press, 26-27.

⁹⁴ Roland Paris (1997) “Peacebuilding and the Limits of Liberal Internationalism,” *International Security* 22:2.

John Owen takes a historical view, assessing interventions from 1555 – 2000 and how external actors forcibly promote domestic institutions abroad. Owen asserts that “the majority of foreign impositions of domestic institutions are explained by an interaction of ideology and power.”⁹⁵ “It is not only liberal democracies that promote their own institutions in other states. ... In most cases, intervening states promote their own institutions,” according to Owen.⁹⁶ Thus, based on the position of the United States in the international system and its type of domestic institutions, the democracy promotion through state-building (and other foreign policy) follows the logic of this historical study.

Limiting the scope of post-conflict state-building

The time horizon

State-building is both a short and long-term process. As Dwight Eisenhower said, state-building in post-World War II Germany “can only be judged fifty years from now. If by then Germany has a stable and flourishing democracy, we will have succeeded.”⁹⁷ This long-term perspective does not call into question the importance of short-term state-building; rather, it raises the importance of taking a long-term perspective on the commitment needed and time devoted to state-building. The short-term, “post-conflict” phase of state-building and longer-term state-building differ in terms of priorities and strategies, but there are overlapping goals that have short and long-term objectives. Thus, it is important to focus on one limited timeframe in order to avoid excessive over-generalizations. As stated above, long-term state-building can benefit much more directly from established fields of study, such as economic development. In addition, the difference between “post-conflict” state-building and state-building within a relatively stable security environment is an important factor to consider in the analysis. Conflict shapes the orientation of this thesis on state-building.

While it is difficult to state exactly when conflict ends and post-conflict operations begin, the short-term timeframe of this thesis focuses on the immediate post-conflict period. The timeframe is shaped according to Defense Department doctrine – Phases IV (stabilize) and the transition to Phase V (enable civil authority). According to Fukuyama’s three phases of

⁹⁵ John M. Owen, IV (2002) “The Foreign Imposition of Domestic Institutions,” *International Organization* 56:2, p. 377-391.

⁹⁶ Owen (2002) p. 396.

⁹⁷ Stephen Ambrose (2002) “The Master (Nation) Builder,” *The National Review Online*, October 15, 2002, p. 1.

state-building – post-conflict reconstruction; creation of self-sustaining state institutions; strengthening the capacity of the state – this thesis focuses on the first phase and the transition to the second phase. The third, more long-term phase is not considered. The assumption is that the existence of a state structure and institutions are limited, if existent at all. Time matters. As Talentino argues, “It [nation-building] is constrained from using the most effective strategies of the past, and it is required to work in an extremely condensed time frame. Whereas building Europe took centuries, today’s nation-building operations are expected to last not even decades, but a few years.”⁹⁸ Thus, the actions taken in the short-term regarding state-building are important not only because they influence long-term trends, but also because the short-term is when the most amount of personnel, resources, and effort are devoted to state-building.

The political dimension

This thesis focuses on the political dimension of state-building for logistical and theoretical purposes. Logistically, it is important to limit the scope of this thesis to one component of state-building in order to attempt to make a contribution to the literature without being too overarching and broad. The political dimension of state-building, at times referred to as governance, is one part of the overall state-building process. By focusing on the political dimension, this thesis does not aim to diminish the importance of other components of state-building, including economic, security, and justice and reconciliation.⁹⁹ As stated in the introduction of this chapter, this thesis does not attempt to create a hierarchy of state-building components or a recommended sequence of reforms; rather, the thesis acknowledges the interdependence of the different components and seeks to better understand one dimension of the complex process of state-building.

Theoretically, the thesis focuses on the political dimension of state-building in order to understand its relation to other dimensions in state-building, such as security, but also to understand its critical role in shaping both the short-term and long-term viability of the overall state-building effort. Acknowledging the importance of meeting short-term basic needs, such as security, food, and water, the political components of state-building must be

⁹⁸ Talentino (2004) p. 567.

⁹⁹ Orr (2004a) p. 10-12. Orr presents the “four pillars of post-conflict reconstruction” as “security; governance and participation; social and economic well-being; and justice and reconciliation.” Some scholars combine the justice and reconciliation component of post-conflict reconstruction into the political component.

instituted in order to provide for macro and micro-level governance of all other state-building objectives. Without governance, economic development, humanitarian aid, and long-term security are impossible. However, the political components of state-building extend beyond the technocratic aspects of building government ministries and creating governance reforms. The political dimensions of state-building include the struggle for political legitimacy and the longer-term process of creating a political culture of values, ideas, and institutions of a state. State-building is both a transitional and transformational process. The political structure of a state affects all other components of the state. “Nation-building is not principally about economic reconstruction; rather, it is about political transformation.”¹⁰⁰ The long-term goals of state-building are transformational; however, the transitional nature of the post-conflict state-building period sets this longer-term framework.

Conclusion

Through an analysis of different, related terms regarding post-conflict operations, post-conflict state-building has emerged as a concept that is meant to explain the construction or creation of the governing institutions, processes, and structures of the state in the immediate post-conflict period. Post-conflict state-building combines: the “minimally capable state” of Robert Orr’s post-conflict reconstruction definition; the “creation of new government institutions and the strengthening of existing ones” of Fukuyama’s state-building definition; and the national security-oriented nature of U.S. Defense Department doctrine and concepts.¹⁰¹

The scope of the thesis – based on time (immediate post-conflict period) and focus (political) – limits the frame of reference for this thesis in a logistically manageable and substantively critical manner. With key concepts and subjects discussed and described, an examination of state-building framed within the warfighting process in Chapter 2 provides additional context to the subject and a basis for further analysis.

¹⁰⁰ Dobbins (2003-2004) p. 98.

¹⁰¹ Orr (2004a) p. 10-11; Fukuyama (2004) p. ix; Department of Defense – Joint Chiefs of Staff (2006).

CHAPTER 2: STATE-BUILDING AS THE SECOND ACT OF VICTORY

War plans cover every aspect of war, and weave them all into a single operation that must have a single, ultimate objective in which all particular aims are reconciled. No one starts a war – or rather, no one in his senses ought to do so – without first being clear in his mind what he intends to achieve by that war and how he intends to conduct it. The former is its political purpose, the later its operational objective.¹⁰²

- Carl von Clausewitz, *On War*

No victory will be effective without pursuit; ... the importance of the victory is chiefly determined by the vigor with which the immediate pursuit is carried out. ... In other words, pursuit makes up the second act of victory and in many cases is more important than the first.¹⁰³

- Carl von Clausewitz, *On War*

Introduction

State-building is part of warfighting. State-building – with the ultimate goal of establishing a viable state with institutional capacity to provide services to its people – is the “political purpose;” stabilization and reconstruction strategy and operations conducted by military and civilian organizations are the “operational objectives,” the conduct to reach the ultimate objective. Post-conflict state-building should be conceptualized within the broader context of war as the “second act of victory.”

Post-conflict state-building is a complex goal that does not have a certain outcome and is largely determined by the domestic actors. However, there is a role for external actors in state-building, particularly when external actors initiate a war with a stated purpose of establishing a representative government in the intervened upon state. The overall goal for this thesis is to understand the limited role of external actors in this complex process of building a state after major combat operations. The goal of this chapter is to set out a theoretical framework by which to understand the goal of state-building. Whether it is a reconstruction or construction, a reformation or formation, the state is the ultimate objective to which this process of state-building is designed.

¹⁰² Michael Howard and Peter Paret, eds. (1976) *Carl von Clausewitz: On War*, Princeton: Princeton: Princeton University Press, p. 579.

¹⁰³ Howard & Paret (1976) p. 261, 264, 267.

This chapter builds on chapter one to further define state-building and develop a framework to conceptualize state-building within warfighting. After exploring different ideas of the state, I assess the importance of political goals within warfighting, relying principally on insights from Clausewitz and Weber. Within this discussion, I examine the idea of state-building as a part of the warfighting process. Through this work, I argue that state-building can be viewed in terms of establishing legitimacy, both in terms of coercive and cooperative legitimacy.

Three key points from this chapter elaborate on the claim that “state-building is part of the warfighting process.” *First*, state-building that occurs immediately after major combat operations must be viewed within the constraints and variables of war and conflict. *Second*, state-building is a struggle for legitimacy, both coercive and cooperative legitimacy. Coercive legitimacy establishes order in the initial post-conflict period, relying largely on military means. As order is established and legitimacy is conferred onto the state-building process through these coercive means, there is a transition to cooperative legitimacy, which relies upon political participation, cooperation, and consent. Coercive and cooperative legitimacy should be viewed along a continuum. Neither one can be relied upon completely at any phase of state-building; there is a gradual transition from focusing on coercive legitimacy and military power to cooperative legitimacy and political participation. *Third*, political and governing mechanisms are the necessary link to enable a transition from coercive to cooperative legitimacy. Through these points, I establish a framework for this thesis to further assess state-building, particularly U.S. foreign policy and post-conflict state-building in the immediate post-conflict period.

What is a state?

While it might be a truism, the goal of state-building is to establish a viable state. If state-building is part of the warfighting process, then the state is the ultimate objective of warfighting. Yet, “the concept of the state is far from uncontroversial.”¹⁰⁴ The state can be

¹⁰⁴ James Mayall (1990) *Nationalism and international society*, Cambridge: Cambridge University Press, p. 6. As Mayall further notes, “Is it a sufficient, or merely a necessary condition that there should be a monopoly of legal force in the hands of the government, or that the government should have an ability to raise the necessary taxation to finance its activities, or that the independent existence of the state should be recognized by its peers? Should we accept the positive criteria that such questions imply, and adopt a purely descriptive definition of the state? ... Or should we accept (indeed, do we already secretly believe, whatever we say in public to the contrary) that in the final analysis only some states deserve to be taken seriously.” English and Townshend

conceived of in many ways and in different forms, from ontological to functional terms.

“The state must be defined with simultaneous sensitivity to *what it is* and *what it does*.”¹⁰⁵

This brief discussion of the state focuses on the definitions of the state as an entity (“what is a state?”), not its relation to the international system (“how does the state relate to a larger system?”).¹⁰⁶

In this thesis, the state focuses on the government and its institutions, but does not eliminate civil society from the equation.¹⁰⁷ What are the relationships between the state, government, and civil society? “In practice, most accounts influenced by these [historical-sociological] theories take polities, or *states*, as their ‘society,’ their total unit for analysis,” according to Mann.¹⁰⁸ Government and civil society can fit within a conception of the state. Hobbes regards “state,” “commonwealth,” and “civitas” as synonymous and not reducible to the idea of government alone.¹⁰⁹ “Government is but an instrumentality of the state, albeit a necessary one. It is a part of the whole, not the whole itself.”¹¹⁰ Civil society – and the state – can be viewed more broadly as the organizations, people, and interests that are represented in a political society. “But what best distinguishes them [the actions of the state] as *political* activities is not so much their official character as the degree to which they represent efforts – governmental or otherwise – to address serious social problems by invoking in a more or less comprehensive and authoritative manner the collective resources of a community.”¹¹¹ The

wrote, “The difficulty of definition has been so marked that it has led some to argue that the term is not in fact viable, its meaning too elusive for it to be of operational value. Certainly, defining the state involves the boxing in of an ambiguous phenomenon. But it also involves scrutiny of what is arguably the most important concept in modern political theory, and as such the endeavor remains vitally important.” Richard English and Charles Townshend, eds. (1999) *The State: Historical and political dimensions*, London: Routledge, p. 2.

¹⁰⁵ English & Townshend (1999) p. 3. Emphasis added in italics.

¹⁰⁶ Much of the debate on the state regards how the state relates to the larger international system. What is the state’s role in international relations? What function does a state have in international relations and the international system? These are critical questions and they relate tangentially to the thesis; however, this thesis’ discussion of the state will focus principally on what a state is with respect to its political dimensions and functions.

¹⁰⁷ “State-building – the creation of new government institutions and the strengthening of existing ones.” Francis Fukuyama (2004) “The Imperative of State-Building,” *Journal of Democracy* 15:2, April 2004, p. 17.

¹⁰⁸ Michael Mann (1986) *The Sources of Social Power, Volume 1: A history of power from the beginning to A.D. 1760*, Cambridge: Cambridge University Press, p. 2.

¹⁰⁹ “For by Art is created that great Leviathan called a Common-wealth, or State, (in Latin, Civitas) which is but an Artificial Man; though of greater stature and strength than the Natural, for whose protection and defence it was intended; and in which, the *Sovereignty* is an Artificial Soul, as giving life and motion to the whole body.” Thomas Hobbes (2006) *The Leviathan*, Graham Alan John Rogers and Karl Schuhmann, eds., London: Continuum, p. 9.

¹¹⁰ Steinberger (2004) p. 12, 13.

¹¹¹ Steinberger (2004) p. 5.

state encompasses the broader political sphere, which includes government and civil society.¹¹²

The state can also be conceptualized as a legal entity. “They [states] are entities, which, besides controlling territory in a stable and permanent way, exercise the principal lawmaking and executive ‘functions’ proper of any legal order. ... They possess full legal capacity, that is, the ability to be vested with rights, powers, and obligations.”¹¹³ As such, there is both a definition and a position for the state. “The definition of the state concentrates upon its institutional, territorial, and centralised nature. ... The state, unlike the principal power actors of civil society, is territorially bounded and centralised,” according to Mann.¹¹⁴

Weber views the state in terms of security and force. “A state is a human community that (successfully) claims the monopoly of the use of physical force within a given territory.”¹¹⁵ The state is “merely an apparatus of rule, an apparatus distinguished preeminently by the fact that it involves a monopoly of coercion.”¹¹⁶ This definition of the state that relies on the “monopoly of the use of force” provides an important context for the idea of state-building and coercive legitimacy. Beyond this classic quotation, Weber provides more insights into the idea of the state, including its political dimensions. Following on the logic of Weberian historical-sociology, the state should not be confined to one power source. Multi-causality of power sources, including coercive force, political factors, and other variables, does not limit the state to a strict hard power, militaristic conception.¹¹⁷ Weber repeats this above

¹¹² To define the state, “what should a state do, why is it justified in doing it, and how should it be done? ... The range of activity that falls within the purview of the state is, in principle, unlimited. Second, the authority of the state, whatever its scope, is and can only be absolute. ... Finally, political society, understood along these lines, is an organic structure in which individual citizens play essentially functional roles.” Absolute authority of the state should not be confused with absolute authority of the government; absolute authority of the state still allows for the possibility of limited government, according to Steinberger. Steinberger (2004) p. 35-37.

¹¹³ Antonio Cassese (2005) “Chapter 4: States as the primary subjects of international law” in Antonio Cassese, ed. (2005) *International Law, Second Edition*, Oxford: Oxford University Press, p. 71.

¹¹⁴ Mann (1986) p. 342, 351.

¹¹⁵ H.H. Gerth and C. Wright Mills, eds. (1948) *From Max Weber: Essays in Sociology*, London: Routledge and Kegan Paul Ltd., p. 78.

¹¹⁶ Steinberger (2004) p. 8, see footnote 3, Murray Forsyth (1987) “State” in David Miller, ed. (1987) *The Blackwell Encyclopedia of Political Thought*, Oxford: Basil Blackwell, p. 505.

¹¹⁷ “Weberians argue that an adequate theory of the state, and of society and international relations, must embody the following aspects: 1) a study of history and change; 2) multi-causality (not one but many interdependent power sources); 3) multi-spatiality (not one but many interdependent spatial dimensions); 4) partial autonomy of power sources and actors; 5) complex notions of history and change (historicism); and 6) (non-realist) theory of state autonomy/power.” Weber’s contribution and influence on the idea of the state, thus, extends well beyond the scope of this brief assessment. John M. Hobson (2000) *The State and International Relations*, Oxford: Basil Blackwell, p.194.

definition, but substitutes “association” for “human community,” applying his theory both nations and states.¹¹⁸

Integrating points from the above descriptions of the state, four attributes of a state include:

an independent political society (within a system of other such societies), recognized as exercising sovereignty over a given territory, and vindicating that sovereignty in the fact of external and internal challenges; *a political entity with the power to regulate* individuals and organizations within its territory, successfully claiming a monopoly on legitimate force and recognized by its population as legitimate; *an organization* (or co-ordinated and relatively centralized set of organizations) with military, legislative, administrative, judicial and governmental functions; *and a political entity relating fundamentally to the maintenance of order* within its territory and to the business of government, with the latter role involving institutions marked by their public and impersonal quality.¹¹⁹

This description of a state incorporates political (independent political society), legal (power to regulate individuals), and security (monopoly of legitimate force) components of the above scholars.

The state can also be viewed as “polymorphous.”¹²⁰ There is “no holy grail” to describe a state’s ontology according to Mann’s idea of the state. One conception of the state does not have primacy or dominate the other explanations.¹²¹ However, Mann does provide a Weberian definition of the state, listing institutional development, centrality of political relations, defined territory, and monopoly of the use of force as key criteria for the definition of a state.¹²²

¹¹⁸ H.H. Gerth and C. Wright Mills, eds. (1948) p. 334. Although this distinction is minimal, the difference allows discussion to move beyond “nation”-based connotations of “human community.” In other words, Weber’s insights can be applied to the state, in addition to the nation. Weber will use the word “community” in later relevant text; thus, it is important to make that distinction at this point in the discussion. Weber describes “nation” as a “concept [that] belongs in the sphere of values.” A nation is not necessarily related to blood, language, ethnicity, religion, or territory. “The idea of the nation for its advocates stands in very intimate relation to ‘prestige’ interests.” Further, “A nation is a community of sentiment which would adequately manifest itself in a state of its own; hence, a nation is a community which normally tends to produce a state of its own.” Weber rejects the idea of a “national spirit.” H.H. Gerth and C. Wright Mills, eds. (1948) p. 43, 172-176.

¹¹⁹ English & Townshend (1999) p. 6. Emphasis added in italics.

¹²⁰ “According to Mann, traditional theory argues that the state ‘crystallises’ in one specific form – as capitalist (Marxism), as democratic (pluralism), as militarist (neorealism), as patriarchal (feminism), or as normative (constructivism). But for Mann, the state does not crystallise consistently as one but as many forms.” Hobson (2000) p. 201.

¹²¹ Mann notes four sources of social power – ideological, economic, military, and political – for society and the state. Mann (1986) p. 2.

¹²² Hobson compares Mann’s 1988 and 1993 definitions of the state. Although there are minor differences, the definitions have the same general direction. Hobson describes Mann’s 1988 definition of the state as including “(1) a *differentiated* set of institutions and personnel embodying (2) *centrality* in the sense that political relations

As a cautionary measure, it is important to note that the emphasis on the political elements of a state could lead the discussion into how the political relates to the nation.

Sovereignty is not a material foundation but a social construct. More specifically, 'state sovereignty', 'state identity', 'state boundaries', 'state legitimacy', and the 'domestic political community' or 'nation' that the state allegedly represents, must be analytically differentiated from each other, rather than unproblematically fused into a 'finished' or 'complete' totality known as the 'sovereign state.'¹²³

The state and the nation are two distinct, yet related concepts in international relations. The ideas of state-building and nation-building are sometimes confused, conflated, or too closely linked, but they must be differentiated.¹²⁴ Although there are many understandings of the state and the nation, both concepts can have strong political understandings, real or imagined. Conceptions of the state range from a "*product of society* at a certain level of development" to a "the distinctive *product of a unique civilization*."¹²⁵ These definitions of the state are clearly linked to the idea of a nation. Benedict Anderson's idea of "imagined communities" presents an idea of a nation that conceptualizes a coherent, unified form although the reality is much more fragmented, abstract, and chaotic.¹²⁶ Similarly, the state as an entity should not be viewed in crisp, clean lines. The state is also an abstraction, despite its defined borders. As the political can define the nation, the political also defines the state, however abstract or fragmented either concept might be.

One final way to understand the state is based on its purpose. "The ultimate aim or purpose of the state [is], namely, the pursuit of order, peace, and unity. Such a purpose is fundamental to and at least partly constitutive of the essence of political society."¹²⁷

Philosophers from Plato and Aristotle to Hobbes and Machiavelli confirm this understanding of the state. In short, the goal of the state is order. Hobbes finds that "order is a constitutive end of political society," just as Plato found that the "*kallipolis* is essentially a structure of the

radiate outwards from the centre to cover (3) a *territorially demarcated* area over which it exercises (4) a monopoly of *authoritative binding rule-making*, backed up by a monopoly of the means of physical violence." Hobson (2000) p. 200. Also, see: Michael Mann (1988) *States, War and Capitalism*, Oxford: Basil Blackwell and Michael Mann (1993) *The Sources of Social Power, Volume 2*, Cambridge: Cambridge University Press.

¹²³ Hobson (2000) p. 157.

¹²⁴ See: Chapter 1.

¹²⁵ Green (1988) p. 67. Emphasis added in italics.

¹²⁶ Hobson (2000) p. 159. See: Benedict Anderson (1996) *Imagined Communities: Reflections on the Origins and Spread of Nationalism*, London: Verso.

¹²⁷ Steinberger (2004) p. 49.

highest order or unity.”¹²⁸ “Yet this very naturalness, so to speak, of living in a social order is perhaps the most important foundation which the State can furnish to the better life.”¹²⁹

Political goals guide warfighting

If the state is viewed as a political entity, then state-building is a political process. Defining legitimacy as “the recognition of the right to govern” provides an appropriate starting point.¹³⁰ As discussed earlier, there are many factors that contribute to the state-building process. Security is commonly regarded as the *sine qua non* of state-building. Economic development (or reconstruction) is the long-term process that builds a state. Justice and reconciliation issues relate directly to the political development of a state.¹³¹ Yet, the political dimensions shape the overall state-building strategy and determine the viability of advancing state-building objectives. Said another way, the political dimensions of state-building confer legitimacy onto the overall state-building effort.

Only through political development can an operation begin to transition from the combat phase based on military power to the post-conflict phase that relies on state-building.

Clausewitz emphasized the importance of the political within warfighting – “War is politics.”

Clausewitz stated, “War is only a branch of political activity; that it is in no sense autonomous.”¹³² Political goals guide both conflict and post-conflict phases of warfighting.

Moreover,

Subordinating the political point of view to the military would be absurd, for it is policy that creates war. Policy is the guiding intelligence and war only the instrument, not vice versa. No other possibility exists, then, than to subordinate the military point of view to the political ... The transformation of the art of war resulted from the transformation of politics.¹³³

¹²⁸ Steinberger (2004) p. 49.

¹²⁹ Bernard Bosanquet (1923) *The Philosophical Theory of the State*, London: Macmillan, p. 190; cited in English & Townshend (1999) p. 169.

¹³⁰ Jean-Marc Coicaud (2002) *Legitimacy and Politics: A Contribution to the Study of Political Right and Political Responsibility*, translated by David Ames Curtis, Cambridge: Cambridge University Press, p. 10

¹³¹ Robert C. Orr, ed. (2004) *Winning the Peace: An American Strategy for Post-Conflict Reconstruction*, Washington, D.C.: Center for Strategic and International Studies Press.

¹³² Howard & Paret, eds. (1976) p. 605. Expanding on this statement, Clausewitz remarked, “War is simply the continuation of political intercourse, with the addition of other means.” Further, “war in itself does not suspend political discourse.”

¹³³ Howard & Paret, eds. (1976) p. 607-608.

State-building is a political objective that must be viewed within the context of warfighting. While it should be conceptualized within this warfighting framework, state-building cannot subordinate the political dimensions to combat operations. State-building is a focus – not an afterthought – of warfighting. State-building objectives are part of the larger strategic vision that includes the political goals of conflict. As Clausewitz said, the goals should guide the strategy.

The 2006 Quadrennial Defense Review begins with the following line – “The United States is a nation engaged in what will be a long war.”¹³⁴ The concept of a “long war,” however contested, provides a context for the conflict-strained environment in which state-building occurs. The global war on terrorism defines the “long war” and irregular warfare that characterizes these campaigns.¹³⁵ Within the “long war,” there is a place for post-conflict “transition” operations.¹³⁶ In the 2008 *National Defense Strategy*, the “long war” is described as,

The conflict is a prolonged irregular campaign, a violent struggle for legitimacy and influence over the population. The use of force plays a role, yet military efforts to capture and kill terrorists are likely to be subordinate to measures to promote local participation in government and economic programs to spur development, as well as efforts to understand and address the grievances that often lie at the heart of insurgencies.¹³⁷

These operations fit within the long war as the military objectives are explicitly acknowledged to extend beyond conventional military operations into the post-conflict “transition” period. Placed in a historical context, the term “small wars” provides direct comparisons for current post-conflict state-building operations. As defined in the 1940 *Small Wars Manual*,

¹³⁴ United States Department of Defense (2006) *Quadrennial Defense Review Report*, <http://www.defenselink.mil/qdr/report/Report20060203.pdf>, February 6, 2006, p. v.

¹³⁵ “The Department of Defense conducted the 2006 Quadrennial Defense Review (QDR) in the fourth year of a long war, a war that is irregular in its nature. The enemies in this war are not traditional conventional military forces but rather dispersed, global terrorist networks that exploit Islam to advance radical political aims,” Department of Defense (2006), p. 1.

¹³⁶ In 2001, JP 3-0 defines four phases of war, including Phase IV “transition.” In 2006, JP 3-0 establishes six phases of war, including Phase IV “transition” and Phase V “enable civil authority.” Department of Defense – Joint Chiefs of Staff (2001) *Joint Publication 3-0: Doctrine for Joint Operations*, September 10, 2001, Washington, D.C.: Department of Defense, p. III-19. Department of Defense – Joint Chiefs of Staff (2006) *Joint Publication 3-0: Joint Operations*, September 17, 2006; updated February 13, 2008, Washington, D.C.: Department of Defense, p. IV-26.

¹³⁷ Department of Defense (2008) *National Defense Strategy*, June 2008, <http://www.defenselink.mil/news/2008%20National%20Defense%20Strategy.pdf>, p. 8.

Small wars are operations ... wherein military force is combined with diplomatic pressure in the internal and external affairs of another state whose government is unstable, inadequate, or unsatisfactory for the preservation of life and of such interests as are determined by the foreign policy of our Nation. ... Small wars vary in degrees from simple demonstrative operations to military intervention in the fullest sense, short of war. ... *The essence of a small war is its purpose.*¹³⁸

While post-conflict operations have been a part of military doctrine, whether defined in former or current language, the “long war” provides particular emphasis to this post-conflict period, conceptualizing post-conflict state-building goals within the larger warfighting process.

The idea of a specific “post-conflict” period, however, can be misleading. What marks the transition from conflict to post-conflict? Although this line might have been slightly clearer in conventional battles, irregular warfare is conducted in environments where conflict and post-conflict is not clearly distinguished.¹³⁹ If “post-conflict” is such an artificial term, there appears to be a fundamental problem with a key component of the term “post-conflict state-building.” While it is important to note the blurred lines between conflict and post-conflict, the types of operations and goals that characterize conflict and post-conflict environments do provide some distinction. Yet, there is not a simple distinction, or bifurcation of responsibilities, between military (conflict) and civilian (post-conflict) efforts. One might have a stronger role in one situation (e.g., the military leads conflict operations); however, both are necessary throughout the spectrum of warfighting.

One distinction between conflict and post-conflict is related to goals. In the conflict period, mission goals are centered on more kinetic, offensive, often destructive objectives. In the post-conflict period, the goal is to establish and then maintain order in the territory governed. The difference is between a unit that aims to seize a city as opposed to a unit that is controlling a city to maintain order and stability. Obviously, the distinctions between these operations, as with the conflict and post-conflict timeframes, are not as clearly defined in practice. There is not a single line to be crossed from the conflict to the post-conflict period.

¹³⁸ Department of the Navy - United States Marine Corps (1940), *Small Wars Manual* (Reprint of 1940 edition) Washington, D.C., p. 1. Note: Declassified February 11, 1972. Emphasis added in italics.

¹³⁹ “*Irregular warfare* is a violent struggle among state and nonstate actors for legitimacy and influence over a population. This broad form of conflict has insurgency, counterinsurgency, and unconventional warfare as the principal activities. Irregular forces are normally active in these conflicts. However, conventional forces may also be heavily involved, particularly in counterinsurgencies.” Department of Defense – Department of the Army (2008) *FM 3-0: Operations*, February 27, 2008, Washington, D.C.: Department of Defense.

Combat-oriented, offensive operations are needed, at times, during post-conflict operations. However, within the framework of the “long war,” a long-term struggle that is dominated by irregular warfare, the distinction between conflict and post-conflict is not crucial. More importantly, the critical point is the recognition that post-conflict operations – including state-building – are part of the warfighting process.

State-building as a continuation of the warfighting process

War drives state formation and transformation.¹⁴⁰

- Charles Tilly, *Coercion, Capital and European States, A.D. 990-1992*

Warfighting must frame the analysis of state-building. Within military doctrine, state-building can be viewed as what is commonly referred to as Phase IV operations, now termed Phase IV (stabilize) and Phase V (enable civilian authority) in 2006 *JP 3-0: Joint Operations*.¹⁴¹

In 2001 *JP 3-0: Doctrine for Joint Operations*, there were four phases to a joint campaign: Phase I – deter / engage; Phase II – seize initiative; Phase III – decisive operations; and Phase IV – transition. Post-conflict state-building could be placed within Phase IV operations – the “transition” element; however, there were only minimal references to post-“decisive operations” actions. Transition was,

Typically characterized by self sustaining peace and the establishment of the rule of law. ... The outcome of military operations should not conflict with the long-term solution to the crisis. During this phase, JFCs [Joint Force Commanders] may retain responsibility for operations or they may transfer control of the situation to another authority and redeploy their forces.¹⁴²

Yet, the military role in these “transition” operations was vague. State-building was not part of the military doctrine. The doctrine acknowledged the importance of shaping operations to work toward an end state, which “typically involves returning to a state of peace and stability and may include a variety of diplomatic, economic, informational, and military

¹⁴⁰ Charles Tilly (1992) *Coercion, Capital and European States, A.D. 990-1992*, Oxford: Blackwell, p. 20.

¹⁴¹ Department of Defense – Joint Chiefs of Staff (2001) p. III-19; Department of Defense – Joint Chiefs of Staff (2006) p. IV-26.

¹⁴² Department of Defense – Joint Chiefs of Staff (2001) p. III-21.

conditions.”¹⁴³ However, there was no reference to stability operations or stabilization and reconstruction. There was a recognition that there are broader goals beyond decisive operations and that military operations fit within a larger national security strategy; however, that “transition” is not defined.

In 2006 *J-P 3-0: Joint Operations*, the joint planning phasing model expanded to six phases: Phase 0 – shape; Phase I – deter; Phase II – seize initiative; Phase III – dominate; Phase IV – stabilize; and Phase V – enable civil authority.¹⁴⁴ Post-conflict state-building is part of warfighting doctrine in this revised joint planning document. Phase IV (stabilize) and Phase V (enable civil authority) embody the tasks and military role in post-conflict state-building. *JP 3-0* states, “The joint force may be required to perform limited local governance ... until legitimate local entities are functioning” during Phase IV “stabilize” operations.¹⁴⁵ Phase IV “stabilize” is a transition period to Phase V “enable civil authority,” which includes the accomplishment of a military end state and shaping towards the broader national strategic end state. *JP 3-0* states,

To reach the national strategic end state and conclude the operation/campaign successfully, JFCs [Joint Force Commanders] must integrate and synchronize stability operations — missions, tasks, and activities to maintain or reestablish a safe and secure environment and provide essential governmental services, emergency infrastructure reconstruction, or humanitarian relief — with offensive and defensive operations within each major operation or campaign phase.¹⁴⁶

Broader national security and political goals are guiding military actions. Stability operations, largely synonymous with post-conflict state-building, are a critical part of warfighting and considered to be part of every phase of operation to a varying degree.¹⁴⁷

State-building might be a beginning of the end of the full-scale conflict, but it is a by-product of the war and is influenced by the war.¹⁴⁸ Out of conflict, a viable state can emerge.

¹⁴³ Department of Defense – Joint Chiefs of Staff (2001) p. III-2.

¹⁴⁴ Department of Defense – Joint Chiefs of Staff (2006) p. IV-27.

¹⁴⁵ Department of Defense – Joint Chiefs of Staff (2006) p. IV-29.

¹⁴⁶ Department of Defense – Joint Chiefs of Staff (2006) p. xxi.

¹⁴⁷ *JP 3-0* discusses the “notional balance of offensive, defensive, and stability operations,” and the varying balance of these three types of operations within each phase. Department of Defense – Joint Chiefs of Staff (2006) p. V-2.

¹⁴⁸ “To the extent that they are successful in subduing their rivals outside or inside the territory they claim, the wielders of coercion find themselves obliged to administer the lands, goods, and people they acquire.” Tilly (1992) p. 20.

When the accumulation and concentration of coercive means grow together, they produce states; they produce distinct organizations that control the chief concentrated means of coercion within well-defined territories, and exercise priority in some respects over all other organizations operating within those territories.¹⁴⁹

The state, as conceived by Weber, Tilly, and others, is formed through a control of the use of force. Through the warfighting process, an external actor can achieve a “monopoly of the legitimate use of physical force within a given territory;” thus, the process of state-building – or state formation – process begins. Viewed within military doctrine, state-building solidifies the stability brought through the coercive use of force. Applying Clausewitz’s “second act of victory,” state-building is the pursuit after major combat operations have been conducted, either by the United States or by other forces.

Through this period of conflict, the legitimacy of the state is disrupted. In some circumstances, a state no longer exists, becomes two (or more) separate states, or continues to be contested by separate groups. To restore a state’s legitimacy, political development is needed to create a viable governing structure. Successful combat operations only establish the potential for state-building. Without governing through political development, state-building is not possible. Political legitimacy facilitates state-building. If there is a cooperative (or at least accepting) attitude that develops from coercive legitimacy, then there is further advancement toward long-term, more sustainable state-building that relies upon cooperative legitimacy.

State-building as coercive and cooperative legitimacy

The Western state has been notably marked by such questions of political representation, and they carry weighty implications for the issue of state legitimacy. As noted in relation to Weber’s force-centred definition of the state, legitimacy is crucial.¹⁵⁰

- Richard English and Charles Townshend, *The State*

Legitimacy in state-building occurs through two phases: coercive legitimacy and cooperative legitimacy.¹⁵¹ “A state is legitimate only if, all things considered, its rule is morally

¹⁴⁹ Tilly (1992) p. 19. “One might suggest that the maintenance of order within a given territory be proposed as the state’s most significant responsibility or function. ... Certainly the state’s activities relate to the maintenance of order within a particular community, and definitions of the state have long and often focused on force ... and it is undeniable that, externally as well as internally, force has been crucial in the development and definition of the modern state” English & Townshend (1999) p. 3.

¹⁵⁰ English & Townshend (1999) p. 5.

justified.”¹⁵² First, legitimacy is secured through coercive means. Security, as the *sine qua non* of state-building, must be established. Coercive, imposing force is often the primary means to this initial form of legitimacy; however, consent remains a critical variable to determine its long-term effectiveness. The second phase of legitimacy in state-building operations is established through cooperative measures. Cooperative legitimacy is largely political. The political partnerships, which creates an environment of cooperative legitimacy, are most importantly domestic, but also international.

A brief examination of the term “legitimacy” provides context and orientation for subsequent discussion of state-building. Legitimacy – in many different forms and arenas – has become a “master question” of international relations.¹⁵³ “The concept of legitimacy is indistinguishable from the stability, acceptance or obedience that it purportedly generates (we even say *causes*).”¹⁵⁴ Related to state-building, “legitimacy functions as the glue that binds a rule(r) and its right, and directing the behaviour of subjects according to what is right.”¹⁵⁵ State-building seeks to create the “glue” of legitimacy in order to establish a functional, viable state.

Legitimacy can be deconstructed into three essential components: the norms of legality, morality, and constitutionality, according to Clark.¹⁵⁶ “Legitimacy is cognate to all, but does not equate to any one in particular. ... Legitimacy is a composite of, and an accommodation between, a number of other norms.”¹⁵⁷ Legal order and conformity to law relate directly to legitimacy, particularly the emphasis of legality in Weber’s concept of legitimacy. Yet,

¹⁵¹ This section is informed by Toby Dodge’s work describing state-building as a process that moves from coercive to administrative capacity. Dodge also cites Michael Mann’s function of the state as both infrastructural and despotic power. Toby Dodge (2006) “Iraq: the contradictions of exogenous state-building in historical perspective,” *Third World Quarterly* 27:1, p. 190-191.

¹⁵² “This judgment may, in turn, be broken down into various departments: whether the various ends of social policy which it pursues are laudable, whether it assigns the correct weights and priorities to the goals, whether it pursues them through justifiable means.” Leslie Green (1988) *The Authority of the State*, Oxford: Clarendon Press, p. 5.

¹⁵³ Shane Mulligan (2006) “The Uses of Legitimacy in International Relations,” *Millennium: Journal of International Studies* 34:2, p. 350.

¹⁵⁴ Mulligan (2006) p. 369.

¹⁵⁵ Mulligan (2006) p. 375.

¹⁵⁶ Ian Clark (2005) *Legitimacy in International Society*, Oxford: Oxford University Press, particularly “Chapter 11: Legitimacy and Norms,” p. 207-226.

¹⁵⁷ “First, legitimacy possesses no independent normative content on its own that would make such a choice meaningful. Second, the notion of legitimacy is always mediated through a composite of other norms, and cannot be ranged against them individually. Third, the tensions that arise are amongst those discrete norms themselves, rather than between each individually and legitimacy. Finally, it is important to detach legitimacy from these individual norms since recognition of it as an aggregate is fundamental to understanding the process of normative change.” Clark (2005) p. 207.

legitimacy extends beyond legality because “the legitimacy discourse is as likely to be driven by legal uncertainty as by certainty.”¹⁵⁸

Regarding morality and legitimacy, “contemporary international society views legitimacy as a political accommodation between competing norms, with no greater prior commitment to any.”¹⁵⁹ This point raises the idea that there are multiple, competing claims to morality, thus, eliminating the idea that legitimacy can be directly tied to one concept of morality.

Legitimacy and morality can be moderated through a political process, which creates a working relationship between the terms, not necessarily an authoritative absolute definition.

Acknowledged as the most fluid norm of legitimacy, constitutionality is based on the rapidly changing and developing arena of politics. Legitimacy, as discussed, is a complex term, combining the norms of legality, morality, and constitutionality to create a concept that is “more than the sum of their total, as it incorporates the element of political accommodation amongst their competing pulls.”¹⁶⁰ To be sustainable, legitimacy must be moderated through a political process based on the norms of legality, morality, and constitutionality.

State-building, particularly the need to establish legitimacy, is primarily a domestic activity. However, there is external involvement, particularly when state-building is part of the warfighting process initiated by an external actor. Political ideas such as representation and consent guide legitimacy.¹⁶¹ Do people feel represented in social spaces through different organizing forms, whether it is the family, the clan, the political party, the workers’ union, or a form of an elected leader? If a government is created in this post-conflict state-building process, is the government accepted as a legitimate actor? Does the state represent the interests and ideas of the population? In other words, is there consent from people? If so, cooperative legitimacy is developing.

This thesis focuses on the importance of the transition from coercive to cooperative legitimacy in state-building. The move from coercive to cooperative legitimacy has been neglected in the immediate post-conflict state-building period. Humanitarian relief is essential; security is a pre-condition; economics are the long-term answer. However, none of

¹⁵⁸ Clark (2005) p. 211.

¹⁵⁹ Clark (2005) p. 215.

¹⁶⁰ Clark (2005) p. 226.

¹⁶¹ See: Steinberger (2004).

these efforts are sustainable in the long-term without political cooperation. This does not mean that a sense of unity, a sense of common identity, or a nation are necessary; rather, political cooperation is the necessary step to move from the short-term, conflict-threatened (or conflict-prone) phase of coercive legitimacy to the cooperative legitimacy of longer-term state-building.

Based on this two-phase conception of legitimacy in state-building, there could be a perception that cooperative legitimacy is a long-term goal regarding state-building and cannot be influenced in the short-term. However, the political dimensions of state-building must be enacted in the short-term to have any prospect for longer-term state-building. Returning to Clausewitz, the political objectives cannot be subordinated to the military operational strategy in war: the political (cooperative legitimacy) cannot be subordinated to the security (coercive legitimacy) aims of the post-conflict state-building operations. As state-building is part of the warfighting process, a similar relationship between the political objectives and military means must be reconciled.

Discussing the importance of both coercive and political functions of the state,

The administrative and coercive aspects of the state are arguably the key ones, but legitimacy in the eyes of internal (and, on occasions, external) actors have been of vital significance in relation to both. For while law is ultimately guaranteed by a monopoly of force, such force is unlikely to be lastingly effective without consent – the popular endorsement of the state’s legitimacy.¹⁶²

Coercive and cooperative legitimacy are both critical to state-building. “Legitimacy constrains power, but also enables it; power suffuses legitimacy, but does not empty it of normative content.”¹⁶³ State-building begins with a reliance on coercive legitimacy, yet cooperative legitimacy is no less important. Coercive (military, security, force) and cooperative (political, social) legitimacy work to create comprehensive legitimacy in state-building. Weber’s discussion of the state provides a basis for further analysis of the two phases of legitimacy in state-building. The coercive legitimacy of a state is defined in Weber’s classic definition – “a state is a community that (successfully) claims the monopoly of the legitimate use of physical force within a given territory.”¹⁶⁴ Related to the cooperative

¹⁶² English & Townshend (1999) p. 5-6.
¹⁶³ Ian Clark (2005) p. 4.
¹⁶⁴ Gerth & Wright Mills, eds. (1948) p. 78.

phase of state-building, “in the end, the modern state controls the total means of political organization, which actually comes together under a single head.” Further related to this phase, however, a state does not fully move away from the coercive nature of state-building. “The modern state is a compulsory association which organizes domination.”¹⁶⁵ After the cooperative phase of state-building has commenced, “if the state is to exist, the dominated must obey the authority claimed by the powers that be.”¹⁶⁶ The coercive dimension of state-building provides a basis for the initial state-building and a supporting structure for the move to the cooperative phase of state-building.

Consent – “a way of binding oneself, of creating a self-assumed commitment” – also contributes to the overall legitimacy of the state.¹⁶⁷ Both coercive and cooperative legitimacy require consent from those governed in the state in order to make state-building possible. “In order to bind, consent must not only be free, but also informed. ... Consent does much better in justifying the authority of the state than do the other theories. In favoured circumstances it can be valid and thus it is a genuine source of legitimacy.”¹⁶⁸ Consent is given to the state through the consent of the people within the state, whether through coercive or cooperative legitimacy.

“Force – that is, physical force, for moral force has no existence save as expressed in the state and the law – is thus the means of war.”¹⁶⁹ As state-building is viewed within the continuum of conflict, (physical) force is needed to win the war and sustain state-building, according to Clausewitz. However, Clausewitz’s subsequent mention of “moral force” is illuminating. Moral force does not exist in war, but it does exist within the state and the law. Thus, in the transition from the conflict to the building of a state, there is a potential role for moral force. Within the cooperative phase of state-building, a phase in which the state is being formed and conflict is taking a less prominent role, moral force can influence the political structures of the newly-formed state. Moreover, moral force is not completely removed from coercive legitimacy. For the use of force to be sustainable and effective, consent is needed from the people and the force must be considered legitimate, denoting at least partial moral force.

¹⁶⁵ Gerth & Wright Mills, eds. (1948) p. 82.

¹⁶⁶ Gerth & Wright Mills, eds. (1948) p. 78. Another way Weber writes this submission to the dominant authority is more direct. After an election, the members of the community must “now shut up and obey me.” See: Gerth & Wright Mills, eds. (1948) p. 42.

¹⁶⁷ Green (1988) p. 159.

¹⁶⁸ Green (1988) p. 176, 185.

¹⁶⁹ Howard & Paret, eds. (1976) p. 75.

Clausewitz also provides an important context for the focus on the political dimensions of state-building. “War is nothing but the continuation of policy with other means.”¹⁷⁰ Further, “When whole communities go to war – *the reason lies in some political situation and the occasion is always due to some political object*. War, therefore, is an act of policy ... The political object is the goal, war the means of reaching it, and means can never be considered in isolation of their purpose.”¹⁷¹ While his work concentrates on the importance of physical force, Clausewitz does not neglect the political dimensions of war.

State-building fits within Clausewitz’s conception of warfighting. Although the goals of the intervening force might be different now, Clausewitz’s work provides key lessons for any intervening force.

No victory will be effective without pursuit; and no matter how brief the exploitation of victory, it must always go further than an immediate follow-up ... In returning to our subject, observations concerning immediate pursuit lead us to the following conclusion: the importance of the victory is chiefly determined by the vigor with which the immediate pursuit is carried out. ... In other words, *pursuit makes up the second act of the victory and in many cases is more important than the first.*¹⁷²

The “second act of victory” is state-building. The state-building process comprises the “immediate pursuit” of modern warfare. Indeed, “in many cases [it] is more important than the first.” Moreover, the “second act of victory” – state-building – solidifies the first victory – the armed conflict.

Transition to cooperative legitimacy

Lenin provides an insight into the transition to cooperative legitimacy, arguing, “the state is a special organization of force: it is an organization of violence for the suppression of some class.”¹⁷³ Force is not neutral. Force is used by someone against another person, thing, or idea. And state-building is not neutral either. In order to determine how force is used (and to

¹⁷⁰ Howard & Paret, eds. (1976) p. 69.

¹⁷¹ Howard & Paret, eds. (1976) p. 86-87. Emphasis added in italics.

¹⁷² Howard & Paret, eds. (1976) p. 261, 264, 267.

¹⁷³ English & Townshend (1999) p. 3, 16, including footnote 10. See: V.I. Lenin (1977) *the State and Revolution: the Marxist Theory of the State and the Tasks of the Proletariat in the Revolution*, Moscow: Progress, p. 8.

legitimate its further use), state-building must move from coercive legitimacy to a more cooperative form of legitimacy achieved through political acts.¹⁷⁴

What are the processes needed to transition to cooperative legitimacy? Rather than set out a list of goals, this thesis seeks to underline the importance of the political process.¹⁷⁵ The role of the external actor is not to dictate the actual reforms or processes (as the legitimacy in this type of external effort is extremely limited); rather, the goal of the external actor is to create the space in the state-building process to allow domestic actors to develop political processes. Yet, establishing initial governance institutions in a post-conflict environment is not necessarily a stabilizing force in the short to medium-term. As Mansfield and Snyder note,

We find that the heightened danger of war grows primarily out of the transition from an autocratic regime to one that is partly democratic. The specter of war during this phase of democratization looms especially larger when governmental institutions, including those regulating political participation are especially weak. ... Many observers expect that democratization will promote peace, prosperity, and respect for civil liberties, among other desirable outcomes. But while stable democracies may foster these obviously worthy ends, transitions to democracy can be treacherous processes.¹⁷⁶

Democracy promotion must be robust, including the construction of legitimate coercive and cooperative institutions to support the leaders of a state.¹⁷⁷

The actual policies, processes, and priorities of political transformation are determined by domestic actors.¹⁷⁸ While there is a blurring between the role of external and domestic actors during these periods of post-conflict periods of transition (e.g., occupation), the “political” transition should be determined by the domestic actors. The external actor’s role can be to provide the space for the political transformation and affirm its importance; the content,

¹⁷⁴ “The Western state has been notably marked by such questions of political representation, and they carry weighty implications for the issue of state legitimacy.” English & Townshend (1999) p.5.

¹⁷⁵ What actual reforms and processes is a critical area of study; however, there are informative studies that attempt to answer this question, including: Francis Fukuyama (2004) *State-building*, Ithaca: Cornell University Press; James F. Dobbins (2003-2004) “America’s Role in Nation-Building: From Germany to Iraq,” *Survival* 45:4; James F. Dobbins (2004) “The UN’s Role in Nation-Building: From the Belgian Congo to Iraq,” *Survival* 46:4; Minxin Pei and Sarah Kasper (2003) *Lessons from the Past: The American Record on Nation Building*, Carnegie Endowment for International Peace Policy Brief 24, May 2003; and others.

¹⁷⁶ Edward D. Mansfield and Jack Snyder (2002) “Democratic Transitions, Institutional Strength, and War,” *International Organization* 56:2, Spring 2002, p. 298, 333-334.

¹⁷⁷ Mansfield and Snyder (2002) p. 334.

¹⁷⁸ The obvious question from this statement is the following: who represents the state in the immediate post-conflict period? Who has legitimacy in the post-conflict period in order to effectively coordinate, govern, and lead a state-building operation? Although this question is extremely important and interesting, for the thesis, the question is how the political transformation occurs? How is legitimacy conferred upon a political actor? Rather than who, the focus is on how.

however, should be determined by the domestic actors. The Defense Department affirms the importance of legitimacy in these transition environments, stating,

Joint stability operations need to sustain the legitimacy of the operation and of the emerging or host government. During operations where a government does not exist, extreme caution should be used when dealing with individuals and organizations to avoid inadvertently legitimizing them. Effective SC [strategic communications] can enhance perceptions of the legitimacy of stability operations.¹⁷⁹

Related to this blurring of international and domestic lines, another component of state-building that also emphasizes the role of the political dimension of state-building is international recognition. It is “a mistake to draw a distinction between domestic principles of political legitimacy and those that obtain it in international relations.”¹⁸⁰ In other words, domestic and international legitimacy sought in state-building are inextricably linked. “There is no international legislation laying down detailed rules concerning the creation of states ... A major factor proves of great help here: the attitude of existing states, as reflected in their recognition, or non-recognition, of the new entity.”¹⁸¹ Thus, international recognition does not have a set criteria; however, if achieved, the international recognition (and legitimacy) can be used to gain domestic authority (and legitimacy).

Democracy promotion is a key concept and foundational principal for U.S. foreign policy, figuring prominently in the 1999, 2002, and 2006 National Security Strategies.¹⁸² As Francis Fukuyama argues, “In today’s world, the only serious source of legitimacy is democracy.”¹⁸³ The democracy promotion agenda of U.S. foreign policy relates important insights into the debate on the role of the external actor in the transition to cooperative legitimacy. Yet, as evidenced in the 2006 *Quadrennial Defense Review (QDR)*, the Defense Department has adopted language that promotes civil society in stabilization and reconstruction operations, notably not using the word ‘democracy.’ For example, after describing the military strategy

¹⁷⁹ Department of Defense – Joint Chiefs of Staff (2006) p. V-27.

¹⁸⁰ Mayall (1990) p. 26

¹⁸¹ Cassese (2005) p. 71-72.

¹⁸² President of the United States of America (1999) *A National Security Strategy for a New Century*, Washington, D.C., December 1999, http://www.dtic.mil/doctrine/jel/other_pubs/nssr99.pdf; President of the United States of America (2002) *The National Security Strategy of the United States of America*, Washington, D.C., September 2002, <http://www.whitehouse.gov/nsc/nss/2002/nss.pdf>; President of the United States of America (2006), *The National Security Strategy of the United States of America*, Washington, D.C., March 2006, <http://www.whitehouse.gov/nsc/nss/2006/nss2006.pdf>. For an historical argument that U.S. foreign policy is characterized by democracy promotion, see: Tony Smith (1994) *America’s Mission: The United States and the Worldwide Struggle for Democracy in the Twentieth Century*, Princeton: Princeton University Press.

¹⁸³ Francis Fukuyama (2004) *State-building*, Ithaca: Cornell University Press, 26-27.

of being able to conduct two nearly simultaneous conventional campaigns, the goal would be to “set conditions for the transition to, or for the restoration of, civil society.”¹⁸⁴ Describing U.S. support for international interventions in Haiti and Liberia, “those operations help set conditions for the restoration of security and civil society.”¹⁸⁵ Finally, demonstrating the transition from coercive to cooperative legitimacy, the *QDR* describes stabilization and reconstruction operations as “setting security conditions for the expansion of civil society and the rule of law.”¹⁸⁶

In the 2006 National Security Strategy, civil society promotion is listed as a key component of the broader democracy promotion strategy. “Effective democracies ... limit the reach of government, *protecting the institutions of civil society*, including the family, religious communities, voluntary associations, private property, independent business, and a market economy.”¹⁸⁷ These descriptions of civil society move the debate regarding democracy promotion away from one specific model for a state to provide a general set of guiding principles. In addition, the focus on civil society challenges the idea that a state is directly equivalent to the government; rather, the state includes the government, civil society, and other institutions. Civil society can be defined as “ideas of toleration, of responsibility and of equality under the rule of law,” creating a moderate, liberal community.¹⁸⁸ Each state-building case is unique, depending on the cultural, historical, social, economic, and political background of the state. By focusing on civil society as a means to promote the transition from coercive to cooperative legitimacy, there is more space for the variations in the form of the state.

Conclusion

¹⁸⁴ United States Department of Defense (2006) p. 38.

¹⁸⁵ United States Department of Defense (2006) p. 17.

¹⁸⁶ United States Department of Defense (2006) p. 23. Although civil society and democracy are both mentioned four times each in the *QDR*, the references are completely different in tone and function. Three of the four democracy references regard Iraq, presenting democracy more as an ideological prospect, not a part of strategy. The fourth reference regards Russia. The four references to civil society are more strategy-oriented, regarding civil society promotion as part of the stabilization and reconstruction strategy.

¹⁸⁷ President of the United States of America (2006a) p. 4. Emphasis added in italics.

¹⁸⁸ John Gray (1993) *Beyond the New Right: Markets, government and the common environment*, London: Routledge, p. 57. Gray’s insights provide a possible argument by which to understand the idea of the state and the nation. With a functioning civil society, there will be a respect for others’ rights, which will allow for a distinction between the more defined, less obtrusive role of a state and the membership in one (or possibly many) nations within the state.

Post-conflict state-building is an intervention and, thus, not neutral. Conceptualized within the larger warfighting process, state-building is part of the larger intervention process. State-building moves the post-conflict phase away from the idea that regime change is the end of an intervention; rather, regime change is the beginning of the state-building process. One goal of the thesis is to present state-building as part of the larger intervention. State-building is indispensable if intervention, including regime change, is pursued. Post-conflict state-building is not possible without initial conflict; complete intervention is not possible without state-building. Military phasing doctrine is not complete without Phases IV and V.

In order to achieve the state-building policy goals of stability and sustainability, a commitment from external actors is necessary. Although state-building is principally an internal, domestic-driven process, there is also a key role for external actors. Domestic actors determine the outcome, yet external actors need to provide guidance and support – at times forcefully – in the state-building process. Theory and doctrine support the conceptualization of state-building with the warfighting process. State-building requires acts of coercive use of force; however, these acts only set a framework for state-building.

CHAPTER 3: INSTITUTIONAL ANALYSIS OF THE U.S. GOVERNMENT AND POST-CONFLICT STATE-BUILDING

The essence of ultimate decision remains impenetrable to the observer - often, indeed, to the decider himself. ... There will always be the dark tangled stretches in the decision-making process – mysterious even to those who may be most intimately involved.¹

- John F. Kennedy, September 1963

The actor is not a monolithic nation or government but rather a constellation of loosely allied organizations on top of which government leaders sit.²

- Graham Allison & Philip Zelikow, *Essence of Decision*

Military policy is not the result of deductions from a clear statement of national objectives. It is the product of the competition of purposes within individuals and groups and among individuals and groups. It is the result of politics not logic.³

- Samuel P. Huntington, *The Common Defense, Strategic Programs in National Politics*

To understand the state it is necessary that it be divided and differentiated: functionally, regionally and hierarchically it is a complex phenomenon, one divided into many layers and parts.⁴

- Richard English & Charles Townshend, *The State: Historical and Political Dimensions*

Introduction

To assess U.S. foreign policy regarding post-conflict state-building, one must look beyond the unitary actor of the state – the United States – and assess institutional actors that shape strategy and policy processes. This chapter provides a methodological background, context, and rationale for the following case studies. The case studies examine the institutional actors that develop the strategies, leverage the resources, and make the policy decisions that ultimately shape the U.S. foreign policy process regarding post-conflict state-building. What factors shape institutional outputs? “The issue of typology, that is, what factors weigh most heavily for what classes of outcomes, is a central issue for further research,” according to Allison and Halperin. This research attempts to assess institutions and examine the factors

¹ John F. Kennedy (1963) “Preface” to Theodore Sorenson (1963) *Decision-Making in the White House: The Olive Branch and the Arrows*, New York: Columbia University Press. Also cited in Graham Allison & Philip Zelikow (1999) *Essence of Decision: Explaining the Cuban Missile Crisis, Second Edition*, New York: Longham, p. xi.

² Allison & Zelikow (1999) p. 166.

³ Samuel P. Huntington (1961) *The Common Defense, Strategic Programs in National Politics*, New York: Columbia University Press, p. 2.

⁴ Richard English and Charles Townshend, eds. (1999) *The State: Historical and Political Dimensions*, London: Routledge, p. 10.

that “weigh most heavily” on U.S. foreign policy institutional decisions and outputs of regarding post-conflict state-building.⁵

Inter-agency coordination is often oversold as the cause of failure of U.S. foreign policy.⁶

Allison and Zelikow stated, “To perform complex tasks, the behavior of large numbers of individuals must be coordinated. Coordination requires standard operating procedures.”⁷

While coordination is critical for proper policy implementation, it is not the answer for policy success or failure alone. “Coordination is an exchange of information, not an action plan.”⁸

Failure of inter-agency coordination places the emphasis on the *coordination*, not the institutions’ policies or dynamics that lead to broader policy decisions. Failure of inter-agency coordination assumes that there is a robust planning process with multiple institutions vying for policy decisions. In addition, “inter-agency failure” often focuses on policy disputes when structural or resource disparities between institutions could explain more fully how and why government-wide decisions are made.

The foundation of policy decisions can be found at the *institutional* level. This thesis examines the structural, resource, and policy issues *within* – vice across – institutions that affect post-conflict state-building policy and strategy. This thesis cannot neglect necessary analysis of the relationships between institutions; however, that inter-agency analysis is not the core mission of the thesis. This thesis assesses the institutional factors that shape an institution’s ability to participate in the inter-agency policy-making process.

This institutional-level approach to analyzing U.S. foreign policy is based on Graham Allison and Philip Zelikow’s *Essence of Decision*. Specifically, Model II analysis – organizational behavior – provides the basis for the methodological approach.⁹ Model II analysis has

⁵ Graham Allison & Mort Halperin (1972) “Bureaucratic Politics: A Paradigm and Some Policy Implications,” *World Politics*, Volume 24, Supplement: Theory and Policy in International Relations, Spring 1972, p. 54.

⁶ For example, “The deeper the interagency cooperation during planning and execution of stabilization and reconstruction operations, the sooner the military will be able to pass responsibility to civilian agencies to begin the nation-building mission.” Jonas Blank (2004) “Chapter 8: Interagency Capabilities,” p. 107 in Hans Binnendijk and Stuart E. Johnson, eds. (2004) *Transforming for Stabilization and Reconstruction Operations*, Washington, D.C.: NDU Press

⁷ Allison & Zelikow (1999) p. 143. See also: Allison & Zelikow (1999) p. 172-174.

⁸ Nadia Schadlow (2007) “Root’s Rules: Lessons from America’s Colonial Office,” *The American Interest* 2:3, January-February 2007, p. 100.

⁹ Allison & Zelikow (1999), p. v. In 1969, Allison referred to Model II as the “organizational process” model. Graham T. Allison (1969) “Conceptual Models and the Cuban Missile Crisis,” *American Political Science Review* 63:3, September 1969, p. 690. Methodologically, as Freedman points out, Allison uses the terms “paradigm” and “model” interchangeably. I use the term “model” in this chapter. Freedman argued,

informed many studies on U.S. foreign policy and state-building.¹⁰ However, these studies often focus on one institution, not evaluating the role of multiple institutions under a similar framework. This institution-level analysis assesses factors within each institution that affect that institution's overall perspective and its influence within the larger foreign policy-making structure. In some part, this Model II analysis is informed by the Model III – governmental politics, which assesses debates and issues on a sub-institutional, individual actor-based level. While this thesis is not a strict *intra-agency* study, exposing institutional dynamics includes an assessment of how sub-actors within a larger institution shape strategy and policy. The focus remains Model II, understanding the role of institutions within the larger policy-making process.

This thesis uses case studies as a tool to better understand the Model II analysis. Within each case study, three units of analysis – Defense Department, State Department, and Congress – are assessed according to three categories of analysis – structural, resource, and policy.¹¹ The issues examined in each category of analysis are not necessarily placed neatly into only one of these three constructed categories. However, these categories provide a useful structure by which to comparatively assess the broad range of issues that affects each institution's efforts with respect to state-building. There are overlaps. For example, personnel decisions are both structural and resource issues; however, while the category of analysis groups might be artificial, it is important that the issue is compared across institutions and case studies.

“paradigms are of a higher order than the sort of models being discussed, and deal with questions of epistemology and causation in absolute terms. Unlike paradigms, models are not all-inclusive and should not be expected to explain every governmental output.” Lawrence Freedman (1976) “Logic, Politics and Foreign Policy Processes,” *International Affairs* 52:3, July 1976, p. 436, fn. 5.

¹⁰ For Panama examples, see: Richard Schultz (1993) *In the Aftermath of War: U.S. Support for Reconstruction and Nation-Building in Panama following Just Cause*, Maxwell Air Force Base, AL: Air University Press; Edward Flanagan (1993) *The Battle for Panama: Inside Operation Just Cause*, Washington, D.C.: Brassey's; Ronald Cole (1995) *Operation Just Cause: The Planning and Execution of Joint Operations in Panama*, Washington, D.C.: Office of the Chairman of the Joint Chiefs of Staff, Joint History Office. For Iraq examples, see: Michael R. Gordon and General Bernard E. Trainor (2006) *Cobra II: The Inside Story of the Invasion and Occupation of Iraq*, New York: Pantheon Books; Thomas E. Ricks (2006) *Fiasco: The American Military Adventure in Iraq*, New York: Penguin Press; Donald R. Drechsler (2005) “Reconstructing the Interagency Process after Iraq,” *Journal of Strategic Studies* 28:1, February 2005; William Flavin (2003) “Planning for conflict termination and post-conflict success” *Parameters*, Autumn 2003, Carlisle, PA: U.S. Army War College.

¹¹ I would like to thank Derek Chollet, Sean Misko, David Ucko, and Micah Zenko for their assistance in developing this case study framework. During research interview with Derek Chollet on November 17, 2006, we discussed three levels of analysis: legal constraints, structural constraints, and perceptual constraints, particularly regarding the evaluation of Congress' role in state-building.

Primary and secondary research are the basis for the analysis in this thesis. Primary research includes interviews with strategic planners and policymakers, Congressional hearing transcripts, declassified strategy and planning documents, speeches, and press briefing transcripts. Secondary research includes books written by policy makers and analysts, journal articles, and interviews with researchers and analysts.

The overall premise for the structure of the case studies is that internal institutional dynamics explain more about policy-making than inter-agency relationships and dynamics.

Institutional outputs are better understood by examining internal institutional factors, not the relationships between institutions. The structural, resource, and policy dynamics of each institution provide a more in-depth understanding of the larger issues affecting the state-building policy-making process.

This thesis assesses how each institution considers “the end state” of state-building: what is the goal? While a “policy” issue, there are structural and resource factors that contribute to a more complete understanding of this question. By maintaining an overall focus on the question of what is “the end state” of state-building – “what is the goal?” – the thesis returns to its overall purpose of understanding the role, capacity, and limits of the United States in state-building.

The Three Conceptual Models of Allison and Zelikow’s *Essence of Decision*

Allison and Zelikow’s conceptual models provide a starting point for many assessments in the field of foreign policy analysis.¹² The three models are: Model I – the rational unitary actor; Model II – organizational behavior; and Model III - governmental politics. “Model I concentrates on ‘market factors:’ pressures and incentives created by the ‘international strategic marketplace.’ Models II and III focus on the internal mechanism of the government that chooses in this environment.”¹³

¹² There are several articles and books that develop these models. They include: Graham Allison (1968) *RAND Paper: Conceptual Models and the Cuban Missile Crisis : Rational Policy, Organization Process, and Bureaucratic Politics*, Santa Monica, CA: RAND; Allison (1969); Graham Allison (1971) *Essence of Decision: Explaining the Cuban Missile Crisis*, New York: Little Brown; Allison & Zelikow (1999).

¹³ Allison and Zelikow (1999) p. 143.

Model I - the rational unitary actor – approaches the state as a monolithic actor, which is “centrally controlled, completely informed, and value maximizing.”¹⁴ “Governments are anthropomorphized, as if they were an individual person, animated by particular purposes.”¹⁵ “Happenings in foreign affairs are conceived as actions chosen by the nation or national government. Governments select the action that maximizes strategic goals and objectives.”¹⁶ Model I assumes unity in decision-making and ignores differences between and within government institutions and sub-institutions evaluating policy options.¹⁷ “Analysts attempt to understand happenings as the more or less purposive acts of unified national governments,” as the nation or government is considered the agent.¹⁸

“Two ‘alternative’ conceptual models, here labeled an Organizational Process Model (Model II) and a Bureaucratic Politics Model (Model III) provide a base for improved explanation and prediction.”¹⁹ Model II focuses on *outputs*, not *outcomes* as in Model I.²⁰ These decision outputs could be considered “occurrences” or “happenings.”²¹ “The actor is not a monolithic nation or government but rather a constellation of loosely allied organizations on top of which government leaders sit.”²² Model II analysis is informed by the foreign policy analysis research of Snyder in the 1950s and 1960s. “From Snyder’s perspective state action is neither caused nor determined, but ‘flows’ in a ‘planful’ or purposive manner from the decision maker’s definition of the situation.”²³

“According to this organizational process model, what Model I categorizes as ‘acts’ and ‘choices’ are instead outputs of large organizations functioning according to certain regular patterns of behavior.”²⁴ Model II assesses the organizational behavior of different actors

¹⁴ Allison (1969) p. 698.

¹⁵ Allison and Zelikow (1999) p. 144.

¹⁶ Allison (1969) p. 694.

¹⁷ For example, “In deciding how to end a war, the top government leaders usually do not altogether lack a broad view. ... It does make sense--within limitations--to talk of a national decision and of national objectives.” Fred Charles Ikle (1971) *Every War Must End*, New York: Columbia University Press, p. 15 from Flavin (2003) fn. 26.

¹⁸ Allison (1969) p. 690.

¹⁹ Allison (1969) p. 690.

²⁰ Allison (1969) p. 698. An outcome is a “selectively delimited state of real world importantly affected by the action of a government.” Allison (1971) p. 3.

²¹ Allison (1971) p. 257; cited in Miriam Steiner (1977) “The Elusive Essence of Decision: A Critical Comparison of Allison’s and Snyder’s Decision Making Approaches,” *International Studies Quarterly* 21:2, June 1977, p. 406.

²² Allison & Zelikow (1999) p. 166.

²³ Steiner (1977) p. 392. Steiner cites: R.C. Snyder, H.W. Bruck, and B. Sapin, eds. (1962) *Foreign Policy Decision-Making*, New York: Free Press.

²⁴ Allison (1969) p. 690.

within a government structure, considering policies “less as deliberate choices of leaders and more as outputs of large organizations functioning according to standard patterns of behavior.”²⁵ Institutions approach foreign policy decisions with different perspectives, values, skills, and decision-making criteria. The interplay between these institutional actors – and the larger policy *process* – determines the foreign policy of the state.

Model III – governmental politics (also called bureaucratic politics) – considers individuals to be the central actors in foreign policy decision-making. The relationships, interactions, and personal decisions of these individuals determine foreign policy-making process.²⁶ The agents – or players in the game of bureaucratic politics – are individual government leaders, not institutions as in Model II or the entire government as in Model I. “The leaders who sit on top of organizations are not a monolithic group. Rather, each is, in his own right, a player in a central, competitive game.” Government decisions are “Outcomes in the sense that what happens is not chosen as a solution to a problem but rather results from compromise, coalition, competition, and confusion among government officials who see different faces of an issue; political in the sense that the activity from which the outcomes emerge is best characterized as bargaining.”²⁷ There is “no consistent set of strategic objectives but rather [outcomes are produced] according to various conceptions of national, organizational, and personal goals.”²⁸ In short, government decisions are intensely political decisions that focus more on personal dynamics than institutional factors.

Overview: Model II – Organizational Process²⁹

This thesis is based on a Model II–informed foreign policy analysis of post-conflict state-building within the U.S. government, assessing “intra-national factors”³⁰ Model II considers government institutions – departments, agencies, and other actors comprising the “constellation of loosely allied organizations” – to be the primary actors in the analysis, what

²⁵ Allison & Zelikow (1999) p. 143.

²⁶ Graham Allison and Mort Halperin developed their independent work on Model III – related frameworks in Allison & Halperin (1972).

²⁷ Allison (1969) p. 708.

²⁸ Allison (1969) p. 707.

²⁹ Throughout this chapter, I refer to Model II as “Organizational Process” based on Allison (1969), vice “Organizational Behavior” based on Allison & Zelikow (1999). “Process” emphasis the dynamics, factors, and issues that influence decision-making, underscoring the variable, fluid, and often erratic nature of institutional outputs. In a strict definition, “behavior” could be interpreted to mean that institutions lack agency and their outlooks, perspectives, and “behavior” is fixed, constant, and highly predictable.

³⁰ Allison & Halperin (1972) p. 42.

this thesis terms the “units of analysis.”³¹ Institutions are defined as collections of organizations, which are “groups of individual human members assembled in regular ways, and established structures and procedures dividing and specializing labor, to perform a mission or achieve an objective.”³² Model II’s institutional analysis examines processes and the how these institutions produce outputs through the processes. Institutional outputs are regarded “less as deliberate choices and more as outputs of large organizations functioning according to standard patterns of behavior.”³³ Thus, the analysis examines the factors that determine institutional outputs. “We should not ask what goals account for a nation’s choice of an action, but rather what factors determine an outcome.”³⁴

The case studies are an institutional analysis that applies the organizational process model to U.S. foreign policy decision-making for post-conflict state-building. By assessing structural, resource, and policy issues in each institution, the thesis aims to understand the forces that shape organizational processes. This analysis attempts to answer “three central questions: (1) Who plays? (2) What determines each player’s stand? (3) How are players’ stands aggregated to yield governmental decisions and actions?”³⁵

The working assumption is that an organizational, institutional analysis helps to explain why the U.S. government can develop (or not) strategy and planning for post-conflict state-building. The value of Model II analysis is in determining patterns – processes, mechanisms, factors, issues, and dynamics – that have determined past outputs and likely shape future outputs from decision-making processes. “Model II’s explanatory power is achieved by uncovering the special capacities, repertoires, and organizational routines that produced the outputs that comprise the puzzling occurrence.”³⁶

³¹ Allison & Zelikow (1999) p. 166.

³² Allison & Zelikow (1999) p. 145. Allison & Zelikow base this definition of institutions and organizations on the work of Meyer & Rowan. See: John W. Meyer and Brian Rowan (1991) “Institutionalized Organizations: Formal Structure as Myth and Ceremony,” in Walter W. Powell and Paul J. DiMaggio (1991) *The New Institutionalism in Organizational Analysis*, Chicago: University of Chicago Press.

³³ Allison & Zelikow (1999) p. 143.

³⁴ Allison (1971) p. 253; cited in Steiner (1977) p. 402

³⁵ Allison & Halperin (1972) p. 47.

³⁶ Allison & Zelikow (1999) p. 175.

Structure

“‘Stated posture’ is a matter primarily for those at the pinnacle of formal power. ... Operational planning, on the other hand, is much more a military insiders’ business.”³⁷ The concepts on institutional dynamics that Allison & Zelikow gained from nuclear weapons strategy are applicable across foreign policy analysis. The “stated posture” is the political and strategic level guidance; yet the operational planning is the “insiders’ business.” What is the relationship between the internal, institutional dynamics and processes and the strategic goals and political-level guidance? One of the key elements of the “structure” sub-sections is a review of the planning processes within the units of analysis. What are the different planning processes for each institution? Reviewing these planning processes for post-conflict operations – largely on the strategic level, but also informed by information from the operational and tactical levels – provides insights into how political level and senior-level guidance is transferred (or not) into planning.

Uncertainty is a hallmark of war, both during the offensive, combat-oriented elements as well as the post-conflict elements of warfighting and its requisite planning processes.

“Organizations exhibit great reluctance to base action on estimates of an uncertain future,” according to Allison & Zelikow.³⁸ Yet, this uncertainty does not prohibit planning nor diminish its need. It does inform how this planning is done and how decisions are made. How organizations cope with uncertainty can be captured through the analysis of structural issues. For example, how does the military divide its resources and planning capabilities between offensive combat operations and post-conflict operations? Planning for post-conflict state-building is uncertainty stacked upon uncertainty – the uncertainty of the post-conflict phases following the uncertainty from the different potential trajectories and results of the conflict phases. Identifying structural issues within planning processes for post-conflict state-building can help determine institutional impediments to developing more robust post-conflict state-building strategy or policies. Can an institution account for the uncertainty of post-conflict state-building operations within its strategy and policy development?

³⁷ Donald MacKenzie (1990) *Inventing Accuracy: A Historical Sociology of Nuclear Missile Guidance*, Cambridge, MA: MIT Press, p. 398-399; cited in Allison & Zelikow (1999) p. 151.

³⁸ Allison & Zelikow (1999) p. 152.

One issue that cuts across this entire institutional analysis is organizational culture. Organizational culture relates to the “resource” section regarding prioritization of resources; to the “policy” section regarding the discussion on what is the goal and conception of the mission. Within the “structure” section, organizational culture is captured largely through an assessment of institutional focus, particularly when discussing disconnects in institutional focus between conflict and post-conflict operations. “Organizational culture is thus the set of beliefs the members of an organization hold about their organization, beliefs they have inherited and pass on to their successors.”³⁹ Organizational essence, as defined by Mort Halperin, may provide more insight. “The organization’s *essence* is the view held by the dominant group in the organization of what the missions and capabilities should be.”⁴⁰ Halperin’s definition of organizational essence includes an implicit understanding that institutional dynamics shape organizational views, notably his reference to the role of the “dominant group.” How does an institution’s organizational essence promote or inhibit post-conflict state-building strategy and policy?

Allison and Zelikow’s summary of core questions for Model II analysis focus on identifying “capabilities and constraints” related to “producing information, ... generating a menu of options, ... [and] implementing whatever [policy] is chosen.”⁴¹ These questions all include a component on identifying the logistical and bureaucratic impediments, barriers, and constraints preventing or permitting an organization from achieving its defined sense of mission or purpose. Identifying these “capabilities and constraints” are achieved in part by assessing the logistical and bureaucratic obstacles in the post-conflict state-building planning processes in the “structure” analysis.

Resource

Allison and Zelikow’s Model II framework explores a theme regarding how organizational processes shape organizational actions. Allison and Halperin list “control over the resources necessary to carry out the action” as a key determinate in decision games that lead to policy actions.⁴² A key set of processes for an institution relates to resources. How does an

³⁹ Allison & Zelikow (1999) p. 153.

⁴⁰ Mort Halperin (1974) *Bureaucratic Politics & Foreign Policy*, Washington, D.C.: Brookings Institution Press, p. 28.

⁴¹ Allison & Zelikow (1999) p. 390.

⁴² Allison & Halperin (1972) p. 52.

organization obtain resources? How are these resources prioritized? What is the relationship between the stated goals and resources?

Model II analysis in the case studies focuses on prioritization of resources. “Organizational priorities shape organizational implementation.”⁴³ The priority of resources – particularly between conflict and post-conflict operations – determines institutional outputs. Priority of resources is related to matters of structure as well. As Allison and Zelikow note,

If conflicting goals both accord with the organization’s capacities and culture, the incompatible constraints tend to be addressed sequentially, the organization satisfying one while deferring or neglecting another. ... The order in which organizations attend to inconsistent goals is thus a critical factor.⁴⁴

Does this sequencing argument help to explain the prioritization of post-conflict operations? Both conflict and post-conflict operations are stated goals within military doctrine; however, the planning for conflict operations is inconsistent – in some cases – with post-conflict operations, subordinating the planning processes related to post-conflict state-building. Does this sequencing affect prioritization with respect to post-conflict state-building? This question assumes that “the organization’s capacities and culture” support both conflict and post-conflict operations, which may not be a fair assumption. The issue of prioritization of resources related to conflict and post-conflict operations is an important avenue to conduct institutional analysis related to resources issues.

Standard operating procedures are a key component of any institution, according to Allison and Zelikow’s Model II analysis. Each institution has a “fixed set of standard operating procedures and programs”⁴⁵ These standard operating procedures (SOPs) create predictable patterns and “tendencies” of organizations.⁴⁶ An examination of SOPs of an organization, such as personnel hiring and budget processes, can reveal disconnects between resources and goals.⁴⁷ Budgets reflect long-term institutional decisions. “Budgetary famines” in an institution, according to Allison and Zelikow, are the result of a pattern of budgetary

⁴³ Allison & Zelikow (1999) p. 177.

⁴⁴ Allison & Zelikow (1999) p. 177, 194.

⁴⁵ Allison & Zelikow (1999) p. 144.

⁴⁶ Allison & Zelikow (1999) p. 144.

⁴⁷ “Changing personnel is more likely to lead to changing behavior than changing orders to existing personnel: one new ambassador (of the right persuasion) is worth a thousand cables.” Personnel decisions influence institutional decisions and outputs. Allison & Halperin (1972) p. 76.

decisions as incremental change is the norm for budget processes.⁴⁸ How do resource decisions and SOPs reflect institutional outputs related to post-conflict state-building?

Policy

Allison and Zelikow’s Model II analysis aims to explain *outputs*, not outcomes. What are the state-building policy *outputs* of different institutions? In seeking to understand the institutional processes that lead to institutional outputs, defining how institutions conceptualize the goal provides insights into how institutional outputs take form. Policy outputs are not pre-determined outcomes. Rather,

Organizations participate meaningfully in a process in which several purposes are possible and preferred by nominal masters in the executive, legislative, and judicial branches of government. The organizations influence the prioritization of purposes into a definition of their ‘mission’ and are especially influential when the mission is translate, for a specific task, into more concrete, operational objectives.⁴⁹

Organizations, as part of larger institutions, establish their “prioritization of purposes.” Organizations are determining their answer to the question: what is the goal? The ensuing competitions, dynamics, and institutional relationships related to these different answers establish an institutional output.

“Before the niceties of bureaucratic implementation are investigated, it is necessary to know what objectives are being sought. Objectives are ultimately a reflection of values, of beliefs concerning what man and society ought to be.”⁵⁰ The “policy” section addresses: what is the goal? what is the conception of the mission? If there are “clashes of values,” how do they affect outlooks on post-conflict state-building goals?⁵¹

⁴⁸ Allison & Zelikow (1999) p. 172, 180.

⁴⁹ Allison & Zelikow (1999) p. 151.

⁵⁰ Stephen D. Krasner (1972) “Are Bureaucracies Important (Or Allison Wonderland),” *Foreign Policy*, Number 7, Summer 1972, p. 179.

⁵¹ Robert Jervis (1976) *Perception and Misperception in International Politics*, Princeton, NJ: Princeton University Press, p. 28; cited in Steve Smith (1980) “Allison and the Cuban Missile Crisis: A Review of the Bureaucratic Politics Model of Foreign Policy Decision-Making” *Millennium: Journal of International Studies* 9:1, p. 30.

Critiques of Model II Framework

The critiques of Allison's conceptual models are generally based on the 1971 first edition of *Essence of Decision*. These critiques offer insights into methodological considerations for this thesis.⁵² Focusing on Model II, this section characterizes several themes within the wide-ranging critiques.

The basis of many critiques comes from another one of Allison's alternative conceptual models in *Essence of Decision* – Model III bureaucratic politics. This bureaucratic politics model is also developed by Allison and Halperin in the 1972 article titled, "Bureaucratic Politics: A Paradigm and Some Policy Implications."⁵³ This article is based largely on Model III, but Model II analysis is integrated. Allison and Halperin stated, "Here we focus on the further development of 'Model III,' recognizing that *organizations can be included as players in the game of bureaucratic politics*, treating the factors emphasized by an organizational process approach as constraints, developing the notion of shared attitudes, and introducing a distinction between 'decision games' and 'action games.'"⁵⁴ "Having suffered a take-over bid," Model II was largely neglected or overlooked in subsequent critiques and

⁵² For substantive reviews and critiques, see: Morton Halperin (1971) "Why Bureaucrats Play Games," *Foreign Policy*, Volume 2, Spring 1971, particularly for his review of organizational interests and overview of concepts found in Allison & Halperin (1972); Krasner (1972), although the focus is a critique of Model III; Robert J. Art (1973) "Bureaucratic Politics and American Foreign Policy: A Critique," *Policy Sciences*, Volume 4, particularly for a review of the scholarly influences on Models II and III; Freedman (1976), although the critique is largely based on Model III analysis and Allison & Halperin (1972); Steiner (1977), particularly for the historical and academic context of the theory and its relation to Snyder's foreign policy analysis work in the 1950s and 1960s; Smith (1980), particularly p. 22-23 on the academic influences of Models II and III; Jerel A. Rosati (1981) "Developing a Systematic Decision-Making Framework: Bureaucratic Politics in Perspective," *World Politics* 33:2, January 1981, particularly for his review and analysis of Allison and Halperin's late 1960s and early 1970s work; B. Guy Peters (1981) "The Problem of Bureaucratic Government," *The Journal of Politics*, 43:1, February 1981, particularly regarding his critique of Allison's conceptual models as "descriptive theory," compared to "positive theory;" Jonathan Bendor and Thomas H. Hammond (1992) "Rethinking Allison's Models" *American Political Science Review* 86:2, June 1992, particularly p. 309-313 for a critique of Model II; David A. Welch (1992) "The Organizational Process and Bureaucratic Process Paradigms: Retrospect and Prospect" *International Security*, 17:2 Autumn 1992, particularly p. 116-120 regarding Model II analysis; David Patrick Houghton (2000) "Essence of Excision: A Critique of the New Version of *Essence of Decision*," *Security Studies* 10:1, Autumn 2000, particularly for his review of the difference between 1969 and 1999's editions of *Essence of Decision* as well as discussion of Allison and Halperin (1972). For more brief book reviews, see: Stephen J. Cimbala (1972) "Review: *Essence of Decision*," *The Journal of Politics* 34:2, May 1972; David F. Long (1972) "Review: *Essence of Decision*," *Journal of American History* 59:1, June 1972; Francis E. Rourke (1972) "Review: *Essence of Decision*," *Administrative Science Quarterly* 17:3, September 1972; Roy E. Licklider (1972) "Review: *Essence of Decision*," *Annals of the American Academy of Social and Political Science*, Volume 404, November 1972; David Lloyd Larson (1973) "Review: *Essence of Decision*," *American Political Science Review* 67:4, December 1973; Barton J. Bernstein (1999) "Review: *Essence of Decision*" *Foreign Policy*, Number 114, Spring 1999; Jerel A. Rosati (2001) "Review: Ignoring the Essence of Decisionmaking," *International Studies Review* 3:1, Spring 2001.

⁵³ Allison & Halperin (1972).

⁵⁴ Allison & Halperin (1972) p. 40. Emphasis added in italics.

assessments; a vast majority of the critiques and analysis of *Essence of Decision* center on a Model III-based bureaucratic politics perspective.⁵⁵ Allison and Halperin's 1972 article created confusion as to whether Model II was still a separate model.⁵⁶ Based on the 1999 second edition of *Essence of Decision*, Model II remains a distinct model, although not receiving nearly the academic interest as Model III.⁵⁷ Most analysis of *Essence of Decision* neglects Model II and focuses largely on Model III, and to some extent Model I.⁵⁸ This thesis applies a Model II-based institutional analysis, attempting to identify factors that should be considered in a Model II analysis for post-conflict state-building.⁵⁹

Units of Analysis – Who are the actors involved in the policy process? Does an institutional analysis neglect the role of individual actors? What is the effect of the limited individual agency in Model II analysis? “Concentration on the bureaucratic and organizational factors leads to neglect of the values held by the participants”⁶⁰ Whereas Model II defines the units of analysis at the institutional level and looks within the institution to evaluate different organizations (or sub-institutions), Model III considers individuals as the policy actors. Model II critics argue that institutional analysis limits the agency of individual actors, including the President.⁶¹ “[Model II] understates the dominance of the President over decision-making in foreign affairs and the degree to which other participants defer to what they assume to be presidential preferences,” according to some critics.⁶²

⁵⁵ Freedman (1976) p. 435.

⁵⁶ “Allison’s subsequent enterprise of *combining* Models II and III into one overarching *bureaucratic politics* model is probably a step in the wrong direction. Combining two theories before clarifying their defining properties can easily produce inconsistent claims.” Bendor & Hammond (1992) p. 304.

⁵⁷ Allison & Zelikow (1999)

⁵⁸ See: Welch (1992) p. 118. For critiques and analysis of Model II, see: Bendor & Hammond (1992), Steve Smith (1980).

⁵⁹ “Students of international politics have largely failed to take up Allison’s challenge to build and to test theory at the intra-governmental level of analysis.” Welch (1992) p. 114.

⁶⁰ Smith (1980) p. 30. Smith stated, “Several critics have argued that concentration on the bureaucratic and organizational factors leads to neglect of the values held by the participants,” citing Krasner (1972), Art (1973), David Ball (1974) “The Blind Men and the Elephant,” *Australian Outlook*, Volume 28, and Jervis (1976).

⁶¹ Krasner stated, “My argument here is that this vision is misleading, dangerous, and compelling: misleading because it obscures the power of the President; dangerous because it undermines the assumptions of democratic politics by relieving high officials of responsibility; and compelling because it offers leaders an excuse for their failures.” Krasner (1972) p. 160.

⁶² Rourke (1972) p. 432. Steve Smith stated, “Allison’s work has been attacked on the important normative ground that it removes responsibility from government. By portraying foreign policy decision-making as the outcome of pulling and hauling of various bureaucratic groups, it becomes much easier for politicians to disclaim responsibility for policy outcomes.” In particular, Smith noted that the President’s individual agency is limited in these analyses. Smith (1980) p. 29. Bernstein stated, “‘Essence still greatly minimizes the crucial role of President Kennedy in the missile crisis and, in doing so, also offers a dubious set of theories to explain American foreign-policy decisions.’” Bernstein (1999) p. 126.

Regarding Model I, Allison and Zelikow stated, “Governments are anthropomorphized as if they were an individual person.”⁶³ Are institutions in Model II analysis anthropomorphized? Can an organization truly have an organizational mission and unitary sense of purpose? Are not the same critiques of Model I valid for Model II? An institution is a sub-unit of a larger entity and is still a large, complex beast, particularly when considering an institution such as the Defense Department. Just as Model I fails to recognize the complexities and differing opinions within institutions of a government, strict Model II analysis fails to identify the important role of individual policymakers within an institution.

Combining Models II and III, Allison and Halperin stated,

the ‘maker’ of government policy is not one calculating decision-maker, but rather a conglomerate of large organizations and political actors who differ substantially about what their government should do on any particular issue and who compete in attempting to affect both governmental decisions and the actions of their government.⁶⁴

Model II does not necessarily reject the role of individuals in foreign policy decision-making. Rather, the emphasis is on another level. More broadly, Model II and III are not competing conceptions, but provide different “lenses” to assess decisions and policy processes. “The best analysts of foreign policy manage to weave strands of each of the three conceptual models into their explanations.”⁶⁵ While Model III is a valuable perspective, there is a value in assessing the institutional dynamics and factors that are remain important, if not constant, beyond the tenure of individual decision-makers, including the President. “A recognition of the limits imposed by bureaucratic necessities is a useful qualification of the assumption that states always maximize their interest”⁶⁶ The benefit of institutional analysis, like individual actor-based Model III analysis, is the assessment of the different factors that lead to these less than “maximal” results.

Further, Model II analysis identifies factors that could provide a basis for Model III analysis: factors that constrain individual action as well as factors that shape state action. From the other perspective, the influence of individual actors within organizations and institutions should not be overlooked. This thesis’ analysis does not reject Model III as a viable option;

⁶³ Allison & Zelikow (1999) p. 144.

⁶⁴ Allison & Halperin (1972) p. 42.

⁶⁵ Allison (1971) p. 258-259. Also, see: Allison (1971) p. 251.

⁶⁶ Krasner (1972) p. 164

rather, it considers Model III and seeks to incorporate lessons from that “lens” into the overall analysis. Yet, Model II does not have all of the answers. Similar to other “domestic politics perspectives” in foreign analysis, Model III can “over-exaggerate choice and freedom, and underestimate both systemic influences on state behaviour and situational impact on decision-making. Furthermore, by stressing choice and decision, they ignore or downplay constraints on non-decisional influences on behavior.”⁶⁷ Institutions still matter; without losing sight of the agency of individuals, this thesis examines institutional issues that shape large government outputs on post-conflict state-building.

Rationality / Irrationality and Model II Analysis – Model I, titled the rational actor model, assumes that a state acts in a purely rational manner by producing policy decisions or outcomes that maximize a state’s interest. Thus, the assumption of Models II and III is that rationality – at least, rationality of the entire state as defined by its “national” interests – is reduced due to the likelihood of institutions seeking to advance institutional interests at the possible peril of “national” interests. In short, Model I maximizes a state’s interest; Model II and III show why states do not their interests. “The core of Model II is the idea, developed by Herbert Simon and James March, that individual decision makers are boundedly rational.”⁶⁸ Institutions, the unit of analysis in Model II, are rational within the limits of their position and institutional interests, not necessarily looking beyond the institution to some form of a broader objective, possibly the “national interest.” Criticism of the “over-rationality” of Model I can also be applied to Model II.

The determination of whether or not a decision/policy/program is rational is largely made *ex post facto* in relation to the objective(s) it was supposed to achieve or the goal(s) it was supposed to try and fulfill. That is, if the decision produced an outcome that was satisfactory or successful in terms of the objective(s) /goal(s) it was supposed to achieve, then it might be considered ‘rational.’⁶⁹

Deeming an institution or institutional decisions rational after a decision is made does not account for the range of possible outcomes based on institutional choices. This thesis does not seek to deem institutions, institutional decisions, or policy process rational or irrational; yet, the thesis does recognize that institutional forces, dynamics, and issues can be viewed as

⁶⁷ Steve Smith (1987) “Foreign Policy Analysis and International Relations,” *Millennium: Journal of International Studies* 16:2.

⁶⁸ Bendor & Hammond (1992) p. 309. Authors cite Allison (1971) p. 71 as example.

⁶⁹ Larson (1973) p. 1431.

rational and irrational in policy formation, which leads to institutional outputs.⁷⁰ Model II decreases the role of “national interests,” focusing more closely on institutional interests and processes.

Freedman provides one possible framework to conceptualize rationality with Allison’s conceptual models. He states, “Model I and Model III are not two distinct and incompatible paradigms, but two ends of a continuum. At one end all is rationality [Model I]; at the other all is politics [Model III].”⁷¹ Where does Model II fit? Somewhere in between? Freedman does not position Model II within this construct. Model II is left straddling this gap between rationality and irrationality (politics), which provides interesting opportunities for analysis, but also more complexity. Whether the proper construct is viewing institutions on a continuum or simply combining elements from both pole into some institutional identity, this thesis’ analysis conceptualizes institutions as combining rationality (seeking to achieve institutional and broader government objectives) with politics (seeking to advance institutional interests).

But is too much order being applied to a complex policy process? Is any policy process predictable? “Since Model II repeatedly refers to the linear nature of organizational behavior, one may object to the previous example because it is nonlinear.”⁷² This thesis seeks to identify the institutional forces that shape the range of institutional outputs. There are a staggering number of eventual outcomes from one institutional output. The “combinatorial complexity” creates an extremely uncertain, at times chaotic, environment.⁷³ As Allison and Zelikow describe, *outputs* describe the results of institutional processes assessed in Model II, vice the *outcomes* of Model I. Outputs imply institutional bargaining and deliberation that is

⁷⁰ It is important to note Smith and Ball’s caution of “*a posteriori* over-determination” when applying conceptual models to more fully understand foreign policy processes. Similar to the possibility of ex post determination of rationality, analysts can fall victim to “*a posteriori* over-determination” and construct a narrative to fit the conceptual model that is of most interest to the analyst. See: Smith (1980) p. 35; Smith also cites Ball (1974), p. 88.

⁷¹ Freedman (1976) p. 441.

⁷² Bendor & Hammond (1992) p. 310.

⁷³ Bendor & Hammond (1992) p. 311. David J. Snowden & Mary E. Boone (2007) “A Leader’s Framework for Decision Making,” *Harvard Business Review*, November 2007, p. 69-76. Snowden & Boone briefly describe the differences between complexity and chaos. Complexity refers to an environment of “unknown unknowns,” “flux and unpredictability,” and “no right answers; emergent instructive patterns.” Chaos, however, is an environment of “unknowables” with “high turbulence,” “no clear cause-and-effect relationships, so no point in looking for right answers.” In a chaotic environment, decision-makers attempt to sub-divide chaos into complex, manageable decisions.

part of a process that produces an institutional product, or output. Outputs leave the door open for various outcomes.

Assumption of equal position of institutions – Qualifying Miles’ Law of “where you stand is where you sit,” Allison & Zelikow stated, “where one stands is influenced, most often strongly influenced, by where one sits.” A person’s institutional “seat” – or general affiliation or position within the policy-making process – largely determines one’s “stance” – outlook or perspective – on the matter. Found in Model III’s section of *Essence of Decision*, this aphorism also applies to Model II. Model II analysis reflects Miles’ Law insofar as *institutional* affiliations and allegiances shape *institutional* policy perspectives and stances. However, the “stand / sit” aphorism neglects the size and position of the seat. All seats are not created equal in the policy process. “When we recognize that power resources are not equally distributed, but that there is some hierarchy of power, we can talk of a *power structure*. A power structure involves a limited set of groups and individuals, all concerned in some way with a specific policy-making process.”⁷⁴ The intention of this thesis is to assess the factors that create institutional inequities. How does an institution’s position within the given “power structure” determine its policy position? Art stated, “The content of any particular policy reflects as much the necessities of the conditions in which it is forged-- what is required to obtain agreement--as it does the substantive merits of that policy. How we go about making decisions does affect the kinds of decisions we make. *Process influences content*.”⁷⁵ To add one additional layer, an institution’s position within the process also determines the content.

Related, institutional positions affect policy negotiations and coordination. As stated above, the oft-cited excuse for inter-agency policy failure is a lack of coordination. Yet, recommending better coordination assumes that all institutions are functioning properly and competing from a relatively equal, or at least viable, position. This conception of decision-making relies on “the assumption that events in international politics consist of the more or less purposive acts of unified national governments and that the governmental behavior can

⁷⁴ Freedman (1976) p. 447.

⁷⁵ Art (1973) p. 469. Art cites: Roger Hilsman (1959) “The Foreign-Policy Consensus: An Interim Report,” *Journal of Conflict Resolution*, Volume 3, December 1959. “The making of policy in government, in other words, is essentially a political process, even when it takes place entirely inside the government, screened from the voter’s view, or even when it takes place entirely within one agency of the government. ... In a political process the relative power of these participating groups is as relevant to the final decision as the cogency and wisdom of the arguments used in support of the policy adopted. Who advocates a particular policy may be as important as what he advocates.” Hilsman (1959) p. 365.

be understood by analogy with the intelligent, coordinated acts of individual human beings.”⁷⁶ Allison and Zelikow stated, “To perform complex tasks, the behavior of large numbers of individuals must be coordinated. Coordination requires standard operating procedures.”⁷⁷ Coordination assumes that each institution has a clear set of goals and a strategy. This analysis focuses less on why the mechanisms of coordination either work or not, but more on the institutional forces and issues that determine an institution’s ability to participate in a policy-making process. Krasner stated,

Conflicts exist over what the objectives of the nation should be and what its capacities are. ... The failure of the American government to take decisive action in a number of critical areas reflects not so much the inertia of a large bureaucratic machine as a confusion over values which afflicts the society in general and its leaders in particular.⁷⁸

There are often deeper institutional issues that limit coordination, not surface level standard operating procedures that are neglected.

Lack of consideration of Congress’ role in foreign policy – “The paucity of the references to Congress in the bureaucratic politics literature can be noted.”⁷⁹ Allison and Halperin do note the importance of “Congressional influentials” in policy-making processes, but do not discuss the institutional importance or role of Congress in foreign policy decision-making processes.⁸⁰ “Allison’s governmental arena is too delimited; he fails to consider such non-bureaucratic elements of the American political system as, for example, electoral constraints and the power-political position of Congress.”⁸¹ Within his “political-process” conceptual model for foreign policy analysis, Hilsman places Congress as part of the “inner ring.”⁸² Congress’ important budgetary and oversight roles influence foreign policy decision-making. Rather than looking at individual contributions from “Congressional influentials,” this analysis seeks to examine Congress and its institutional issues and dynamics that shape its role in the foreign policy-making process of post-conflict state-building.

⁷⁶ Allison & Halperin (1972) p. 41.

⁷⁷ Allison & Zelikow (1999) p. 143.

⁷⁸ Krasner (1972) p. 179

⁷⁹ Freedman (1976) p. 445

⁸⁰ Allison & Halperin (1972) p. 47.

⁸¹ Smith (1980) p. 28. Smith also notes: Ball (1974) p. 79 critique.

⁸² “The political-process model seems to be an amalgamation of the bureaucratic model and the organizational-process model (Model II).” Graham T. Allison (1987) “Review: *The Politics of Policy Making in Defense and Foreign Affairs*,” *Political Science Quarterly* 102:3, Autumn 1987, p. 524.

Applicability of conceptual models to crisis situations – “The chief contribution of the original *Essence*, and now of the revised edition, may be that it helps illuminate decision-making in noncrisis situations,” Bernstein contended.⁸³ Critics contend that *Essence of Decision* is not applicable to crisis situations due to the increasing complexity, and at times chaos, of a crisis environment.⁸⁴ In short, standard operating procedures (SOPs) do not apply to crisis situations. While post-conflict state-building operations are “crisis” environments – or at least extremely complex, often chaotic environments, the planning processes and strategy development do not need to be. In these cases, SOPs should be implemented. Further, this thesis does not intend to explain the outcomes, but rather assess the institutional forces through Model II analysis that lead to outputs. Indeed, there could be many outcomes of a post-conflict state-building operation. The goal of this thesis is to understand the institutional forces and dynamics that shape the realm of possible outcomes.

Model II as Basis for Institutional Analysis

All three levels of analysis outlined by Allison & Zelikow provide limited perspectives on the larger foreign policy process. However, each level of analysis also provides a particular insight or approach that does help to explain larger processes that could otherwise be confusing due to their complexity. Recognizing the limits of any one approach, this thesis focuses on Model II organizational process analysis for three reasons. First, foreign policy-making in the U.S. government is based on institutionally-driven processes. Within the President’s National Security Council, institutional representatives comprise the membership. Further, the strategic planning processes are also institutionally-based processes. Strategic planning informs policy planning, which guides operational and tactical planning. This analysis focuses on the strategic and policy planning levels, where institutions construct positions to present at the inter-agency policy-making level, such as the National Security Council.

Second, this institutional analysis fills gaps in the existing foreign policy analysis of state-building. Model I analyses of broader U.S. government policies and actions exist.⁸⁵ Model

⁸³ Bernstein (1999) p. 126

⁸⁴ See: Welch (1992) p. 126-128; Smith (1980) p. 27.

⁸⁵ Although all studies go into some details on actors and individuals, some studies do remain at a more meta-level, national-level assessment. For example, see: James Dobbins et al. (2003) *America’s Role in Nation-*

III analyses provide “agent”-level insights into the policy-making process.⁸⁶ The purpose of this thesis is to provide an institutional-level, Model II-based analysis that provides a more nuanced view of intra-governmental deliberations than Model I, but provides a more generalized notion of long-term institutional issues, constraints, and dynamics than Model III.

Third, and related, this thesis focuses on institutions that are often generalized as homogeneous actors regarding state-building. There are structural, resource, and policy issues within each of these institutions that creates a more complex, layered analysis than a unitary analysis of an entire institution. Instead of simply saying “The State Department thinks X,” this thesis evaluates, “The State Department thinks X because of factors 1, 2, and 3.” Regarding the assessment of Congress as one of the units of analysis, the role of the legislative branch in foreign policy is not as widely considered as their authorities would indicate. While the executive branch, specifically the President, has principal authority to determine foreign policy, the Congress is also a critical institution. Congress’ financial powers and oversight controls make it an influential actor in foreign policy, including state-building.

Case Study Design

In order to examine the institutional issues regarding post-conflict state-building, this thesis uses two country case studies: Panama – post-Operation Justice Cause (December 1989 – December 1990) and Iraq – ORHA/CPA (April 2003 – November 2003). Panama is the focus for Chapter 4 and Iraq for Chapter 5.

The case studies are intended to be vehicles by which to better understand the institutional dynamics of the three units of analysis: Defense Department, State Department, and Congress. While it is critical to establish an historical basis for the case studies to provide the

Building: From Germany to Iraq, Santa Monica, CA: RAND; Francis Fukuyama, ed. (2006) *Nation-Building: Beyond Afghanistan and Iraq*, Baltimore, MD: Johns Hopkins University Press

⁸⁶ These studies include many journalist accounts of post-conflict state-building, which provide policy and institutional insights into policymaking based on individual accounts. For examples on Iraq, see: L. Paul Bremer III (2006) *My Year in Iraq: The Struggle to Build a Future of Hope*, New York: Simon & Schuster; Larry Diamond (2005) *Squandered Victory: The American Occupation and the Bungled Effort to Bring Democracy to Iraq*, New York: Times Books; George Packer (2005) *Assassins’ Gate: America in Iraq*, New York: FSG Books; Rory Stewart (2006) *The Prince of the Marshes: And Other Occupational Hazards of a Year in Iraq*, New York: Harcourt; Rajiv Chandrasekaran (2006) *Imperial Life in the Emerald City: Inside Iraq’s Green Zone*, New York: Alfred A. Knopf.

proper context, this thesis' goal is to evaluate the units of analysis more than the historical dynamics of the countries. There are numerous studies detailing the successes and failures of Iraq and, to a lesser extent, Panama.⁸⁷ This thesis is not intended to provide a more definitive account of either operation; rather, the goal of this thesis is to provide an alternative perspective into these operations – and post-conflict state-building, more generally. The value is intended to be the institutional analysis and in-depth examination of key actors within the larger U.S. foreign policy process regarding post-conflict state-building. As stated above, each unit of analysis is evaluated within three broad categories of issues: structural, resource, and policy.

Certain caveats and notes should be made at this point. First, there are limits to the application of “lessons identified (or learned)” across case studies. Each country has its own particular political, social, economic, and cultural distinctions that make each case and country unique. It is not the goal of this thesis to formulate a post-conflict state-building strategy that can be applied to all such situations. The precise functions and required actions of each actor or institution are not determined. Rather, the goal is to better understand the actors involved within the U.S. government and their particular roles, responsibilities, and limits regarding post-conflict state-building. The goal is to *expose the dynamics, constraints, and enabling factors within these institutions and how they affect the overall U.S. foreign policy process toward post-conflict state-building.*

Following on this point, there is not an assumption that the U.S. government is the critical actor in determining the success or failure of post-conflict state-building operations. The United States is often *one* of the critical external actors; however, the role of external actors is limited, regardless of whether it is another state, the United Nations, an NGO, or a private sector company. With these caveats noted, the United States government does have the ability to leverage significant financial resources, political will, and tactical resources in order to create conditions for favorable – or unfavorable – outcomes regarding post-conflict state-building.

The reason for this set-up of the case studies is to provide an alternative perspective into the dynamics of post-conflict state-building. One overarching theme for this thesis is that a

⁸⁷ See: Chapters 4 and 5.

Model II institutional analysis can provide important insights into the broader understanding and foreign policy analysis of post-conflict state-building operations. At present, an analysis that examines the institutional dynamics of key U.S. government actors is missing. Often, foreign policy analysis regarding post-conflict state-building stops at the Model I level (e.g., the United States government has created policy X) or delves into Model III terms (e.g., Secretary Smith supports policy X for reasons 1, 2, and 3 whereas Secretary Jones supports policy Y for reasons 4, 5, and 6). In this analysis, a version of a Model II analysis – not a straight Model II looking between actors, but a Model II institutional approach that looks *at and within* actors – provides another perspective for foreign policy analysis for post-conflict state-building.

Units of Analysis

The three units of analysis that are used to assess each country case study are: Defense Department, State Department, and Congress. The examination of each unit of analysis is based on three categories of analysis: structural, resource, and policy.

A three by three matrix (units on one axis, categories on the other) represents the range of issues intended to be discussed in both case studies. The goal of the set-up is to provide a basis for comparative analysis between institutions and cases. However, there is overlap in terms of concepts discussed in each unit as well as issues that cannot be easily categorized as solely structural, resource, or policy. Nonetheless, this general framework provides a basis for analysis for the thesis. Like any set-up, this structure is intended to make the analysis more comprehensible and logical, but it should not stifle analysis when there are cross-cutting issues or concepts that do not easily fit within one category.

The units of analysis, heretofore referred to as “units,” represent different and complex organizations within the U.S. government and the U.S. foreign policy process. The units provide a *representative* perspective, not a *comprehensive* perspective, of the key actors in the U.S. government regarding post-conflict state-building. The units are representative of the many actors in U.S. foreign policy insofar as the institutions reflect different resources, perspectives, and biases in U.S. foreign policy; however, these institutions are part of the larger U.S. government foreign policy process and, thus, do share similar values, interests,

and objectives, such as the need to establish and support a larger U.S. national security strategy and fulfill the obligations of the U.S. constitution.

These units do not represent a *comprehensive* analysis of all U.S. government foreign policy institutions – not to mention non-governmental organizations, the private sector, other governments, or international organizations. Within the U.S. government, the intelligence community, the National Security Council (NSC), the U.S. Agency for International Development (USAID), the Department of Treasury, the Department of Commerce, the Department of Agriculture, and other departments and agencies all have distinct roles in post-conflict state-building. Space and time constraints require a narrowing of the actors. However, the justification for selecting Defense, State, and Congress as the three units requires justification beyond the structural limitations of a thesis. The selected units of analysis provide a representative view into the different level and type of debates through the U.S. government regarding post-conflict state-building. For example, a structural constraint within the State Department regarding personnel or a logistical barrier could also be an issue confronted in USAID, Commerce, or another civilian agency.

Related, the units were selected based on priority. Defense, State, and Congress are major actors in U.S. foreign policy. These three units effectively represent the actors and institutions that establish, resource, and implement U.S. foreign policy, particularly post-conflict state-building. Any study of U.S. foreign policy regarding post-conflict state-building that does not cover the State Department, Congressionally-mandated to lead U.S. foreign policy, and the Defense Department, the institution responsible for all military operations, is lacking. The intelligence community and AID have important roles, depending largely on the issue and other bureaucratic and political factors.

Depending on the administration, the NSC is also a strong actor. The NSC, as the closest foreign policy advisors to the President, reflects less institutional views and more administration-specific priorities. Further, the NSC recommends (and later oversees) policy for the President, but it does not have implementation responsibilities or an operational budget. Although the specific role of the NSC differs based on administration, largely between “neutral arbiter” and “policy advocate,” the intended role of the NSC is to be an

inter-agency forum to bring together relevant actors to establish an overarching executive branch policy on national security matters.⁸⁸

Third, the three units represent distinct parts of U.S. foreign policy. Broadly speaking, Defense covers all military and “security” issues; State is responsible for the “diplomatic” angle and represents the constraints of other civilian institutions; and Congress controls the “resources” and provides the “oversight” of U.S. foreign policy. All are not equal actors. In fact, part of the analysis based on resources, structure, and policy aims to expose how these disparities – both within and between institutions – affects the larger policy process.

Although the State Department and Defense Department are fairly natural picks for this analysis, the selection of Congress deserves further explanation. Why are two departments within the executive branch units of analysis and then the entire legislative branch – termed “Congress” – is the third unit? The units of analysis are not equal actors in terms of size, roles, responsibilities, or limits; however, each unit has critical functions in U.S. foreign policy. The units are assessed according to institutional issues and how issues within the institution relate to the larger foreign policy process. Congress, as a homogeneous entity, cannot be generalized. However, the analysis does not attempt this feat, but rather assesses themes and trends related to structural, resource, and policy issues within Congress that affect U.S. foreign policy regarding post-conflict state-building.

Congress is included as a unit in this thesis as it is often overlooked in foreign policy analysis. Congress controls the national budget, has crucial oversight functions, and brings forth many policy perspectives that shape the larger U.S. foreign policy process. Congress does not execute foreign policy, but it can support (or oppose) mandates, funds, or investigations for foreign policy priorities. Moreover, Congress represents a crucial part of the check and balance system to the executive branch.⁸⁹ Additionally, including Congress widens the scope of issues included in the structural, resource, and policy analyses as opposed to a strictly Executive branch study. For example, policy issues, such as defining the conception of the goal for post-conflict state-building operations, have additional perspectives through a study including Congress. In addition, structural issues, such as the

⁸⁸ See: David J. Rothkopf (2005) *Running the World: The Inside Story of the National Security Council and the Architects of American Power*, New York: Public Affairs.

⁸⁹ One might ask if the judicial branch should be considered in this thesis. While the judicial branch is another part of the check and balance of U.S. government, its role in U.S. foreign policy is limited.

mechanics of Congressional funding processes for post-conflict state-building operations, add further layers of analysis to this institutional assessment of post-conflict state-building and U.S. foreign policy.

Categories of analysis

The “categories” of analysis within each unit are: structural, resource, and policy. As stated, there are issues that overlap between these categories. These categories are designed to provide a reasonable structure for the analysis and facilitate comparative analysis across units and categories. For each category – structural, resource, and policy – there are guiding questions and issues intended to limit the analysis. Analysis throughout the thesis remains largely on the strategic planning and policy development levels, vice operational and tactical planning. Operational and tactical issues cannot be separated completely, but the strategic planning and policy development levels are the principal area of focus.

Issues in all categories must all be related back to the idea of how they are related to U.S. foreign policy regarding post-conflict state-building, particularly in the immediate post-conflict period. As with all sections, there are interesting, yet tangential issues that must be avoided. The focus should always return to the following: how does the issue being examined relate to U.S. foreign policy regarding post-conflict state-building in the immediate post-conflict period?

Structural

Issues discussed in the “structural” category within each unit of analysis focus on institutional processes and mechanisms. Moving from strategic planning to operational / tactical planning, there are structural limitations and differences regarding the planning processes of institutions. Establishing strategic plans is one issue; operationalizing the strategy is another. “The challenge of deploying a stable personnel force in complicated theaters has had serious strategic implications for the United States. ... The problem is not merely bureaucratic sloth: *it is structural.*”⁹⁰ An understanding of structural issues that affect all planning levels – strategic, policy, operational, tactical – is important to this analysis. While all issues cannot

⁹⁰ Schadow (2007) p. 98. Emphasis added in italics.

be evaluated, the overall connection – or disconnection – between strategy and execution, between policy and implementation are assessed.

Key questions for this category include, but are not limited to the following:

- What were the internal institutional processes to determine post-conflict state-building policy for the institution?
- Who are the key actors in the planning processes? How do the planning processes operate?
- Is there a bifurcation between conflict and post-conflict, particularly regarding planning and strategy?
- Do institutions conceptualize post-conflict state-building as building / construction or rebuilding / reconstruction?
- Where is an institution's focus regarding combat and post-conflict operations? Where, if any, are there institutional divisions or differences in organizational culture regarding post-conflict state-building?
- What are logistical and bureaucratic obstacles that impede post-conflict state-building planning and strategy?

“Contingency plans tend to be constructed as military plans with inter-agency annexes.”⁹¹

How does this political-military reality of the planning processes and structures affect state-building policy? Where is the planning for state-building within the larger planning process for warfighting? How is state-building planning considered within this political-military planning process? The importance of state-building throughout the strategic, policy, and operational planning processes reflects its relative importance and relation to the overall goals.

Related to the “resources” category, the structural constraints of the budgeting process affect state-building policy. What effect do budget processes have on overall state-building policy? Also related to Congress, how does the system of committee structure and oversight affect

⁹¹ Colonel (ret.) Robert Polk, interview, June 27, 2007 and July 5, 2007. Polk was part of both the ORHA and CPA strategic planning units.

inter-agency operations?⁹² “The U.S. approach to national security, in terms of budgets and organizations, continues to be structured around such clear divisions between war and peace.”⁹³ State-building, as a theoretical and practical matter, does not fall cleanly within a war or peace – Defense Department or State Department – construct, but rather includes both war and peace. What structural restraints within this war-peace dichotomy in the U.S. national security architecture shape state-building policy?

Resource

The “resource” category examines financial as well as human resource issues along with other considerations that affect the capabilities of each institution to establish, design, and implement post-conflict state-building policy. “[There are] very different views across the U.S. government on both *the nature of the problem* and *the prioritization of assets* to reach solutions.”⁹⁴ While “the nature of the problem” is addressed in the “policy” category, “the prioritization of assets” is a critical question – and source of institutional debates – regarding state-building.

Critical questions for this category include, but are not limited to the following:

- What was the overall level of funding for the operation? What funding was available for the institutions?
- How did the mechanics of the budgeting and funding processes affect the overall state-building policy?
- Were the institutions able to deploy its resources, both personnel and financial?
- What is the priority of resources of different operations, particularly the priority between combat and post-conflict operation funding?
- What is the institutional length of commitment for post-conflict state-building?
- How do personnel resources shape post-conflict state-building policy and strategy (and outputs)?
- Where do disconnects arise between goals / strategy and resources / operations?

⁹² “Strategic Requirements for Stability Operations and Reconstruction – Final Report”(2006) April 19-20, 2006, Sponsored by the Eisenhower National Security Series, under the direction of the U.S. Army Peacekeeping and Stability Operations Institute, and conducted by Science Applications International Corporation and Hicks & Associates, p. 25.

⁹³ “Strategic Requirements” (2006) p. 17.

⁹⁴ “Strategic Requirements” (2006) p. 101. Emphasis added in italics.

All units of analysis are examined regarding the “resource” category; however, Congress needs additional consideration within this category due its critical role in funding issues. As the key institution within the U.S. government regarding the budgeting and funding, Congress plays a critical role in the overall success – or failure – of U.S. foreign policy based on the level of funding it provides for certain operations. Is Congress funding the post-conflict state-building mission? The level of financial commitment arguably determines the policy priority. As such, the first part of Congress’ resource assessment is titled, “the numbers,” which provides an overview of the funding resources provided by Congress.

Financial resources reflect policy priorities. Resources are the necessary link between strategy and operations / tactics. Are the linkages present? Or, are disconnects apparent? The “resource” category of analysis provides a space to examine the funding levels for post-conflict state-building and the resources available to execute policy regarding post-conflict state-building. Institutional analysis is needed in this category to examine the disparities in level of resources, particularly financial, as well as the ability or capacity to use the resources. In addition, the alignment of responsibilities and resources is considered in this section. In short, are there unfunded (or under-funded) mandates? Do the institutions with given responsibilities and role have the necessary authority and resources to execute the state-building policy?

In addition to the level of funding, the mechanics of the budget process are important. How do the current budget processes promote or inhibit post-conflict state-building policy? Is there enough flexibility in the budgeting process (and overall funding for an institution) to be able to support the post-conflict state-building operations? How do other funding streams, such as supplementals, affect post-conflict state-building? Are contingency funds (or “slush funds”) needed?⁹⁵ An organization’s ability to convert an overall strategy and more specific policy into concrete operational and tactical plans is determined by funding, both the amount and the ability to translate its resources into programming.

Another element of resources to examine is human resources. The number of personnel participating in a mission shapes its institutional position within the broader government

⁹⁵ “Strategic Requirements” (2006) p. 107.

decision-making processes. In this thesis, personnel levels within an institution working on post-conflict state-building policy reflect its ability to influence the overall outcome. An institution's ability to marshal resources and execute a plan depends on its level of personnel, particularly deployable personnel when discussing post-conflict state-building. If there are insufficient personnel, flawless strategy is irrelevant. The proper number – and type – of personnel directly affects institutional outputs.

The amount of resources allocated to an operation influences the length of commitment by the U.S. government and specifically by the particular institutions involved. On a conceptual level and a practical, programmatic level, the length of commitment provides insights into the overall commitment to state-building by the institutions and larger U.S. government. Length of commitment includes resource issues as well as organizational culture, shaping how an institution conceptualizes a mission.

Policy

Potentially the broadest category, the “policy” category of analysis focuses on defining the overall conception of the goal for post-conflict state-building. This analysis is designed to expose different conceptions of the mission or goals for post-conflict state-building within an institution that affect the overall state-building policy approach.

Critical questions for this category include, but are not limited to the following:

- What are institutional conceptualizations / goals of what can be achieved in the immediate post-conflict period?
- What is “the end state” of state-building? How are long-term goals conceptualized regarding state-building?
- What are an institution's expectations of post-conflict state-building tasks?
- How does the goal of democracy promotion shape the conception of the state-building mission?

What is the goal? How is the mission defined? As discussed in chapter 1, semantic and terminology confusion can lead to strategic and policy confusion.⁹⁶ “The many different terms and meanings reflect profound disagreement about what the U.S. needs and wants to do in this mission area [of post-conflict operations].”⁹⁷ This point should not be over-stated as there are at times many terms to describe the same action; however, lack of clarity in discussing post-conflict operations is substantively important and policy relevant. In post-conflict state-building operations over 100 years ago, the same issues related to post-conflict state-building policy were present. In the late 19th century, “while both the Executive and Legislative branches of the government were busily shaping American occupation policy in Cuba, they failed conspicuously to define the ultimate purposes of the United States interventions there.”⁹⁸ Different conceptions of the mission – more than the terms used to define the task, but the stated definition of the task and the goals – reflect different priority areas within and between institutions.

There is a strategic ambivalence regarding the purpose of post-conflict state-building. What is the nature of the problem to be “solved?”⁹⁹ Fundamental disagreements regarding the purpose of state-building and the nature of the problem create policy confusion and often policy failure. Returning to Clausewitz,

The first, the supreme, the most far-reaching act of judgment that the statesman and commander have to make is to establish by that test the kind of war on which they are embarking; neither mistaking it for, nor trying to turn it into, something that is alien to its nature. That is the first of all strategic questions and the most comprehensive.¹⁰⁰

What tasks does an institution expect to be part of a post-conflict state-building strategy and operation? One critical policy debate is between state-building as transactional / transitional or transformational. Are institutions supporting state-building as a transformational process? Alternatively, are institutions establishing state-building policies to focus on stabilization

⁹⁶ “Clarity in terminology is needed before one can develop strategic clarity,” Tom Mahnken stated. “Strategic Requirements” (2006) p. 33.

⁹⁷ “Strategic Requirements” (2006) p. 32.

⁹⁸ David Healy (1963) *The United States in Cuba, 1898-1902: Generals, Politicians, and the Search for Policy*, Madison, WI: University of Wisconsin Press, p. 84.

⁹⁹ “Strategic Requirements” (2006) p. 1, 3, 5-6. “Lack of agreement on the strategic nature of the problem stability operations are intended to address.” “Strategic Requirements” (2006) p. 11. “The problem is a product of how organizations conceive of their roles and responsibilities, rather than how organizations performed in a specific context.” “Strategic Requirements” (2006) p. 133.

¹⁰⁰ Michael Howard and Peter Paret, eds. (1976) *Carl von Clausewitz: On War*, Princeton: Princeton: Princeton University Press, p. 88-89.

through a transitional, transactional process? To what extent are both objectives pursued? Can both goals be pursued or are they in apparent conflict with each other? Within and between institutions, there are fundamental differences regarding transformation versus transaction. No one policy – or no one institution – is completely one or the other; rather, the blending of perspectives and goals is complex. However, are there major differences between these conceptions of the priorities?¹⁰¹

How do competing conceptions of short-term and long-term goals affect state-building policy? Within each institution, there are stated objectives and strategic visions that guide policy. However, there are often contradictions, disputes, and conflicting conceptions of the objectives and strategic visions within an organization. These conceptual, strategic level differences between sub-units (and within an institution) have the ability to affect the overall state-building policy. In short, does the institution have a (relatively) unified strategic and policy vision? More broadly, do all institutions share a (relatively) unified strategic and policy vision?

One issue that is considered in the “policy” category of analysis is role of democracy promotion within state-building policy. Does democracy promotion inform policy or is it the basis for policy? Examining democracy promotion related to state-building provides an opportunity to assess the concepts of governance and administration. Governance refers to the establishing institutions and political processes of a state; administration focuses more on the technical capacity to provide services of the state. Phebe Marr describes governance as “the political process of selecting leaders, mobilizing public support, adequately representing various elements of the population, and implementing policy,” whereas administration is “the daily business of running government and providing services.”¹⁰² Is an institution promoting governance or administration through its state-building policy and strategy?

Conclusion

This thesis focuses on the immediate post-conflict period of state-building policy, a limited timeframe within a larger mission. There are two levels of analysis for understanding policy

¹⁰¹ “Strategic Requirements” (2006) p. 92.

¹⁰² Senate Foreign Relations Committee (2003b) “Iraq: Reconstruction,” S. Hrg. 108-53, March 11, 2003, Washington, D.C.: U.S. Government Printing Office, p. 42.

questions relevant to the focus of the thesis. First, what can be accomplished in the immediate post-conflict period of state-building? Second, what are the longer-term goals for state-building? For both of these questions, what are the major differences within the institution regarding answers to these questions? Further, how do these policy differences affect the overall state-building policy? The “end state” of state-building is conceptualized differently within an organization.¹⁰³ The focus of this thesis is on the first question (what can be accomplished in the immediate post-conflict period?), although it is important to keep the second question (what are the longer-term goals for state-building?) within the larger perspective and assessment. There is a recognition that state-building is a long-term process and there is no “victory” in the short-term, although there can be a “loss.” Defining “success,” however, is essential. Defining success means defining the policy objectives (and understanding the key structural and resource issues), both for state-building in the immediate post-conflict period as well as longer-term state-building goals.¹⁰⁴

There continue to be “dark tangled stretches in the decision-making process” due to the complexity and, at times, chaos of foreign policy decision-making.¹⁰⁵ However, this thesis aims to identify themes, patterns, and concepts through institutional analysis that establish a framework to conceptualize the strategy and policy development related to post-conflict state-building. Based on Allison and Zelikow’s Model II framework, this institutional analysis provides insights into the institutional dynamics, mechanisms, and issues that lead to the institutional outputs related to post-conflict state-building.

¹⁰³ Regarding the unclear articulation of end-states, see: “Strategic Requirements” (2006) p. v.

¹⁰⁴ Sir Richard Dannatt stated, “And it is success today in these two theatres [Iraq and Afghanistan] – *however you define success* – that, as far as I am concerned, is both the top and bottom line ...So, moving from the contextual and the general, and accepting that some form of success in Iraq and significant achievement in Afghanistan must be the short-term objectives – our Conference begs the wider question of how do our Armies cope with today's imperatives while ensuring that they remain balanced for tomorrow's unknowns? General Sir Richard Dannatt (2007) Speech at RUSI Future Law War Conference, “Tomorrow’s Army; Today’s Challenges,” June 5, 2007, <http://www.mod.uk/DefenceInternet/DefenceNews/DefencePolicyAndBusiness/CgsSpeaksOntomorrowArmyTodaysChallenges.htm> .

¹⁰⁵ Kennedy (1963).

CHAPTER 4 – CASE STUDY 1: PANAMA

Overview

The armored infantry had taken out the PDF [Panamanian Defense Forces] on the 20th [of December], but we walked into a vacuum. There was nothing.¹

- Marine Forces Panama, January 3, 1990 After Action Report

In Panama in 1989-1990, the U.S. was programmatically and structurally ill-equipped for the situation following the fighting. ... There was no integrated strategy for supporting nation-building and democratization in Panama following Just Cause.²

- Richard Schultz, *In the Aftermath of War*

Did a lack of post-conflict state-building in Panama threaten U.S. national security? No. However, that question misses the point that resources, personnel, and policy priority were devoted to an invasion and post-conflict operation in Panama that was guided by a clear police directive from the President. If the U.S. foreign policy leadership decides to devote resources to major combat and attendant post-conflict state-building operations in Panama, it should be conducted in the most effective manner possible – that was not the case with the post-conflict state-building operations in Panama after Operation Just Cause.

This first case study on Panama assesses U.S. post-conflict state-building policy and operations after Operation Just Cause, specifically December 1989 to December 1990. “The 1989 U.S. invasion of Panama was the first American use of force since 1945 that was unrelated to the Cold War.”³ Using the methodological framework described in Chapter 3, the principal units of analysis are the Defense Department, the State Department, and Congress. Within these units of analysis (and sub-sections of the chapter), three categories of analysis – structural, resource, and policy – provide a framework to analyze this case study.

¹ Public Affairs Officer, Marine Forces Panama (1990) “Public Affairs After Action Report: from the period of 20 Dec 89 to 03 Jan 90,” January 3, 1990, p. 12; obtained through the George Washington National Security Archives. (Stored as P1010220 – “Archival Research – Panama”)

² Richard Schultz (1993) *In the Aftermath of War: U.S. Support for Reconstruction and Nation-Building in Panama following Just Cause*, Maxwell Air Force Base, AL: Air University Press, p. i, 75. Further, “Looking back on the experiences in Panama and the Gulf, it is evident that the U.S. government was programmatically and structurally ill-equipped, in each instance, for the situation following the fighting. It lacked integrated and interagency political, economic, social, informational, and military policies and strategies to support conflict resolution and longer term internal stability and development.” Schultz (1993) p. 6-7.

³ Eytan Gilboa (1995-1996) “The Panama Invasion Revisited: Lessons for the Use of Force in the Post-Cold War Era,” *Political Science Quarterly* 110:4, p. 539. Schultz also stated “The U.S. intervention in Panama was the first major use of force by the United States in the aftermath of the Cold War.” Schultz (1993) p. 6.

After this evaluation, a series of conclusions assesses the key points taken from the units and categories of analysis.

Introduction and Context

National Security Presidential Directive 21, signed by President George H.W. Bush on September 1, 1989, stated that “United States policy towards Panama continues to be to achieve the departure of General Noriega from power and *the establishment of a democratic government* based on the will of the people as expressed in free elections.”⁴

U.S. actions in Panama in 1989 and 1990 were primarily offensive-based military operations. More specifically, these operations focused almost solely on major combat operations, relegating any post-conflict planning or operations to secondary importance. “In the strictly military sense, Just Cause provided a revealing glimpse of the operational, tactical and technological prowess of the U.S. military.”⁵ General Edward Meyer, Army Chief of Staff from 1979 to 1983, said that “Operation Just Cause ‘was probably the best-conceived military operation since World War II’ ... Just Cause was one of the largest and most sophisticated joint airborne and ground contingency operations in modern history.”⁶ In terms of the combat operations, Panama was a success. Yet, the military – and the overall U.S. government – did not prioritize a fundamental key mission: post-conflict state-building.⁷

On December 20, 1989, the United States began a military operation in Panama code-named Operation Just Cause.⁸ The most direct mandate for Operation Just Cause was to remove

⁴ The White House (1989) *National Security Presidential Directive 21: U.S. Policy Towards Panama Under Noriega After September 1, 1989*, September 1, 1989. Declassified on September 10, 1996; obtained through the George Washington National Security Archives. Emphasis added in italics.

⁵ Thomas Donnelly (2000) “Lessons Unlearned – American military operations in Panama, the Persian Gulf, and southeastern Europe,” *The National Interest*, Summer 2000.

⁶ Edward Flanagan (1993) *Battle for Panama: Inside Operation Just Cause*, London: Brassey’s, p. 226, 228. “For the U.S. military, this was a joint operation, vice an Army show. True, the ground forces came overwhelmingly from the Army and the few SEALs and Marines probably could have been replaced by Army soldiers. Air Force units, however, played an essential role. ... they fought in Panama and probably will fight in the future in a joint task force drawing on the capabilities of each service to accomplish the operational objectives.” Lorenzo Crowell (1991) “The Anatomy of Just Cause: The Forces Involved, the Adequacy of Intelligence, and its Success as a Joint Operation” in Bruce Watson and Peter Tsouras, eds. (1991) *Operation Just Cause: The U.S. Intervention in Panama*, Oxford: Westview Press, p. 96-97.

⁷ “Just Cause: How Well Did We Do?” (1990) *The National Review*, January 22, 1990. *The National Review* editorial identifies “[the U.S. military] did not think through the delicate politics of installing a government” as one key failure of the operation.

⁸ For a review of the considerations for U.S. intervention in Panama, see: Gilboa (1995-1996) p. 540. “Why then, in the absence of cold war considerations, did the United States consider a relatively insignificant dictator

from power General Manuel Antonio Noriega, Panamanian president and Panamanian Defense Forces (PDF) commander. However, the post-Noriega environment and post-conflict goals were not fully considered. What came next? What were the goals for post-conflict Panama? By January 11, 1990 – three weeks after the invasion started – the major military combat operations of Operation Just Cause concluded (officially, Operation Just Cause ended on January 31, 1990) and the focus shifted toward post-conflict operations under the name Operation Promote Liberty, the post-conflict operations led by the U.S. military.⁹ Operation Promote Liberty, which was initiated only hours after Operation Just Cause on December 20, 1989, existed for one year, until disbanded in December 1990.

Before and certainly following the U.S. invasion of Panama, the Panamanian state was fragile at best, broken at worst. “Panama has never enjoyed a level of sovereignty commensurate with its formal status as an independent nation. Throughout the twentieth century, its dependence on and vulnerability to external pressures and actors have always been great.”¹⁰ Politically, there was no functioning assembly, corruption and clientelism were rampant, the military and police were part of the problem, and the U.S. was preparing to install leaders from the May 1989 elections. A January 1990 Marine after-action report stated, “the armored infantry had taken out the PDF on the 20th [of December], but we walked into a vacuum. There was nothing.”¹¹ In many regards, a state no longer existed in Panama – it needed to be built, not rebuilt. Thus, post-conflict state-building in Panama required more than stabilization operations and reinserting political leaders. Economically, estimates stated that Panama’s GDP declined 40 percent due to the economic sanctions since 1987. Unemployment was over 35 percent, foreign investment decreased in recent years, Noriega had taken over \$5.5 billion in loans, and the government had \$70 million in cash reserves. The U.S. military invasion in December 1989 exacerbated this already fragile state. Due

a major challenge whose removal from power required full-scale military intervention? To answer this question, one must examine a combination of factors: escalation in the conflict, domestic priorities including the war on drugs, George Bush’s leadership difficulties, and America’s new global responsibilities as the sole remaining superpower.”

⁹ According to a Marine After-Action Report from Task Force Semper Fi, the Panama operations were divided into three sections: December 20-22 – Offensive/Defensive Operations; December 23-25 – Search/Clear Operations; December 26-January 12 – Stability/Security Operations. Commander – Marine Forces Panama (1990) “Summary and Lessons Learned Reports: Operation Just Cause,” January 24, 1990; obtained through the George Washington National Security Archives. (Stored as P1010236 – “Archival Research – Panama”)

¹⁰ Eusebio Mujal-León and Christopher Bruneau (1992) “Foreign Assistance and Reconstruction Efforts” in Eva Loser, ed. (1992) *Conflict Resolution and Democratization in Panama: Implications for U.S. Policy*, Washington, D.C.: Center for Strategic and International Studies, p. 55.

¹¹ Public Affairs Officer, Marine Forces Panama (1990) p. 12

directly to the invasion, 10,000 people were homeless and the looting after the invasion caused \$1 to \$2 billion in damages, 25-50% of its estimated GDP in 1989.¹²

The United States and Panama have a long history, dating back to the 19th century and a treaty signed by the United States and Columbia (Panama was part of Colombia at this point) on December 12, 1846, which granted the United States exclusive right of transit across the Isthmus of Panama. Economic growth and strategic interest led to the Spooner Act in 1902, which authorized the building of the Panama Canal. U.S. support for Panamanian independence from Colombia in 1903 led to an independent Panama, but also set favorable conditions for the United States' construction and use of the Panama Canal, which opened on August 15, 1914. During periods of political instability in Panama, the U.S. military intervened in 1918 and 1925 to settle election disputes, occupying a province from 1918 to 1921. After renewed treaties in 1947 and 1955, further hostility emerged between the U.S. and Panama regarding matters related to the canal and broader issues of sovereignty.¹³

In 1977, President Carter and Panamanian President Torrijos signed the Panama Canal Treaties in Washington, D.C., which was later amended to permit U.S. military intervention if the Panama Canal's operations were interrupted. After the death of General Torrijos, General Manuel Noriega became commander of the Panamanian National Guard and de facto leader of Panama. Although Arnulfo Arias appeared to win the 1984 presidential election, Nicolas Ardita Barletta, a World Bank technocrat, was installed as president. By September 1985, Noriega ousted Barletta, inserting First Vice President Eric Delvalle as president, further solidifying Noriega's position as the de facto ruler of Panama. By 1987, internal and external dissent against Noriega increased the tension in U.S.-Panamanian relations. Noriega was accused of electoral fraud, money laundering, drug trafficking, and involvement in political assassinations. In February 1988, formal charges of money laundering, drug trafficking, and providing safe haven to drug cartels were issued against Noriega in Tampa and Miami courts.¹⁴

¹² Mujal-León and Bruneau (1992) p. 60-62, 64-65. For further economic statistics, see: Mujal-León and Bruneau (1992) p. 64-65. The 1990 CIA World Factbook estimated 1989 GDP in Panama at \$3.9 billion. "Panama Economy – 1990," CIA World Factbook, http://www.theodora.com/wfb1990/panama/panama_economy.html.

¹³ Bruce Watson & Lawrence Germain (1991) "Chronology" in Watson & Tsouras (1991) p. 193-197.

¹⁴ Watson & Germain (1991) p. 197-202. Also, see: Philip Shenon (1988) "Noriega Indicted by U.S. for Links to Illegal Drugs) *The New York Times*, February 6, 1988.

Based on Noriega's indictment in the United States on antiracketeering and anti-drug laws in 1987, the U.S. military began making plans in 1988 to combat a hostile Panama if Noriega decided to take offensive actions against U.S. personnel or assets located in Panama.¹⁵

Noriega's overruling of the democratic elections in May 1989 further escalated the confrontation. On December 17, 1989, Panamanian Defense Forces killed a U.S. Marine at a roadblock in Panama. The escalation finally reached its tipping point and President George Bush enacted the military campaign plans for Panama.¹⁶

In the first iteration of military campaign planning concluded on March 4, 1988, code-named Elaborate Maze, the end state was centered on removing Noriega from power; however, this early plan did not include any stabilization and reconstruction – or post-conflict state-building – component.¹⁷ What came after Noriega? “What was missing from OPORD [operations order] Elaborate Maze was any plan for restoring order and services to postwar Panama and for providing support to the new government until it was able to discharge its duties effectively.”¹⁸ General Fred Woerner, Commanding General of U.S. Southern Command (SOUTHCOM), recognized this absence of post-conflict planning and ordered revisions to the planning as early as the spring of 1988. Later planning cycles, from Operation Krystal Ball to Blind Logic to Promote Liberty, recognized the post-conflict responsibilities; however, these planning efforts were largely disregarded by General Woerner's successor General Thurman.

Operation Promote Liberty, the post-conflict planning enacted by the military in December 1989, did recognize that the United States faced a state-building mission following Operation Just Cause. More building than re-building, more construction than reconstruction, “a review of the Panamanian political setting prior to 1989 reveals that restoration was an inaccurate description of what was to take place following the destruction of the PDF and removal of Noriega. While the Panamanian government had been based on a constitutional framework

¹⁵ Lawrence Eagleburger (1989a) “Statement on August 31, 1989,” *Press Release 164*, Washington, D.C.: U.S. Government Printing Office, http://findarticles.com/p/articles/mi_m1079/is_n2152_v89/ai_8355317/print.

¹⁶ “The US government stated four legal bases for Operation Just Cause: Article 51 of the United Nations charter recognized the inherent right of self-defense; Article 21 of the Charter of the Organization of American States prohibited Panama from using force or military pressure against US citizens; Article IV of the 1977 Torrijos-Carter Panama Canal Treaty allowed the United States to ‘protect and defend the (Panama) Canal;’ the legitimately elected government of Panama welcomed the US intervention.” Kevin Govern (2004) “Sorting the Sheep from the Wolves,” *Military Police*, October 2004.

¹⁷ Lawrence Yates (2005) “Panama, 1988-1990: The Disconnect between Combat and Stability Operations,” *Military Review*, May-June 2005, p. 46.

¹⁸ Yates (2005) p. 47.

and electoral process, it would be erroneous to refer to a democratic legacy that could be restored. ... Missing in Panama was a democratic tradition, a professional civil administration, a non-politicized military, and a civic culture.”¹⁹ U.S. state-building policies would not be returning a state to its democratic past; rather, it was forming the new structures of a newly established “democratic” state, reflecting the U.S. foreign policy goals as stated by President Bush in NSPD 21.

Although there were contributions from other parts of the U.S. government, Operation Promote Liberty – a U.S. military plan – was the major force behind post-conflict state-building in Panama in 1990. The State Department and other civilian interagency partners only started the planning processes for post-conflict operations on December 20, 1989.²⁰ This chapter assesses Operation Promote Liberty and other post-conflict operations by the U.S. government following U.S. military operations during Operation Just Cause. To understand U.S. government post-conflict operations, it is necessary to evaluate parts of Operation Just Cause and engage in a limited discussion regarding this operation. Beyond the Defense Department initiatives through Operation Promote Liberty and other related missions, the study assesses the role of the State Department and Congress in post-conflict Panama from December 1989 to December 1990. The categories of analysis – structural, resource, and policy – provide a construct to assess the key policy and operational issues within each institution regarding post-conflict state-building in Panama.

¹⁹ Schultz (1993) p. 11, 27. For the State Department’s view of conditions in Panama before and immediately after the U.S. invasion, see: Bernard Aronson (1991) “Panama - road to recovery - statement by Assistant Secretary Bernard W. Aronson before the House Subcommittee on Western Hemisphere Affairs” *U.S. Department of State Dispatch*, August 5, 1991, Washington, D.C.: U.S. Government Printing Office.

²⁰ David Hoffman and Bob Woodward (1989) “President Launched Invasion with Little View to Aftermath,” *Washington Post*, December 24, 1989, A1.

Defense Department

The Defense Department was the most significant institution in the 1989-1990 Panama operations – conflict and post-conflict. In many respects, the Defense Department was *the* institution; no other institution was involved significantly in the planning process nor did another institution have the capabilities, resources, or structure to be able to deploy resources to support U.S. government foreign policy goals. Head of the Military Support Group Colonel James Steele, the person who would ultimately be responsible for military efforts in post-conflict state-building in Panama by mid-1990, accurately described the relative size of the Defense Department role, stating, “It [the Panama post-conflict operations] pits the practical against the theoretical... Either the military would do it [in Panama] or it would not get done.”²¹

The post-conflict mission in Panama was acknowledged by some in the Defense Department, particularly the civil affairs community, as a critical component of the overall mission. Yet acknowledgement of the post-conflict tasks did not directly translate into the Defense Department as an institution taking responsibility to carry out these tasks. The following subsections provides an institutional analysis that assesses the structural, resource, and policy issues within the Defense Department regarding its efforts in post-conflict state-building in Panama.

Structural

Overview of planning and key actors

A Joint Chiefs of Staff Planning Order officially commenced the contingency planning on February 28, 1988.²² Contingency planning for Panama began in SOUTHCOM when Commanding General Woerner tasked US Army South (USARSO) to outline options for intervening in Panama. Operations Plan 90-2, combat operation contingency planning for Panama, existed under the code name “Blue Spoon,” which became “Just Cause” shortly before the plans were enacted. Planning was conducted by SOUTHCOM, the regional combatant command for Latin America. Within SOUTHCOM, the J3 (Directorate of

²¹ Richard Schultz interview with Colonel James Steele, p. 8 in Richard Schultz (1993) p. 86.

²² Schultz (1993) p. 30. See: Flanagan (1993) p. 47 for further details and a review of the operations goals.

Operations) handled initial planning. Planning was revised on several occasions and executing authority for the plan was given to Joint Task Force (JTF) – Panama within the XVIII Airborne Corps.²³ The head of JTF-Panama reported directly to the SOUTHCOM Commander.

Although initially not included and later disregarded, post-conflict planning existed in several forms and code names for Panama. The sequence of code names was:

Krystal Ball → Blind Logic → Promote Liberty

By April 1988, the different phases of planning for conflict and post-conflict operations became a family of plans known as Prayer Book.²⁴ The first iteration of Krystal Ball planning was completed in August 1988. Post-conflict planning was reviewed in January 1989 and the code name changed to Blind Logic. Blind Logic was reviewed again in May 1989 and then changed to Promote Liberty just before being executed in December 1989.²⁵ SOUTHCOM J5 (Directorate of Planning) orchestrated the post-conflict planning and largely held execution responsibility until overall command responsibility was handed over to USARSO on December 12, 1989. The unusual step of having a J5, which is typically responsible for planning *only*, to be tasked to execute a plan is indicative of the lack of priority that the post-conflict operations received in Panama contingency planning. Although SOUTHCOM J5 planning for Panama was led by the Commander of the Civil-Military Operations Task Force (CMOTF), a position acutely aware of the political-military nature of these operations, the J5 (Directorate of Planning) was not equipped to lead the operational stages of its planning.

General Woerner developed two iterations of a more coordinated political-military campaign plan, titled Fissures and Fissures II. Fissures plans were considered an “integrated, holistic plan that could not be executed piecemeal.”²⁶ The plans were designed to create internal divisions within the Panamanian leadership – specifically, to separate Noriega from the PDF

²³ Thomas Donnelly, Margaret Roth, and Caleb Baker (1991) *Operation Just Cause: The Storming of Panama*, New York: Lexington Books, p. 101.

²⁴ Flanagan (1993) p. 47.

²⁵ Schultz (1993) p. 31-32.

²⁶ Anthony Gray and Maxwell Manwaring (1998) “Panama: Operation Just Cause,” p. 48 in Robert B. Oakley, Michael J. Dziedzic, and Eliot M. Golberg (1998) *Policing the New World Disorder: Peace Operations and Public Security*, NDU Press: Washington, D.C.

and civilian leadership – in order to oust Noriega without direct U.S. military intervention. However, Woerner received instructions from the Joint Staff to compartmentalize the planning between combat and post-conflict operations. Operation Just Cause (initially called Blue Spoon) and Operation Promote Liberty (initially called Krystal Ball and Blind Logic) formed the basis of this set of contingency plans for Panama, initially referred to as Prayer Book.²⁷

From the December 1989 invasion through the more stable post-conflict environment in early 1990, the Defense Department remained the only U.S. government institution capable of establishing a comprehensive post-conflict plan. Even before more well-developed post-conflict plans were developed in May 1990, *Fuerzas Unidas*, a “nation-building exercise ... that include critical farm-to-market road-building and improvement, and work on clinics, schools, and other public facility structures” was signed between the U.S. military (combined SOUTHCOM, U.S. Army South, and Civil Affairs Task Force) and Panama’s Ministry of Public Works in 1990.²⁸ The military had the capacity to quickly react to the situation, develop a plan, and provide resources for the post-conflict operations.

Planning processes did not directly link command responsibilities and resources within the Defense Department to the implementation of the post-conflict plan. In short, nobody owned the post-conflict plans. The coordination between planners and executors was neglected until the last moment, demonstrating a lack of priority for the post-conflict planning. General Thurman, who replaced General Woerner in September 1989 as Commanding General of SOUTHCOM, did not provide the implementing agent – USARSO – any time to work with and adjust the post-conflict plans. The Chief of Staff of USARSO had reservations about the post-conflict plans, yet he received these plans five days before he was given the order to execute the plans (December 17) and eight days from actual implementation (December 20). This lack of time to sufficiently modify and alter the plan to the operational realities reflected the poor planning processes and lack of priority placed on the post-conflict state-building tasks. On a more senior level, the Chairman of the Joint Chiefs of Staff (CJCS) viewed the final version of Blind Logic (soon to be changed to Promote Liberty) on December 20. The

²⁷ John Fishel (1992) *The Fog of Peace: Planning and Executing the Restoration of Panama*, April 15, 1992, Carlisle, PA: Strategic Studies Institute, U.S. Army War College, p. 7. Gray & Manwaring (1998) p. 47-48.

²⁸ Edward Dandar (1991) “Civil Affairs Operations” in Watson & Tsouras, eds. (1991), p. 130.

CJCS did not sign officially sign off on the post-conflict strategy and plans until the day after the intervention.²⁹

A considerable structural error in post-conflict Panama planning was the operational role of SOUTHCOM J5. On December 20, General Thurman assigned the head of CMOTF, Brigadier General Bernard Gann, to execute Operation Promote Liberty while reporting to Chargé de Affaires John Bushnell.³⁰ The lack of an attendant implementation unit for post-conflict planning to support J5 planners exposed a major structural problem within the Defense Department for post-conflict Panama. A planning directorate was ordered to take on an operational agency role. SOUTHCOM J5, the planning arm of the geographic combatant command, is not supposed to be responsible for executing plans; however, Thurman ordered the J5 to execute the post-conflict plan. The more important point, however, is that the J5 was not being supported by the other critical parts of the military that could have provided personnel and resources to carry out the J5 post-conflict plans. No personnel from any of the directorates within SOUTHCOM were assigned to the post-conflict phases of the plans. There was a huge missing link between planning and execution of post-conflict planning, which was only (partially) addressed once the operation had been launched and Thurman assigned USARSO as the agent responsible for executing the plans.³¹

To support the post-conflict operations, the Military Support Group (MSG) was established on January 17, 1990 and given a one-year mandate.³² In practice, the MSG was *the* coordinating body for the U.S. government's post-conflict plan, supplanting the role of the U.S. Embassy and country team, largely because those structures did not exist or were poorly staffed and resourced.³³ The MSG mission was "to conduct nation building operations to ensure that democracy, internationally recognized standards of justice, and professional public services are established and institutionalized in Panama."³⁴ Beyond rhetorical platitudes, the MSG made the first attempt at providing an overall strategy for post-conflict state-building in Panama, developing what would be known as the *Panama Strategy*.³⁵

²⁹ Gray & Manwaring (1998) p. 51. Schultz (1993) p. 53.

³⁰ Fishel (1992) p. 33.

³¹ "While he [General Thurman] is right in arguing that a planning agency should not have an operational mission, this went unnoticed in Blind Logic until the last minute." Schultz (1993) p. 53.

³² Schultz (1993) p. 79, 125. The MSG would stand down, according to its one-year mandate, on January 1991.

³³ Schultz (1993) p. 76.

³⁴ *U.S. Military Support Group Panama: Envision the Future ... Then Make it Happen* (1990), April 1990, cited in Schultz (1993) p. 60.

³⁵ See: p. 124 for information on *Panama Strategy*.

Organizationally, the MSG initially reported to Lieutenant General Stiner, who headed the ad hoc JTF-Panama within USARSO. After Just Cause concluded on January 31, 1990, the MSG reported to the top leadership of USARSO and SOUTHCOM, including daily briefings to SOUTHCOM Commander General Thurman.³⁶ Six weeks after the invasion, SOUTHCOM senior leadership began managing the post-conflict planning. Yet, the MSG was relegated to a lower command within SOUTHCOM for the entire lead-up to the invasion and the beginning of the post-conflict period. There is a fundamental question: why was the MSG and post-conflict planning not managed by General Thurman from the outset?

Bifurcation of conflict and post-conflict planning and strategies

On Dec. 17, 1989, at Fort Bragg, N.C., the operations officer of the 7th Special Forces Group asked a desk officer on the staff of United States Army's 1st Special Operations Command to send a message to the 'highest levels' to call attention to a serious flaw in the U.S. plan to invade Panama. The operations officer explained that there was no synchronization between the plan (code-named Blue Spoon) to destroy the Panamanian Defense Force, or PDF, and the plan (code-named Blind Logic) to restore the government of Panama under the democratically elected President Guillermo Endara. ... The operations officer predicted chaos ... few government agencies would be able to function after the cessation of his gangster-like regime.³⁷

On the eve of invading Panama, a low-level operations officer identified critical problems that were the consequences of a structural condition – the bifurcation of conflict and post-conflict planning – that existed since the initial Panama contingency planning began in February 1988. The initial plans for Elaborate Maze, developed February-March 1988, included no post-conflict stabilization and reconstruction operations.³⁸ There was a structural disconnect between Blue Spoon (later Just Cause) and Blind Logic (later Promote Liberty). From a planning perspective, the military had not considered the post-conflict state-building to be part of the larger warfighting strategy and broader campaign plan. The military recognized the dangers of the bifurcation. As stated above, General Woerner required post-conflict operations to be included in the warfighting plans as early as spring 1998. However, structural and other constraints prevented this problem from being resolved throughout the planning processes leading up to invasion.

³⁶ Schultz (1993) p. 109.

³⁷ Geoffrey Lambert (2004) "Major combat and restoration operations: a discussion," *Special Warfare*, February 2004, paragraphs 1-2.

³⁸ Fishel (1992) p. 7-8.

Early in the planning process for Panama, “The plans subsumed under Prayer Book [the first round of Panama contingency planning] were divided into two general, separate, and largely uncoordinated categories. One focused on the use of military force and the other on post-conflict restoration.”³⁹ Early post-conflict planning under the code name Elaborate Maze also established the bifurcation between combat and post-conflict operations. “Elaborate Maze [operations] was intended to be integrated into the comprehensive combat plan; however, the *overall plan was divided between three phases and the interaction within these phases during the planning processes was nearly non-existent*, nor was there any consideration of the other plans with respect to the goals stated in the planning being created.”⁴⁰ Planning for combat and post-conflict operations were housed in different directorates (J3 for combat, J5 for post-conflict) and interaction was limited. “This bifurcation of the planning process had serious, if unintended, consequences during implementation.”⁴¹ The combat plans were classified and compartmentalized so highly that the civil affairs planners involved in post-conflict planning could not have access to the combat plans.⁴² This separation did not just cause an inconvenience. On a strategic level, the goals were not synchronized between combat and post-conflict phases. On planning and operational levels, resources were not aligned to overall strategic priorities. A U.S. government national strategy did not exist for post-conflict Panama until over five months into the post-conflict operations when the Military Support Group (MSG) established the *Panama Strategy*. Even with the MSG, the strategy and outlook was largely combat-centric, from the resources and personnel participating in the planning to the execution of the strategy.

Despite the evidence that the conflict and post-conflict operations were separated, the limited rules of engagement (ROE) were one indication that the military understood that combat operations set the stage for post-conflict state-building operations. Lorenzo Crowell argued, “Full application of all available U.S. firepower while holding down U.S. casualties and destroying the PDF would also create large numbers of Panamanian casualties and resultant bitter feelings against the United States. It would also exacerbate the Endara government’s legitimacy problems created by its birth at the point of U.S. bayonets.”⁴³ The strict ROE

³⁹ Schultz (1993) p. 30-31.

⁴⁰ Yates (2005) p. 47. Emphasis added in italics.

⁴¹ Schultz (1993) p. 31.

⁴² Fishel (1992) p. 10.

⁴³ Crowell (1991) p. 81.

implicitly acknowledged that there were post-conflict goals that would largely be achieved by non-military means, yet would be directly affected by the conduct of the military operations.

The most significant consequence of the bifurcated planning between combat and post-conflict operations was the subordination of the post-conflict planning. “Bifurcation of the planning process into warfighting and post-conflict restoration ensured that the former [warfighting] would receive much closer attention than the latter [post-conflict restoration] and that integration would suffer. ... Bifurcation turned post-conflict restoration into an afterthought.”⁴⁴ The major combat operations in Operation Just Cause were considered to be widely successful; however, these operations were *the* priority for Panama contingency planning. The lack of planning, resources, and personnel devoted to post-conflict operations established conditions that resulted in a lack of strategic clarity, operational ineffectiveness, and an overall disorganized environment for U.S. government operations in post-conflict Panama.

In addition, the structural separation of conflict and post-conflict reveals an important perspective on how military actors conceptualize the post-conflict operations. In many regards, the conflict / post-conflict separation is purely artificial. Roles, responsibilities, and mission sets do change between these two large sets of operations; however, the idea that there is a clear separation between conflict and post-conflict is false. Logistically, Operation Just Cause began at 1:00 a.m. on December 20, 1989. The follow-on “post-conflict” operations, Operation Promote Liberty, started shortly thereafter in the morning of December 20, 1989, even though Operation Just Cause did not conclude until January 31, 1990.⁴⁵ In fact, these operations were more simultaneous, less sequential.⁴⁶ Bifurcating the planning processes reaffirms the conception that combat and post-conflict operation sets should be distinct and separate. While there are distinct and separate mission sets, the operations would necessarily be conducted simultaneously. At the very least, the post-conflict operations must be organized within the constructs – and limitations – of the combat operations.

⁴⁴ Schultz (1993) p. 37-38.

⁴⁵ Fishel (1992) p. 33.

⁴⁶ Yates (2005) p. 51. Yates further questions, ““But, amid the successful outcome of Operations Just Cause and Promote Liberty, one nagging question remained: Would a disconnect between combat and stability operations in a future conflict lead to greater chaos over a longer period and with less satisfactory goals?” Yates, p. 52.

Relating the Just Cause – Promote Liberty divide to the theoretical basis of this study, the bifurcation of the planning process demonstrates the lack of understanding that post-conflict operations flows directly out of the conflict environment. As argued in Chapter 2, state-building is part of the warfighting process. When state-building is *structurally* separated from combat operations, conceptual failures lead to operational failures.

Institutional focus regarding combat and post-conflict operations

Framed within a broader context, an analysis of Panama operations provides an insight into whether or not the Defense Department considers state-building to be part of its mission set. Is state-building part of the core mission of the Defense Department? From the Federal Code of Regulations to its current doctrine, post-conflict operations are a part of the military's mission set.⁴⁷ However, in practice, what is the priority of post-conflict operations? Assessing the Defense Department's institutional focus (or lack thereof) on state-building provides one indication as to whether it considers post-conflict operations to be a core part of its *raison d'etre*.

The institutional focus of the Defense Department in Panama planning processes was clearly on the combat operations, to the neglect and detriment of the post-conflict phase. Post-conflict operations were of secondary importance, if even considered at all, for Panama contingency planning. There were reportedly three different options for military operations in Panama: overwhelming force to convince Noriega and associates that they had no chance of survival; special forces raid to capture Noriega; or troops stationed in Panama seize PDF headquarters. President Bush selected the first option, in part because he believed that the overall conflict would be less prolonged. However, none of these options considered the post-conflict operations. What were implications on post-conflict operations from the decisions made regarding combat operations?⁴⁸

Despite the institutional focus toward combat operations, the military does conceptually understand the role of stability operations, which includes post-conflict state-building, within warfighting. "The [XVIII Airborne] corps regarded stability force operations as an integral

⁴⁷ *Code of Federal Regulations*, Title 32, Volume 2, Section 368.6. *CFR* notes "the initial establishment of military government" as one of the Army's main functions. Department of Defense – Joint Chiefs of Staff (2006) *Joint Publication 3-0: Joint Operations*, September 17, 2006.

⁴⁸ Crowell (1991) p. 68.

part of any campaign, not separate operations in themselves. Their objectives should be in support of specific operational goals, such as reestablishing governmental infrastructures.”⁴⁹ The XVIII Airborne rejected the Prayer Book plans, specifically the stability operations included in Krystal Ball [later Blind Logic] as incomplete and lacking specificity. From the initial plans, there was an institutional acknowledgement of the importance of stability operations and a realization that the plans did not make adequate provisions for this component of the operations. Yet, it did not receive the attention, rigorous review, or resources to formulate and enact a suitable plan. Stability operations were an afterthought.

Acknowledging the lack of post-conflict planning in spring 1988, General Woerner worked to establish stabilization and reconstruction plans. However, when General Thurman took over command of SOUTHCOM, he did not share this priority with General Woerner. Recalling his thought process as the preparation for Panama contingency planning heightened, General Thurman, the new Commander of SOUTHCOM, stated, “I did not even spend five minutes on Blind Logic [the post-conflict plans] during my briefing as the incoming CINC in August. ... The least of my problems at the time [September 1989] was Blind Logic ... We put together the campaign plan for Just Cause and probably did not spend enough time on the restoration.”⁵⁰ State-building was not conceptualized as part of the comprehensive warfighting process.

Institutional focus gets at the core of institutional identity. “The military defines itself, almost exclusively, as either deterring or fighting and winning wars. Civil-military operations and those elements of the force structure that engage in them are not judged as being very important. ... [or an] enduring element of U.S. military culture.”⁵¹ The post-conflict operations are not part of the core functions of the military according to this perspective. From a pure combat operations outlook, some described the Panama operations as a complete success and a model for future operations, neglecting any analysis of post-conflict operations. One analyst stated, “One cannot help but wonder why the campaign has not been enshrined as a paradigm for the American way of war.”⁵² This perspective focused the mission and purpose of the U.S. military squarely on major combat operations, not acknowledging responsibilities related to post-conflict state-building operations. The major

⁴⁹ Donnelly, Roth, and Baker (1991) p. 25.

⁵⁰ Schultz (1993) p. 32.

⁵¹ Schultz (1993) p. 38.

⁵² Donnelly (2000) paragraph 1.

combat operations were an overwhelming success; however, the mission did not conclude at that point. Reflecting a similar perspective that focuses on the major combat operations, General Thurman stated,

The warfighting elements are mainly interested in conflict termination as opposed to post-conflict restoration, which is admittedly a problem for us in the military establishment. If I had been the XVIII Corps commander, I might have very well said Blind Logic is going to be residual...My task is to conduct the strike force operation and get out. I think the proclivity was to leave the fighting to the warfighter and the restoration to the people who were in country. SOUTHCOM should have been more attentive to the transition from one phase to the other, but I readily admit it was the last priority on my agenda at the time.⁵³

Thurman's quote starkly divides the operation into conflict and post-conflict, military and non-military. Warfighting does not include post-conflict state-building according to Thurman's distinctions, reflecting one considerable line of thought within the military. The goal is a linear battle victory – conquering land X. As Thurman said, “conduct the strike force operation and get out.” The operation was enemy-centric, not population-centric. The question remains, though: who does Thurman think would handle the transition? Thurman's quote provides one perspective into the Defense Department's institutional focus: combat operations only. Affirming this point, a liaison officer working on U.S. Army doctrine in April 1990 wrote,

Where do we train an infantry or artillery battalion to run a city, take care of prisoner/refugees, feed and police the populace, and operate the public utilities? Super effective execution of METLs [mission-essential task lists] was the norm for all units involved in [Operation] Just Cause. But they had to chart new ground as they faced real challenges in conducting foreign internal defense (FID), civil affairs (CA), civic action, and psychological operations (PSYOP). We had combat (direct action) units working in the political, economic, and social (or indirect) arenas. When, where, and how do we prepare conventional Army forces to do this? They knew what they were sent here to do: protect U.S. lives and property as effectively as possible. They did. They were, however, given no warning order for a follow-on nation-building mission. If they had been, how would they have prepared? What is the METL?⁵⁴

The officer raises many important points, such as how to prepare forces to do such “nation-building” tasks; however, the officer's inclination is clearly to limit the mission-essential tasks to kinetic combat operations. The goals are limited – “protect U.S. lives and property.” State-building objectives were not articulated as goals, nor operationalized as such.

⁵³ Schultz (1993), p. 39.

⁵⁴ Yates (2005) p. 52.

Institutional focus relates directly to defining the goals or objectives of an operation, which is a key part of the “policy” subsection in this chapter. Does the Defense Department mission end with the combat phase or extend into the post-conflict phase?

Logistical and bureaucratic obstacles

Aside from meta-level, existential questions, there are also more operational, logistical challenges within the Defense Department’s efforts to participate in post-conflict state-building. Operational security (OPSEC) – keeping confidential materials safe – was a key concern for military planners. This safeguarding led to a compartmentalization of the planning efforts even within the Defense Department, which limited coordination, cooperation, and even awareness of the planning. “Only a few high-level SOUTHCOM officers were aware of the contents of both plans [combat and post-conflict] or understood the way the two were meant to interact in the event of hostilities.”⁵⁵ On a broader U.S. government level, civilians were not included in the planning. A Joint Staff officer said, “we do not share information with other U.S. government entities because we cannot trust them to maintain operational security.”⁵⁶

Personnel flows also affect implementation of post-conflict plans. Ambassador Deane Hinton, who arrived in Panama in early January 1990, was not involved in the Panama contingency planning efforts as he was U.S. Ambassador to Costa Rica until days before going to Panama in January 1990. Hinton stated, “I had no clue at all, arrived here with a disorganized Embassy staff, no AID at all, a few local employees ... *No resources and a mandate to fix things.*”⁵⁷ Civilian departments were not included in conflict or post-conflict planning, yet were being relied upon to be able to carry out missions that they did not know they were responsible for nor had resources to achieve.

Within the military, there were logistical obstacles as simple as different locations for different parts of the planning. JTF-Panama was housed in SOUTHCOM in Florida whereas the XVIII Airborne was in North Carolina. As JTF-Panama was preparing for post-conflict phases, there was a lack of communication in the planning processes with the combat

⁵⁵ Yates (2005) p. 47.

⁵⁶ Schultz interview with Lt. Col. Dennis Barlow, June 18, 1992, cited in Schultz (1993) p. 37.

⁵⁷ Schultz (1993) p. 127. Emphasis added in italics.

planners. There was confusion as to whether SOUTHCOM or the XVIII Airborne had responsibility for post-conflict planning. The XVIII Airborne focused principally on the combat operations, neglecting the post-conflict phase. Additionally, with responsibilities for post-conflict operations transferred to the XVIII Airborne on December 12, the logistical hurdles to review and prepare for the post-conflict in a little more than one week was not realistic.

Personnel issues created structural challenges for post-conflict state-building in Panama. The Defense Department relied heavily upon civil affairs reservists, who were performing short tours of duty, for both the planning and operational execution of the post-conflict state-building. Compounding the OPSEC concerns and other continuity issues, relying on reservists to conduct state-building sidelined the bulk of the military forces available. In Operation Just Cause, a principally Army-led operation, there were 22,000 Army soldiers supported by 700 Navy, 900 Marines, and 3,400 Air Force personnel.⁵⁸ Moreover, there was a planning assumption that the SOUTHCOM J5 would serve as Commander of the Civil Military Operations Task Force (CMOTF). Planners are not commanders in the Defense Department hierarchy and structure. This oversight reflects the structural challenge and overall low priority given to post-conflict state-building operations. Nobody “owned” the post-conflict plans; consequently, the post-conflict operations were neglected.

Approaching this case from Allison’s Model III analysis (bureaucratic politics), high-level personnel changes influenced Panama contingency planning. On September 30, 1989, General Thurman replaced General Woerner as Commander of SOUTHCOM. On October 1, 1989, General Powell replaced Admiral Crowe as Chairman of the Joint Chiefs of Staff. “Crowe and Woerner opposed the use of American troops to solve the Noriega crisis. Powell and Thurman were willing to use force under certain conditions, but felt that these conditions did not characterize the Giroldi coup.”⁵⁹ Personnel changes influence policy outcomes. Beyond these senior level changes, the broader institutional neglect of post-conflict planning by leadership, particularly at SOUTHCOM, reflected priorities throughout those the military engaged in Panama planning and operations.

⁵⁸ Ronald Cole (1998-99) “Grenada, Panama, and Haiti: Joint Operational Reform,” *Joint Force Quarterly*, Autumn/Winter 1998-1999, p. 60.

⁵⁹ Gilboa (1995-1996) p. 556. On October 3, 1989, PDF Major Moises Giroldi orchestrated a coup to overthrow Noriega with limited U.S. cooperation. Although Giroldi did capture Noriega, the coup was overturned and the coup leaders were executed by Noriega. Fishel (1992) p. 4.

Resource

Priority of resources

Resources reflect priorities. And the priority of the resources reflects the importance placed on certain missions. General Thurman exhorted civil affairs units to help the government of Panama “in any way possible,” yet resources did not reflect this command. Resources – both personnel and financial – were focused primarily on combat operations related to Operation Just Cause to the neglect of state-building operations in Operation Promotion Liberty. Lieutenant General Stiner stated, “Don’t worry about the civilians till after Blue Spoon [later called Just Cause]. We’ll be busy neutralizing the PDF.”⁶⁰ “He [Stiner] observed that there was a great warfighting plan but insufficient attention to post-conflict strategy.”⁶¹ Personnel and financial resources were not devoted to the planning or the execution of post-conflict operations in Panama.

Again, there is a question as to whether or not the Defense Department should be devoting resources to post-conflict planning and operations. Is it part of their mission? Is it part of warfighting? Ronald Cole, a historian who wrote the Joint Chiefs of Staff history of Operation Just Cause, stated,

Defense reform and strong leadership have gone far in solving the strictly military problems that marred earlier joint operations. Yet neither a streamlined chain of command nor strong military leadership can compensate for the inadequacy of non-DOD agencies’ resources for and inexperience with post-Cold War contingency operations. If the situation persists, the CINCs and their joint warfighters will repeatedly be asked to provide DOD resources to accomplish the political-military activities traditionally performed by domestic and international civilian organizations.⁶²

Cole does not view the post-conflict state-building tasks as within the military’s purview of conflict-related operations. Simply stated, Defense Department resources should not be used to plan for or conduct post-conflict operations, according to this line of thinking. The Joint Staff rejected on three separate occasions the formation of a joint civil affairs committee in

⁶⁰ Yates (2005) p. 49.

⁶¹ Schultz (1993) p. 39.

⁶² Cole (1998-1999) p. 64.

Panama contingency planning.⁶³ Post-conflict operations were not a priority. Post-conflict state-building tasks did not receive the policy priority nor the subsequent personnel or financial resources to conduct state-building operations in Panama.

Length of commitment

Operation Promote Liberty ultimately existed for one year; however, the initial conceptions of the post-conflict state-building responsibilities were not clear and not necessarily as long as a one year commitment. The length of commitment, even for the civil affairs units, was very limited, at times less than one month. While the tasks to be achieved were both complex and numerous, the civil affairs units passed responsibilities to the U.S. embassy as early as January 1990. “39-day volunteers” in the Civil Affairs Reserve Units were rotating out of Panama by January 1990, causing severe problems with continuity of effort.⁶⁴

SOUTHCOM civil affairs planners estimated that the U.S. military commander would oversee a military government for 30 days.⁶⁵ In the initial planning for post-conflict contingency operations, General Woerner stated that the military government option should plan for a 30 day or less occupation period where the SOUTHCOM Commanding General would be in charge of Panama.⁶⁶ The biggest assumption here is that at the conclusion of the 30 days, the Defense Department would be able to transfer responsibility to the U.S. embassy or a Panamanian government.⁶⁷

There is an assumption that the military would have a post-conflict role, as demonstrated by the idea that the planning for the U.S. military oversee a military government for 30 days; however, there is no conception of what the related tasks would be and how long these tasks would take to achieve. There is an underlying assumption that the state-building tasks would either be easily achieved, that someone else could achieve them, or that at least someone else was responsible for the tasks.

⁶³ Schultz (1993) p. 40

⁶⁴ Dander (1991) p. 128-129.

⁶⁵ Yates (2005) p. 47.

⁶⁶ Fishel (1992) p. 8.

⁶⁷ Expanding upon the length of commitment by the U.S. military, Richard Schultz stated, “Civil-military operations (CMO), the focus of SCJ5 planners, were seen as a short term proposition and not as part of a broader political military strategy. It was assumed that following a brief period--thirty days--responsibility for supporting restoration would be transferred to the Embassy. Moreover, planners also anticipated that there would be a functioning civilian government in place.” Schultz (1993) p. 34.

Disconnect between goals and resources

There was a major disconnect in the Defense Department between stated goals, particularly what was included in plans, and the resources devoted to achieve post-conflict state-building goals. Defense Department operational plans were based on mission statements devoted to restoring law and order and installing a U.S.-recognized government. However, the plans did not have an extensive list or understanding of the related mission-essential tasks for post-conflict state-building to achieve these limited goals.⁶⁸

As post-conflict plans were executed, U.S. forces originally positioned for stabilization missions were moved to combat missions. “Troops that would have been ideally positioned for stability operations in the commercial and residential center of Panama City under Woerner’s plan had been redirected, under Thurman and the Corps’ plan, to attack enemy targets on the periphery of the city.”⁶⁹ In addition, financial resources were diverted from post-conflict state-building operations. The Defense Department cut-off of the use of operational funds for restoration purposes in Panama on January 20, 1990.⁷⁰

More broadly, the Defense Department’s commitment to institution-building as part of post-conflict state-building is uncertain at best, limited to non-existent at worst. In post-conflict planning, even ad hoc post-conflict planning with the Military Support Group, the length of commitment to long-term engagement to conduct state-building operations was limited to the Military Support Group’s mandate of one year. While a difference should be noted between post-conflict state-building and long-term state-building (and development), this commitment is not even as long as most post-conflict state-building operations in recent history.⁷¹

⁶⁸ Yates (2005) p. 49. See: “Policy” section below.

⁶⁹ Yates (2005) p. 46, 49.

⁷⁰ Fishel (1992) p. viii

⁷¹ “The record suggests that, while staying long does not guarantee success, leaving early ensures failure. To date, no effort at enforced democratization has taken hold in less than five years.” James Dobbins et al. (2003) *America’s Role in Nation-Building: From Germany to Iraq*, Santa Monica, CA: RAND, p. xxiv.

Personnel resources

Over 27,000 U.S. military personnel participated in Operation Just Cause, yet only 200 were civil affairs reservists.⁷² The 96th Civil Affairs Battalion, based in Fort Bragg, North Carolina, is the Army's only active duty civil affairs unit and deployed to Panama as a unit for Operation Just Cause.⁷³ The U.S. Army Reserve Civil Affairs Task Force was sent on December 26, 1989, including 25 volunteers. This task force was augmented by 118 Reservists who staffed the task force headquarters in Panama starting January 1, 1990. While these deployable capabilities are significant, the numbers were limited by choice as over 875 Reservists volunteered for the 25 spots on the Task Force and over 2,000 Reservists volunteered for the headquarters positions. With a lack of civilian personnel on the ground to support post-conflict state-building tasks, the civil affairs reservists comprised a bulk of the personnel for these tasks. With such few numbers, though, the civil affairs reservists were limited in what they could achieve.⁷⁴

The Civil Affairs personnel were assumed to be the responsible agents for executing the post-conflict contingency plans. However, personnel to plan and conduct the post-conflict state-building missions were severely limited. Planning the post-conflict Panama contingencies, the civil affairs branch of SOUTHCOM J5 (Directorate of Planning) had only four full-time Army civil affairs officers responsible for all of Latin America. Within this unit, though, Panama was only one of its many issues that span all of Latin America. During the actual conflict, less than one percent of the overall military personnel sent to Panama for Operation Just Cause were civil affairs officers. Moreover, Presidential authority was never enacted to call up individuals and units of the Selected Reserves involuntarily for up to 90 day tours.⁷⁵ Thus, a 137-person reserve unit rotated personnel every 30 days and troop were made available on a voluntary basis. Beyond these structural limitations and severe problems on continuity of planning, the reserves did not possess the expertise to establish a full post-conflict plan, including the related post-conflict state-building functions.⁷⁶ The number of civil affairs personnel, or lack thereof, demonstrated the priorities of the mission and the

⁷² Dander (1991) p. 127.

⁷³ Dander (1991) p. 127.

⁷⁴ Dander (1991) p. 127-128.

⁷⁵ Fishel (1992) p. 11.

⁷⁶ Schultz (1993) p. 41.

overall institutional focus of the military. The objectives were limited to kinetic combat operations, not civil affairs-related stabilization and reconstruction operations.

When conducting the actual operation, the level of personnel requested for post-conflict operations in the plans was 600 ideally, about five civil affairs reserve units. On the day of the operation, the JCS approved 200 volunteers. These troops formed the Civil Military Operations Task Force, yet they lacked ability to reshape the Panamanian Defense Forces, did not have a coherent organizational structure, and lacked the adequate personnel to achieve its mission. In the end, the civil affairs personnel were led by its Commander and five USARSO colonels.⁷⁷ The civil affairs forces were not integrated into the plan and did not have the personnel to function beyond a headquarters operation.

The personnel resources devoted to the planning and execution of the operation reflected a lack of understanding of the complexity of the mission and the large role that the U.S. military, particularly the civil affairs community, would have in post-conflict Panama. The military was the sole actor in the immediate post-conflict period, yet the military did not deploy the civil affairs personnel to conduct comprehensive post-conflict state-building operations.

Policy

What is the goal?

What was the U.S. government, specifically the U.S. military in this sub-section's analysis, seeking to achieve in post-conflict operations in Panama? "The first obstacle to effective planning was a lack of clarity over what restoration should encompass and realistically hope to accomplish."⁷⁸ A lack of *strategic* clarity regarding the goals of post-conflict Panama hampered the overall focus of the planning and inhibited the operational effectiveness of the mission. What exactly did restoring a democratic government in Panama entail? This strategic-level policy uncertainty regarding objectives contributed to failures regarding structure and resources as discussed above and the outcomes of the overall mission.

⁷⁷ Schultz (1993) p. 56-57.

⁷⁸ Schultz (1993) p. 32.

The mission statement of Operation Plan 90-2, Operation Blue Spoon (later Just Cause), included the objectives to “prepare to restore law and order, and support the installation of a U.S.-recognized government in Panama”⁷⁹ On the morning of December 20, 1989, the U.S. commander in Panama provided two objectives to the Joint Chiefs of Staff: “civil-military operations to stabilize the situation in Panama by restoring order and basic services; and civil affairs activities to support the new ‘democratic’ Panamanian Government U.S. authorities had put into place at the onset of the invasion.”⁸⁰ These mission statements, however direct, still provided enough room for interpretation to allow for strategic and operational uncertainty.

The military considered three broad strands of goals, at times overlapping. One strand interpreted the mission as removing Noriega, destroying the Panamanian Defense Forces, and quickly installing the Endara government. A second strand understood this first set of objectives, but saw a broader mission that included “restore law and order” and work to establish the functioning government institutions. A third strand, aware of the first two sets of objectives, also included a “democracy” element to the objectives, namely establishing democratic institutions and a democratic government in Panama.

The first strand most narrowly defined the Defense Department mission as “install and leave.” General Thurman represented this strand of thinking:

In Just Cause the initial operational military objectives fell into three categories: (1) destroying the combat capability of Panama Defense Force (PDF) units and seizing the lines of communication ...; (2) seizing facilities essential to the operation of the Panama Canal; and (3) apprehending Noriega and rescuing prisoners held by him.⁸¹

Military planners operationalized the larger strategic goals, but limited the military objectives to kinetic, combat operations, neglecting the post-conflict state-building responsibilities. “Soldiers, not bureaucrats, planned this operation. As a result, Just Cause appears to have been an overwhelming success at the operational level.”⁸² If only kinetic combat operations are within the “operational level,” Just Cause was successful; yet, this “success” failed to recognize the follow-on mission: post-conflict state-building.

⁷⁹ Yates (2005) p. 49.

⁸⁰ Yates (2005) p. 46.

⁸¹ Crowell (1991) p. 69.

⁸² Crowell (1991) p. 96.

The goal for Panama contingency operations according to Thurman was to destroy the PDF, quickly install a government, and leave.⁸³ Thurman's conception of the goal is firmly rooted in an offensive warfighting construct, not considering the "post-offensive" stability operations. General Thurman did not ask the questions about the post-conflict goal. As a Lieutenant Colonel stated in April 1990, "They [the soldiers] knew what they were sent here to do: *protect U.S. lives and property as effectively as possible*. They did. They were, however, given no warning order for a follow-on nation-building mission."⁸⁴ The "nation-building" mission, in fact, was in the original mandate from the initial planning in Elaborate Maze.⁸⁵ However, as combat plans developed, the resources and structures for the post-conflict state-building operations did not develop.

Plans that focused almost entirely on offensive military operations could be described as the "decapitation" thesis – eliminate the head and inner circle and the organizations and institutions of the state remains intact. However, in Panama, the requisite state institutions that were assumed to be there did not exist. The state was held together by Noriega and the coercive authority of the PDF; removing both of these centers of gravity established a vacuum for state functions.

General Powell's orders for Operation Just Cause were largely considered to be the overall mission for Panama. Just Cause properly focused on kinetic tasks: destroying the PDF, removing the Noriega regime, and capturing Noriega. However, the follow-on post-conflict state-building operations were neglected as the U.S. military only re-oriented toward post-conflict tasks with the establishment of the Military Support Group.

The second understanding of the post-conflict mission for the military in Panama included restoring law and order, re-establishing basic government services, and assisting the Endara government in establishing government institutions. This line of thought embraced post-

⁸³ Ronald Cole stated, "He [Powell] also encouraged Thurman to quickly install the legally elected government to discredit claims that Noriega still held office or that U.S. military rule was imminent." Cole (1998-99) p. 61.

⁸⁴ Yates (2005) p. 52.

⁸⁵ Flanagan (1993) p. 47. "Woerner's mission, according to the order [for Elaborate Maze], were to 'protect U.S. lives and properties in Panama, assure full exercise of rights accorded by international law, and be prepared to conduct noncombatant evacuation in a permissive or nonpermissive environment.' After detailed examination of 'Elaborate Maze' plans, both Crowe and Woerner found the plans wanting, because the plans did not consider and deal with the full panoply of possible contingencies."

conflict state-building as a critical part of the overall mission. The Civil Military Operations Task Force (CMOTF), for instance, assigned advisors to 12 of the 16 government ministries.⁸⁶ CMOTF attempted to lead the restoration of basic services and coordination of relief efforts and the U.S. government and other relief organization.⁸⁷ Yet the mission set remained limited, the timeframe restricted, and overall U.S. military participation was minimal.

A review of the Military Support Group (MSG) provides insights into the tension between different goals and interests in the Defense Department. The MSG, established in May 1990, provided the first opportunity to prioritize and plan systematically the relevant post-conflict operations. The MSG started with working assumptions that “rebuilding Panama will be a difficult task” and that “MSG could end up with the responsibility for ‘the establishment of stable democratic and economic institutions in Panama.’”⁸⁸ Representing the only functioning U.S. presence on the ground in the immediate post-conflict period, the MSG became the unit able to assist with building institutions and conducting state-building operations in Panama.

The MSG developed *Panama Strategy*, “an integrated U.S. government strategy ... [that] addresses the Ambassador’s goals, USSOUTHCOM’s supporting objectives, the capabilities required to achieve those goals and objectives, and the funding necessary to affect them.”⁸⁹ At surface level, *Panama Strategy* was an interagency effort; however, it was a military-led and military-executed strategy. Its goals included “a stable and democratic government in Panama supportive of U.S. interests” and “lasting reform and subordination of the Panamanian police force to legitimate civil authority”⁹⁰

These goals were commendable long-term goals; however, the goals did not reflect the structural and resource limitations within the military and the overall U.S. government. The MSG’s mandate only extended through January 1991, less than eight months from its establishment in May 1990. Further, the MSG’s *Panama Strategy*, the first comprehensive post-conflict strategy was established in May 1990 – five months after the conflict was

⁸⁶ Schultz (1993) p. 58.

⁸⁷ For a full overview of CMOTF, see: Fishel (1992) p. 33-42.

⁸⁸ Schultz (1993) p. 62.

⁸⁹ Schultz (1993) p. 77.

⁹⁰ Schultz (1993) p. 78.

initiated. Even at this point, the strategy was undermined by the lack of structure and resources to implement the plans, not to mention the disconnect between the long-term nature of the goals and the lack of institutional commitment to remain in Panama to enact these ambitious plans.

General Woerner made a clear distinction between two goals: removing Noriega and restoring democracy. “The removal of Noriega, though it was an absolutely essential first step, unto itself merely created a promotion potential for the next thug ... It didn’t change institutional attitudes. And secondly, ‘restoring democracy,’ as we mentioned, presumed the presence but temporarily displaced underpinnings of democracy. And I didn’t believe that they existed.”⁹¹ Woerner viewed the kinetic military operations as a first necessary step, but not sufficient to realize the strategic goals of the U.S. in Panama. While “restoring democracy” was not within the mission, Woerner implicitly points to the importance of including some form of post-conflict state-building within the warfighting mission. However, others took a more limited view of the U.S. military’s role in promoting democracy. “When the last of the invasion force returned to the United States in February, they left Panama in economic and social collapse, but with hopes for a stable democracy.”⁹² The role of the U.S. military, according to Donnelly, Baker, and Roth, did not include any post-conflict responsibilities. Giving the “the hopes for a stable democracy” was the limited mandate, according to these authors, not establishing efforts to conduct any post-conflict state-building operations to support the objective.

The third conception of the goal further expanded the campaign to include democracy promotion in Panama. NSPD 21, signed on September 1, 1989, emphasized the “establishment of a democratic government.” Shortly after the invasion began, a senior military official told the U.S. Senate, “We went down there [to Panama] ... with several objectives in mind, but the primary objective was the restoration of a democratic form of government in Panama. That was more important than anything else. I think it remains more important than anything else.”⁹³ However, the question is how far this commitment extended? Also, what does this rhetorical commitment mean in operational practice? The

⁹¹ Donnelly, Roth, and Baker (1991) p. 33.

⁹² Donnelly, Roth, and Baker (1991) p. 381.

⁹³ Senate Committee on Armed Services (1990) “1989 Events in Panama: Joint Hearings before the Committee on Armed Services and the Select Committee on Intelligence, United States Senate,” S. Hrg. 101-881, October 6 and 17; December 22, 1989, Washington, D.C.: U.S. Government Printing Office, p. 136.

Military Support Group also included a strong “democracy” goal in its mission statement, calling for “the establishment of stable democratic and economic institutions in Panama.”⁹⁴

As stated above, on the date of the invasion of Panama, the U.S. commander in Panama provided two objectives to the Joint Chiefs of Staff, which included efforts “to support the new ‘democratic’ Panamanian Government U.S. authorities had put into place at the onset of the invasion.”⁹⁵ Democracy promotion was within the framework of this mission.

The different conceptualizations of the goal in Panama demonstrate the wide variety in responses within the Defense Department to a fundamental question. There are, in fact, more than these three strands or schools of thought relating to the goal of post-conflict operations in Panama. However, the purpose of this subsection was to demonstrate how the strategic purpose of the post-conflict Panama mission was not as clear as one might have thought, which led to further operational level uncertainty and a lack of operational effectiveness in post-conflict operations in Panama.

Expectations of the post-conflict state-building tasks

Blind Logic was not suitable for the reconstruction of Panama because it did not accurately assess the dimensions of the task... [I]t was a plan based on the hope that life would quickly return to normal, people would go back to work, and schools would reopen. Unfortunately, this was a faulty premise. ... We ended up having to rebuild an entire government.⁹⁶

Planning for post-conflict Panama contingencies lacked the depth of knowledge of the environment and an understanding of what goals the U.S. military should seek to achieve. There was a disconnect between the expectations of a post-conflict operation and the actual planning for the post-conflict phase. By May 1990 and the establishment of the Military Support Group, expectations of the U.S. military role and overall goals were more clear; however, all initial planning had distorted expectations of both what to expect in Panama and what other U.S. government actors would be able to provide.⁹⁷ The initial plans considered

⁹⁴ Schultz (1993) p. 62.

⁹⁵ Yates (2005) p. 46.

⁹⁶ Schultz (1993) p. 35.

⁹⁷ In February 1990, the Civil Affairs Task Force presented ten “Nation-Building” assessments to USAID and the U.S. Embassy in Panama. AID enacted seven of the ten plans, focusing on road work, school improvements, water supply, and rebuilding the fire-damaged El Chorrillo neighborhood. “The purpose of the assessments was to identify high impact projects that would improve Panama’s economic and governmental infrastructure, and allow the largest number of people to return to work.” The military has the capability to conduct post-conflict state-building; establishing state-building as a mission set, however, is a different question. Dander (1991) p. 129.

the refugee or looting issues; however, this conceptual and theoretical understanding did not translate into better, more comprehensive policies that took into consideration these actualities. “There was at least recognition in mid-1988 that tactical units under JTF Panama would encounter immediate CMO-related issues and would need some capability for responding to them.”⁹⁸ Yet, “planners not only assumed that a democratic GOP [Government of Panama] would be up and running quickly, but that ‘long range efforts...to ensure stable, democratic Panama’ could be transferred to the U.S. country team.”⁹⁹ CMOTF leaders – the first post-conflict units on the ground in Panama – assumed that they would be working with a functioning government. Instead, they found three senior political figures, a small Embassy country team, and functioning departments of agencies of government.¹⁰⁰ These misguided planning assumptions extended well beyond planning cells in the Defense Department and distorted expectations for post-conflict operations.

The varied expectations reflected different conceptions of what the state-building tasks would be in Panama. Putting aside the different conceptions of what role the U.S. military should have, there were different conceptions of how much any external actor would need to do regarding post-conflict operations, specifically state-building, in Panama. “Planners lacked contextual knowledge and misunderstood such critical issues as the structural decay and corruption of twenty years of praetorian rule.”¹⁰¹ Defense Department plans expected that there would be a functioning government at best or a functioning U.S. embassy country team at worst within 30 days to be able to hand off responsibilities for post-conflict operations. The Defense Department’s expectations of post-conflict Panama and the capabilities of other actors shaped their planning assumptions and led to plans that underestimated the state-building tasks and overestimated the capabilities of other actors – both internal and external – to assist in the post-conflict state-building tasks.

The role of democracy

An often-stated goal of U.S. intervention in Panama was to re-install the democratically elected leaders of Panama, specifically the Endara government who won the popular vote in May 1989. The overall mission was guided by the goal of restoring democracy; however, it

⁹⁸ Yates (2005) p. 48.

⁹⁹ Schultz (1993) p. 49.

¹⁰⁰ Fishel (1992) p. 33-34.

¹⁰¹ Schultz (1993) p. 47.

would be inaccurate to say that this goal was *the* core factor for intervention. A stable, democratic Panama was the long-term goal; however, how would “democracy” be pursued in the immediate post-conflict state-building tasks? Moreover, what was the strategy to achieve this goal of democracy?

Democracy, a major U.S. goal and objective of the RSS (Regional Security Strategy), provided a vague goal for the OPLANs. Nowhere, however, had anyone defined how the end state of democracy in Panama was to look. ... One could argue that clearly delineating the end-state of democracy is not within the purview of the military strategist. However, there are no U.S. civilian strategists clearly articulating strategies to achieve democracy. If the military planners were not ordered to develop their plans directly to achieve the strategic objectives of democracy and the civilian government planners did not formulate full blown strategies (ends, ways, and means), then *no one developed a strategy to achieve democracy in Panama*. The military planners were guided by the stated but undefined goal of a democratic Panama.¹⁰²

General Thurman stated, “The Republic of Panama was reborn as a democratic nation after twenty-one years of military dictatorship. Twenty-three U.S. servicemen gave their lives so that the Panamanian government could begin the task of rebuilding democratic institutions and economic opportunities for all of the Panamanian people.”¹⁰³ Thurman’s comments reveal several assumptions about his perspective on the military’s role in democracy promotion. First, there is an idea that the intervention’s kinetic success alone had instantly made Panama a “reborn” democratic nation. Second, Thurman’s statement also places the responsibility for democracy promotion squarely on the Panamanian government, which did not exist. Further, he talks about “rebuilding” institutions that did not exist; the task was *building* institutions. Thurman’s comments mark a clear separation between kinetic combat operations and post-conflict operations, leaving little room for military assistance in the post-conflict period.

Most initial planning considered that establishing democracy and democratic institutions would be as simple as the decapitation thesis – remove Noriega, install Endara, and return to democracy. The Military Support Group more accurately assessed the situation, albeit after the fact. The May 1990 MSG *Panama Strategy* stated, “There is no history of democracy in Panama, nor is there a point in Panamanian history when the functions of government were sustained on the basis of Panamanian revenues.”¹⁰⁴ Although the MSG had this

¹⁰² Fishel (1992) p. 5. Emphasis added in italics.

¹⁰³ Donnelly, Roth, and Baker (1991) p. xi.

¹⁰⁴ Schultz (1993) p. 33.

understanding of the environment, their *Panama Strategy* had an ambitious democracy goal. “The objective is to ensure a consolidation of political powers that supports a multi-party system and provides free elections...The strategy is to support a consolidation of power in the middle class across several parties and prevent brokering by the economic elites and the disenfranchised elements like the PRD.”¹⁰⁵ Restoration of democracy was a policy goal; however, the “concept of restoration was an erroneous basis for what was to take place following the destruction of the PDF and removal of Noriega. *There was no legacy of democracy to be restored.*”¹⁰⁶ In early stages of planning, General Woerner argued that there was a major difference between U.S. goals of removing Noriega and restoring democracy. Woerner stated,

The removal of Noriega, though it was an absolutely essential first step, unto itself merely created a promotion potential for the next thug. It didn’t change institutional attitudes. And secondly, ‘restore democracy,’ as we mentioned, presumed the presence but temporarily displaced underpinnings of democracy. And I didn’t believe they existed.¹⁰⁷

Throughout this analysis of the Defense Department role in post-conflict Panama, there is an overarching question as to the Defense Department’s proper role in post-conflict state-building. Should it conduct the kinetic combat operations and consider its mission set to be achieved? Does its mission set extend to the post-conflict period and state-building tasks? In Panama, the Defense Department limited its policy priority and resources to the major combat operations, yet it found itself to be leading the post-conflict state-building phase, despite a lack of planning, priority, or resources. “The military is a peculiar instrument to be in the lead in building civilian democracy.”¹⁰⁸ However, what were the other options?

¹⁰⁵ Schultz (1993) p. 79.

¹⁰⁶ Schultz (1993) p. 132. Emphasis added in italics.

¹⁰⁷ Donnelly, Roth, and Baker (1991) p. 33.

¹⁰⁸ Schultz (1993) p. 126.

State Department

The State Department assumed the lead in rebuilding Panama after the invasion officially ended.¹⁰⁹

- Thomas Donnelly, Margaret Roth, and Caleb Baker, *Operation Just Cause*, 1991

Many of the government officials now struggling to cope with the economic, political and diplomatic problems created by the invasion of Panama were not present or even aware of the decision when Bush gave the 'execute' order ... The first meetings on how to cope with the aftermath in Panama -- establishing a new government and revitalizing the ruined economy -- were held on Wednesday, after the invasion force had landed.¹¹⁰

- David Hoffman and Bob Woodward, *Washington Post*, December 24, 1989.

Did the State Department "lead in rebuilding Panama?" A little over a year after the commencement of the conflict, the State Department had declared "mission accomplished" in Panama.¹¹¹ Of the four goals articulated by President Bush, only one is remotely related to state-building: to defend democracy.¹¹² However, there is a significant difference between defending the democratic May 1989 elections and working to establish and uphold a democratic state. By April 1991, over one year after Operation Just Cause, the State Department and USAID had disbursed less than 20 percent of the \$420 million assistance package for state-building operations. What had these efforts accomplished in this first critical year of post-conflict operations?

Two years after the U.S. invasion, the State Department continued to highlight the "free and democratic nature" of Panama while also exposing the lack of state institutions and functions. "It [the Endara government] consisted of only President Endara and his two vice presidents, with no cabinet, no functioning bureaucracy, and, in many cases, no desk or office equipment in the looted shells of government buildings. The Endara Administration inherited a heavy foreign debt burden, high unemployment, and a bloated public sector," according to a State Department fact sheet¹¹³ Beyond a lack of physical state structures and personnel, the Endara government was the first democratically-elected government in Panama in two decades.

¹⁰⁹ Donnelly, Roth, and Baker (1991) p. 389.

¹¹⁰ Hoffman & Woodward (1989).

¹¹¹ Department of State (1991) *Fact Sheet: Panama After Operation Just Cause - conditions in Panama since the U.S. invasion of December, 1989*, Washington, D.C.: U.S. Government Printing Office.

¹¹² "The President set four strategic objectives for Operation Just Cause – protect American lives, ensure the implementation of the Panama Canal Treaties, restore Panamanian democracy, and bring Manuel Noriega to justice." Fishel (1992) p. 4.

¹¹³ Department of State (1992) "Fact sheet: Panama 2 years after Operation Just Cause," *U.S. Department of State Dispatch*, February 10, 1992, Washington, D.C.: U.S. Government Printing Office.

Post-conflict state-building tasks were essential. Yet, the planning and operations to support these state-building tasks did not exist.

Structural

Planning processes

“Many of the government officials now struggling to cope with the economic, political and diplomatic problems created by the invasion of Panama were not present or even aware of the decision when Bush gave the ‘execute’ order last Sunday, officials said. ... The first meetings on how to cope with the aftermath in Panama -- establishing a new government and revitalizing the ruined economy -- were held on Wednesday [December 20, 1989], after the invasion force had landed.”¹¹⁴ The State Department and other civilian departments and agencies were not part of the planning processes. Thus, they were unprepared for the post-conflict responsibilities that they had to address in Panama. A joint State Department – Treasury Department task force was established to work on an economic reconstruction strategy and a joint State Department – Defense Department task force was established to handle the humanitarian and reconstruction assistance; however, these efforts were only started after the invasion.¹¹⁵

By January 24, 1990, the National Security Council developed an overall strategy for Panama. National Security Presidential Directive 33, “U.S. Policy towards Panama: Post-Noriega,” outlined the overall U.S. foreign policy approach.¹¹⁶ National Security Presidential Directive 34, “Partnership with Panama: Action Plan to Foster Economic Recovery,” provided an interagency framework for one part of the post-conflict state-building tasks: economic recovery. Beyond the \$42 million pledge for humanitarian assistance, President Bush supported a \$500 million aid package as “significant but temporary external economic

¹¹⁴ Hoffman & Woodward (1989).

¹¹⁵ Department of State (1989) “Memorandum for the President,” December 26, 1989. Declassified on January 2, 1991; obtained through the George Washington National Security Archives. (Stored as P1010177 – “Archival Research – Panama”)

¹¹⁶ The White House (1990a) *National Security Presidential Directive 33: U.S. Policy towards Panama: Post-Noriega*, January 24, 1990. Declassified on April 27, 1994; obtained through the George Washington National Security Archives. Although declassified, most of NSPD 33’s content was redacted, only leaving broad statements regarding the process for Panama policy formulation.

assistance.”¹¹⁷ The stated goals of the assistance were “to help Panama normalize relations with the IFIs for balance of payments support and business credit, for a public investment program, for public sector restructuring and for development support.”¹¹⁸

The State Department planning is limited and often confined to the strategic level. Regarding Panama, contingency planning was virtually non-existent and the State Department did not participate in military planning. “Unity of effort in the interagency environment can be achieved only if all critical government agencies are included in the contingency-planning process. Even the combat phase of the contingency plan will require input from the State Department and other agencies, but the civil-military operations, or CMO, phase certainly will demand very heavy participation, particularly from the State Department; the Agency for International Development, or AID; and the Department of Justice.”¹¹⁹ The State Department was not a full player in the planning processes, which directly translated into a diminished operational role. Ambassador Deane Hinton, U.S. Ambassador to Panama beginning in January 1990, stated, “There was a major mistake made in the planning. There was no thought that I’m aware of any civilian inputs to the planning, any consideration of what one does afterwards.”¹²⁰ The long-range planning that eventually came into existence, *Panama Strategy* from the Military Support Group, could have benefited from State Department input. “In terms of long range planning, the proposals are sketchy and underdeveloped, as well as based on political and bureaucratic assumptions that are uncertain. ... Put simply, undertaking these broader political and developmental objectives was beyond the expertise of those who designed the *Panama Strategy*.”¹²¹

During initial planning efforts by General Woerner in 1988 under the code name Elaborate Maze, the U.S. Embassy in Panama and State Department staff in Washington, D.C. did assist with planning.¹²² However, this participation did not last throughout the lead-up to operations in December 1989. Not surprisingly, when a group – in this case the State Department – is left out of the planning process, it consequently had difficulty integrating

¹¹⁷ The White House (1990b) *National Security Presidential Directive 34: Partnership with Panama: Action Plan to Foster Economic Recovery*, January 24, 1990, p. 5. Declassified on July 25, 1996; obtained through the George Washington National Security Archives.

¹¹⁸ The White House (1990b) p. 5.

¹¹⁹ Lambert (2004) paragraph 12.

¹²⁰ Donnelly, Roth, and Baker (1991) p. 374.

¹²¹ Schultz (1993) p. 82.

¹²² Donnelly, Roth, and Baker (1991) p. 33.

into the operational processes with other actors, particularly with the Defense Department. However, participation in planning is one part; the other is actual deployable resources. As Richard Schultz observed, “Once involved, the civilian agencies revealed that they were neither conceptually nor organizationally prepared for the kind of situation that followed Just Cause.”¹²³

Institutional focus

In March 1988, State Department officials publicly said in Congressional hearings that “they hoped the PDF would take out Noriega.”¹²⁴ The institutional focus, much like the Defense Department was on the conflict / combat phase, not the implications of using force or the role of the State Department in an eventual post-conflict setting.¹²⁵

As late as November 1989, Deputy Assistant Secretary of State Michael Kozak was negotiating with Noriega’s attorney about possible deals where Noriega would step down from power. Within a month before the invasion, the institutional focus of the State Department was on resolving the conflict, not preparing for the possible post-conflict scenarios. While it is possible to assume that the State Department can have multiple tracks and multiple contingency planning opportunities, the main institutional focus remained on resolving the crisis through diplomatic means, not preparing for post-conflict state-building tasks.¹²⁶

Shortly after the invasion, Assistant Secretary of State for Inter-American Affairs Bernard Aronson provided an insight into the lack of planning for Panama. Two days after the invasion, responding to a question from Senator Nunn asking who is in charge of economic reconstruction, Aronson replied,

Mr. Aronson: There is an economic reconstruction task force that was put together, Mr. Chairman. It includes State, Commerce, Treasury. It is working on both the humanitarian aspect in conjunction with DOD and also the lifting of the sanctions, the transfer of the escrow accounts to the government, restoration of CBI, long-term economic reconstruction, as well as humanitarian.

¹²³ Schultz (1993) p. 127.

¹²⁴ Susan Horwitz (1991) “Indications and Warning Factors” in Watson & Tsouras (1991) p. 51.

¹²⁵ Horwitz (1991) p. 51.

¹²⁶ Watson & Germain (1991) p. 208.

Chairman Nunn: Who is in charge?

Mr. Aronson: The task force has co-chairs from both Treasury and State, but I think DOD is also working on a parallel track in terms of the immediate humanitarian needs.¹²⁷

This excerpt provides insights into State's lack of capability to deploy resources in an expeditious manner, its lack of planning, and the uncertainty of the relationship and coordination with the Defense Department. The State Department does not have the necessary structure, resources, or personnel to provide the immediate post-conflict state-building assistance, both on the capabilities and planning fronts. Once the resources did become available, Aronson's list of priorities included everything from immediate humanitarian assistance to long-term economic reconstruction. In practice, the focus was economic with little reference to political development aside from installing the Endara government. In the *Panama Strategy*, USAID was assigned a lead role in the infrastructure and other civilian assistance/aid programs.¹²⁸

Aside from these economic programs, the Department of Justice's International Criminal Investigative Training Assistance Program funding was another key priority for the State Department. Congressional regulations prohibit police training to be done by the Defense Department; thus, the police training responsibilities and programs are located in the civilian departments, specifically the Department of Justice and State Department.¹²⁹

Apart from rhetorical commitments regarding democracy promotion, the State Department did not place an institutional focus on political development in Panama, opting for economic reconstruction and police training as key priorities. Arguably, these programs provide longer-term strategies to stability and more closely relate to long-term U.S. interests in the region.

There is a structural disconnect between high-level policymakers and the mid-level policy implementers. The resources and policy commitments set out by the high-level policymakers do not reflect their stated goals and objectives, leaving the mid-level implementers without the resources and authority to achieve the goals. "Once the high level has articulated the

¹²⁷ Senate Committee on Armed Services (1990) p. 128.

¹²⁸ Schultz (1993) p. 80.

¹²⁹ Schultz (1993) p. 70, 89-90. Under Section 660 of the Foreign Assistance Act, Section 534(b) (3), the State Department is permitted to conduct limited training programs for judicial and prosecutor control.

resounding theme for the policy, it tends to move on to other policy issues and not to pay any attention to the country in question ... The disjunction between the superficial involvement of the high level of the bureaucracy and the intense involvement of the relevant sectors of the middle level causes various problems.”¹³⁰ The disconnect within the State Department – and other departments and organizations – is apparent between the senior officials’ statements of the goals in Panama and the resources – both personnel and financial – that are devoted to the post-conflict state-building efforts by the State Department.

Personnel

On May 11, 1989, President Bush recalled the U.S. Ambassador to Panama and reduced Embassy staff to 45.¹³¹ President Bush’s public statement on September 1, 1989 extended this lack of ambassadorial-level leadership as Ambassador Arthur Davis was ordered not to return to Panama. Albeit standard procedure, this personnel and political move by President Bush had structural and resource consequences on the State Department’s ability to contribute personnel and provide a coordinated strategy for post-conflict state-building. This apparent lack of leadership did not permit the Embassy to maintain a fully functional, robust country team and Embassy staff to work with Defense Department and other partners in country.¹³² Thus, the State Department was sidelined in its post-conflict state-building response due to its resource and structural constraints.

On January 6, 1990, Ambassador Deane Hinton moved from being U.S. Ambassador to Costa Rica to assume new duties as U.S. Ambassador to Panama. With only one week of advance notice and no role in the conflict or post-conflict planning for Panama, Ambassador Hinton was a late arrival to the post-conflict planning and operations. With Embassy staff reduced, the Ambassador was new to the job and was short-staffed.¹³³ At the time of invasion, the Embassy staff was down to about 15 staff, which included very few senior staff.¹³⁴ In addition, USAID staffing shortages continued through March, creating difficulty

¹³⁰ Thomas Carothers (1992) “Comparative Perspectives on Promoting Democracy in Panama” in Loser, ed. (1992), p. 89.

¹³¹ Watson & Germain (1991) p. 206.

¹³² George H.W. Bush (1989) “U.S. Severs Diplomatic Contact With Noriega Regime, September 1, 1989,” *U.S. Department of State Bulletin*, November 1989.

¹³³ Schultz (1993) p. 127.

¹³⁴ Fishel (1992) p. 33.

with proposed Defense – State/USAID handovers for reconstruction efforts.¹³⁵ The Defense Department could not hand over the state-building mission to the State Department and USAID because the personnel, capacity, or resources did not exist to take on the mission.

Rebuilding versus building

Reflecting the rebuilding versus building (reconstruction versus construction) debate, the State Department's structure, as witnessed through its participation and support for the Department of Justice's International Criminal Investigative Training and Assistance Program (ICITAP), is more predisposed to *rebuilding, not building*. ICITAP is structured in a way that the program can train and equip a police force, but it cannot necessarily build and stand-up a *new* police force.¹³⁶ Similarly, the Military Support Group's overall plan focused on rebuilding, not building. "While not technically nation-building but nation reconstruction, the MSG was able to assist the Panamanian government begin the recovery process"¹³⁷ After the invasion, the new Panamanian government consisted of a President and two Vice Presidents – there were few institutions to rebuild.¹³⁸

Regarding democracy, there are two distinct camps within the State Department, and arguably elsewhere in the U.S. government. One camp regards the goal of democracy promotion as building democratic institutions and processes with the understanding that these institutions and structures had not existed before. The other camp considers democracy promotions activities as restoring democratic traditions to a country that had a democratic history. In Panama, "restore democracy," the second camp, was generally regarded as a policy goal within the U.S. government. However, reflecting the overall State Department view, "Hinton was keenly aware of his lack of preparation to sort through the numerous and often conflicting demands of Panamanian society after the invasion."¹³⁹ In fact, democracy did not exist in Panama and had not existed for many years. While the U.S. policy efforts were shaped toward "restoring" democracy – rebuilding in the best case, reinstalling in the worst case – the situation demanded *building democracy* where it had neither a historical legacy nor institutions to rely upon.

¹³⁵ Dander (1991) p. 130.

¹³⁶ Schultz (1993) p. 92.

¹³⁷ Schultz (1993) p. 113.

¹³⁸ Fishel (1992) p. 33-34.

¹³⁹ Donnelly, Roth, and Baker (1991) p. 375.

Resource

The numbers

There are two key discussions regarding resources and the State Department with respect to post-conflict state-building: first, the level of resources; second, the ability of the State Department to disburse this assistance. To provide context for the assistance, economists estimated that Panama would need \$1.5 to \$2.0 billion in 1990 to rehabilitate the economy, largely due to the U.S. economic sanctions and the looting after the December 20, 1989 invasion. The newly-installed Endara administration requested \$1.5 billion in U.S. assistance.¹⁴⁰ In January 1990, Deputy Secretary of State Lawrence Eagleburger led a delegation to Panama to discuss U.S. economic assistance to Panama.¹⁴¹ Despite the high-level attention from the State Department, the promised \$1 billion in economic assistance did not materialize.

Assistance levels fell short of President Bush's initial pledge of \$1 billion to Panama. Assistance packages P.L. 243 in February 1990 and P.L. 302 in May 1990 provided up to \$43.2 million and \$420 million, respectively, in economic assistance. However, by April 1991, nearly a year after \$420 million was appropriated for assistance to Panama, only \$77.9 million had been disbursed to Panama (less than 20 percent) and only \$41.8 million had been spent by Panama (less than 10 percent).¹⁴² "By December 20, 1990, on the first anniversary of the U.S. invasion, only about \$113 million – or 11 percent of the \$1 billion promised by President Bush – had been disbursed, according to the U.S. Embassy in Panama."¹⁴³

Goals of assistance

Broadly stated, the goals of U.S. assistance for post-conflict Panama included: rule of law reform (assistance to the Supreme Court, Ministry of Government and Justice), economic assistance, judicial reform, fiscal management and accountability, and restoration of public

¹⁴⁰ Mark Sullivan (1991) "The Future U.S. Role in Panama" in Watson & Tsouras (1991) p. 162

¹⁴¹ Sullivan (1991) p. 163.

¹⁴² General Accounting Office (1991) "Aid to Panama: Status of Emergency Assistance to Revitalize the Economy," April 8, 1991, GAO/NSIAD 91-168, p. 1

¹⁴³ Andres Oppenheimer (1992) "Panama's Troubled Resuscitation as a Nation-State" in Loser, ed. (1992) p. 44.

services.¹⁴⁴ The State Department reported its assistance over 1990 and 1991 in a press release stating,

For fiscal years 1990 and 1991, the United States is providing about \$452 million in economic aid and \$500 million in loans and guarantees, which is the largest assistance package in the hemisphere and the third largest in the world (after Israel and Egypt). This package includes aid for food and housing, job creation efforts, helping businesses affected by the looting which followed the military operation, police training, administration of justice, and ecological protection of the canal watershed. Funds also will be used to help pay arrears to international financial institutions and to promote public and private investment.¹⁴⁵

Based on this press release, the major focus of U.S. post-conflict state-building assistance is squarely, if not entirely, on economic matters. In a 1990 statement, Secretary of State James Baker explained the economic focus of post-conflict state-building assistance for Panama.

We seek \$500 million in supplementary FY 1990 funds to support Panama's economic recovery. These funds comprise a portion of the comprehensive \$1 billion program announced by the President to dismantle economic sanctions and stimulate a revival of business confidence. ... Panama will need supplementary, one-time funding to restore financial stability and underpin a revival of private sector investment activity. Our economic support funds (ESF) would be used to help Panama regain its economic momentum following several years of mismanagement under Noriega. Together with our friends, including the Japanese, we are organizing a multilateral effort to help Panama normalize its relations with the international financial community, promote business credit, support public investment, and underpin public sector restructuring.¹⁴⁶

While economic recovery directly relates to fostering democratic transitions, there is little mention of the democratic transition. The economic focus stands alone, not viewed as a conduit to democratic ends, but rather as an end unto itself.

Assistant Secretary of State for Inter-American Affairs Bernard Aronson reported to Congress that the U.S. immediate post-conflict assistance in February 1990 and May 1990 focused on economic goals: supporting job creation, providing small business loans, giving medium-term credit through the banking system for private sector investment and plant expansion, providing budget support for infrastructure projects, and assisting in resolving Panama's debts to international financial institutions. Only after listing these economic goals, Aronson then describes programs in other areas, including police training, improving

¹⁴⁴ Sullivan (1991) p. 161.

¹⁴⁵ Department of State (1991) paragraph 2.

¹⁴⁶ James A. Baker (1990) "U.S. Foreign Policy Priorities and FY 1991 Budget Request," *U.S. Department of State Dispatch*, September 3, 1990, Washington, D.C.: Government Printing Office.

the justice system, and helping Panama protect the environment.¹⁴⁷ Nowhere, however, are there direct programs aimed at improving the capacity of the state or political development initiatives.

By August 1991, The United States and Panama had signed agreements for over 95 percent of the U.S. government post-conflict assistance, including \$280 million in direct assistance and \$130 million to pay for international financial institution arrears.¹⁴⁸ Aronson described this assistance as a “jump start” for Panama, indicative of the limited goals of the post-conflict state-building effort in Panama.

Disconnect between resources and goals

There was a major disconnect between the resources and the goals for State Department efforts in post-conflict state-building in Panama. One major difference was the expectation that the U.S. Embassy country team could take over within 30 days after the invasion.¹⁴⁹ With the State Department not factoring into overall planning and a new Ambassador arriving midway into this proposed 30 day period, the State Department was handicapped from the beginning in providing leadership or a coherent post-conflict state-building strategy. Yet, there was an expectation by members of the military that the State Department would lead post-conflict state-building efforts. “One infantry major who served in the U.S. assault on Grenada wondered where the State Department was when the shooting stopped in Panama. ‘I didn’t see the same effort from the State Department and [the U.S. Agency for International Development] and all those guys that I had seen in Grenada.’”¹⁵⁰

“None of its [U.S. government] civilian agencies maintained the programmatic and personnel infrastructure necessary to create a civilian police force.”¹⁵¹ For AID, its resources did not

¹⁴⁷ Bernard Aronson (1991) “Panama - road to recovery - statement by Assistant Secretary Bernard W. Aronson before the House Subcommittee on Western Hemisphere Affairs – transcript” *US Department of State Dispatch*, August 5, 1991. Regarding the non-economic goals, Aronson stated, “We have provided real assistance to real people. Over 1,900 families from Chorrillo have moved into their new homes. Over 250 small businesses received loans which allowed them to reopen their doors. Over 2,000 law enforcement personnel have attended ICITAP [the US Department of Justice's International Criminal Investigative Training Assistance Program] training, and over 5,000 have taken a course in basic police skills taught by Panamanian instructors who were previously trained by ICITAP. Two hundred-eighty park guards are being trained and equipped to protect Panama's natural resources.”

¹⁴⁸ Aronson (1991) paragraph 15.

¹⁴⁹ Schultz (1993) p. 53.

¹⁵⁰ Donnelly, Roth, and Baker (1991) p. 375.

¹⁵¹ Schultz (1993) p. 104.

reflect its mandate. With a small presence in Panama, the Military Support Group nonetheless believed that AID could take over the economic aid programs, stating “USAID will take the lead with programs to sustain and expand GOP capabilities and services.”¹⁵² Similarly, ICITAP had very few personnel, estimated to be seven in 1991. “How do you transform the old PDF with that amount of people?”¹⁵³ Eighteen months after the U.S. invasion, ICITAP graduated its first 250 police from the Panama program in June 1991.¹⁵⁴

Personnel resources

As stated above, Embassy Panama personnel were minimal in the lead-up to the conflict and in the post-conflict period. During the summer of 1989, U.S. Embassy drew down its personnel from 120 to 45 “essential personnel.”¹⁵⁵ In December 1989, Embassy staff totaled 43 people. The Defense Department gave acting Chargé John Bushnell, functioning as the head of the Embassy before Ambassador Hinton’s arrival, J5 planners to fill his staffing gaps. The State Department’s Political Advisor (POLAD) to SOUTHCOM, the State Department’s senior representative to the geographic combatant command, retired in September 1989 and was not replaced by the time of the invasion.¹⁵⁶ The State Department was simply unable to support the post-conflict operations. “[The] mission required even more capabilities and a firmer sense of direction.”¹⁵⁷ The military did not view the Embassy or the country team as either a viable partner or even as functional.

Beyond being shut out of the planning processes in order to plan adequately for the post-conflict operations, the State Department needed to take the time to request volunteers, advertise for the positions, and fill the positions. These human resources and logistical challenges created a time lag in providing adequate State Department personnel to deploy to Panama. Lacking resources to carry out its mission, the State Department and larger country team looked to the military for personnel and other resources.¹⁵⁸

¹⁵² Schultz (1993) p. 81.

¹⁵³ Quote by Colonel Jack Pryor in Schultz (1993) p. 95, footnote 171.

¹⁵⁴ Oppenheimer (1992) p. 49.

¹⁵⁵ Fishel (1992) p. 3.

¹⁵⁶ Fishel (1992) p. 6.

¹⁵⁷ Schultz (1993) p. 58.

¹⁵⁸ Schultz (1993) p. 76.

The personalities and interests of the individuals involved also affected policy processes and outcomes. Ambassador Hinton was formerly Assistant Secretary of State for Economic and Business Affairs, offering possible insight into what the institutional focus of the State Department was for post-conflict state-building in Panama.¹⁵⁹ Assistant Secretary of State Elliot Abrams was a key player for State Department efforts throughout 1988 and 1989. However, critics contended that Abrams lacked the interagency clout – due to rank and personal grudges – to push through State Department views at the national strategic level.¹⁶⁰

Policy

What is the goal?

Similar to the Defense Department, there were competing senses of the goal for post-conflict state-building in Panama. One line of thinking focused on the removal of Noriega, not fully acknowledging the complexities of post-Noriega Panama. Another line of thinking centered on democracy promotion. A third line was principally concerned with economic and business interests. To further the complexity, the officials supporting these different positions were at times the same people. Thus, it was less about the people competing for their policy position and more of a competition between the different goals stated by senior officials.

Some officials, particularly Elliott Abrams, supported a “quick ouster of Noriega,” a short, decisive operation to remove Noriega, not considering what the broader implications would be in a post-Noriega Panama and the post-conflict operations necessary.¹⁶¹ In August 1989, Acting Secretary of State Eagleburger said,

There is only one obstacle to resolving this crisis, and we all know who it is. Indeed, at our last meeting, the commission itself, in the report which we adopted, made it clear what that obstacle is: ‘The continued presence of General Noriega as Commander in Chief of the Defense Forces,’ the report says, ‘has been identified both by supporters and opposition as one of the factors, if not the principal factor, which must be addressed in order to solve the crisis.’¹⁶²

¹⁵⁹ Sullivan (1991) p. 160.

¹⁶⁰ Frederick Kempe (1992) “The Panama Debacle” in Loser, ed. (1992) p. 4.

¹⁶¹ Donnelly, Roth, and Baker (1991) p. 34.

¹⁶² Lawrence Eagleburger (1989b) “The OAS and the Panama Crisis,” August 24, 1989, *U.S. Department of State Press Release 160*, Washington, D.C.: U.S. Government Printing Office, paragraph 18.

U.S. foreign policy goal toward Panama centered on removing Noriega in order to remove the threat to strategic U.S. interests related to the Panama Canal and Noriega's narco-trafficking record. The removal of Noriega was considered an end in itself, often with no mention of what the post-Noriega era in Panama would look like, apart from broad promises for returning democracy to Panama.

This line of thinking regarding post-conflict state-building would support limited U.S. intervention in order to not interfere in Panamanian sovereignty. However, this view does not consider the fact that there is not a democratic history in Panama and that the country has been in a largely dependent status for many years. Without external intervention, the likely scenario in Panama would be a return to more elitist, oligarchic politics, not a seamless move to "democracy." Without institutions to support democratically-elected leaders, democracy – and more broadly, political institutions – is not sustainable.

Regarding the focus on democracy, Elliot Abrams testified before Congress that "what we face in Panama is a threat to democracy and a threat to our ability to stop the international drug traffickers."¹⁶³ Secretary of State Lawrence Eagleburger argued to the OAS that "the grave abuses of General Noriega's dictatorship threaten the peace of our hemisphere and violate the charter of this organization" and that the U.S. and OAS must "resolve the crisis and establish democracy."¹⁶⁴ Further pushing the importance of democracy, Eagleburger argues, "Can anyone doubt that this idea of democracy, this vision of freedom, represents an idea whose time has come?"¹⁶⁵ "Democracy" was achieved; however, to what end and how? These democratic visions were not transferred into operational strategies.

Two days after Operation Just Cause was initiated, Assistant Secretary Aronson provided an interesting insight into the goals of U.S. post-conflict state-building. "I think it [the looting] does point to *the fundamental political challenge that the Endara government faces, which is to reassert its authority and control.*"¹⁶⁶ The challenge for post-conflict state-building – and the goal of U.S. assistance – was to allow the Endara government to "reassert its authority

¹⁶³ Elliott Abrams (1988) "FY 1989 Assistance Requests for Latin America and the Caribbean – Elliott Abrams address – transcript (April 22, 1988 testimony to the House Appropriations Committee – Foreign Operations)," *U.S. Department of State Dispatch*, October 1988, Washington, D.C.: U.S. Government Printing Office.

¹⁶⁴ Eagleburger (1989b) paragraph 9.

¹⁶⁵ Eagleburger (1989b) paragraph 28

¹⁶⁶ Senate Committee on Armed Services (1990) p.129. Emphasis added in italics

and control” over the state. Yet, what was the U.S. government doing to assert this control and authority through legitimate, democratic institutions in Panama?

In 1991, Assistant Secretary Aronson began to look more broadly at what the U.S. goals were in Panama. Aronson placed democracy promotion as a central pillar for U.S. post-conflict state-building during Congressional testimony.

The goal of US policy in Panama is to support and consolidate the democratic process ... We do and will support a process that allows all members of society to compete through political means and makes them accountable for their decisions. Essential to the establishment of stable democracy in Panama--and, therefore, key US policy objectives--are a healthy, open economy, a professional civilian police force which respects the basic human rights and political liberties of Panamanian citizens, and an honest, efficient, and apolitical system of justice.¹⁶⁷

Aronson placed democracy as a key goal. He acknowledged the key institutions that need to be developed for a functioning democracy, such as a sound legal, judicial, political system; however, the only real goal that was translated into actual programs was law enforcement through ICITAP. Aronson’s remarks also assert that economic development is a key way to achieve this “democracy” goal, tying together this line of thinking on the primacy of democracy and the third line of thinking asserting the importance of economic and business interests.

The third line of thinking on the importance of economic development is reflected in the subsections above based on comments by Secretary of State Baker and other senior State Department officials. The U.S. assistance to post-conflict Panama largely centered on economic assistance, providing a strong argument that economic recovery was the principal U.S. goal for post-conflict state-building. For FY 1990, the breakdown of programmed U.S. assistance included:

- Emergency needs assistance: \$51.9 million
- Immediate economic recovery assistance: \$351.8 million
- Development assistance: \$107.9 million

¹⁶⁷ Aronson (1991) paragraph 9. Emphasis added in italics.

The economic assistance included funds for normalization with international financial institutions, public investment, and private sector reactivation credit.¹⁶⁸ Economic growth was viewed as the catalyst for change that would affect all other areas.

Managing expectations

The management of expectations for U.S. assistance provides further insights into disconnects between goals and resources. Two days after the invasion, Aronson remarked, “I think the long-term answer will depend on how quickly the government can reconstitute itself and get the economy going again. I think we will need to help them on that. I think it declined about 20 percent in the last 2 years. If we can stabilize the situation, the government can constitute itself and the economy can begin to regenerate jobs and growth.”¹⁶⁹ This sobering account should be taken into context. The Embassy had about 15 personnel in Panama, there was no post-conflict strategy, and the U.S. military believed that the State Department would lead post-conflict operations for the U.S. government. “News reports and polls taken by the U.S. Information Agency in April 1990 indicated that the Panamanian people welcomed U.S. intervention.”¹⁷⁰ One year after the invasion, the leading Panamanian newspaper released a poll, stating, “43 percent of Panamanians thought the country’s problems had worsened since the U.S. invasion, while only 36 percent said Panama was better off.”¹⁷¹ Within one year, public opinion quickly eroded, significantly reducing the support and confidence in the post-conflict state-building tasks.

Two years later, the differences in expectations continue. “Democracy in Panama has been restored, the Panamanian economy is once again beginning to prosper, and the bilateral relationship with the United States has proven to be strong.”¹⁷² Comparing this statement of hope to Aronson’s 1989 testimony, there are misconceptions of the reality of post-conflict Panama. Aronson said, “Despite these overwhelming problems, post-Operation Just Cause Panama is held to a standard of performance that no government—let alone a new coalition

¹⁶⁸ Fishel (1992) p. 101.

¹⁶⁹ Senate Committee on Armed Services (1990) p. 136.

¹⁷⁰ General Accounting Office (1990) “Panama: Issues Relating to the U.S. Invasion,” April 24, 1991, Washington, D.C.: Government Printing Office, p. 3. Also, Senator Helms stated, “According to a recent [February 1990] poll, 92 percent of the Panamanian people support the United States action.” Senate Committee on Appropriations (1990) “Committee Meetings for Thursday, February 8, 1990,” Washington, D.C.: U.S. Government Printing Office, p. 980.

¹⁷¹ Oppenheimer (1992) p. 45.

¹⁷² Department of State (1991) paragraph 16.

government taking over from a corrupt dictatorship--could meet. Much remains to be done to reduce poverty, improve public services, combat drug trafficking, train a new national police force, reform the administration of justice, and prepare for the transfer of the canal in the remaining years before 1999.”¹⁷³

The role of democracy promotion

As discussed, democracy was a declared central purpose for the invasion and a key consideration in post-conflict state-building. State Department officials, and the larger U.S. government, wanted to “make the intervention consistent with one of the original reasons for intervention, the defense of democracy in Panama.”¹⁷⁴ Yet, this rhetorical commitment did not directly translate into programming to build democratic institutions and processes in post-conflict Panama.

There were differences of opinion regarding how democracy promotion would be part of the overall post-conflict state-building goals. Specifically, the State Department’s relationship with the Defense Department on democracy promotion was called into question.

Ambassador Hinton believed that the military should not be at the forefront of supporting these tasks. Yet, the Defense Department was *the* actor in post-conflict state-building, with only minimal State Department support and resources in country for post-conflict state-building.¹⁷⁵

Deputy Secretary of State John Whitehead provided important insights into what democracy promotion meant and how it could be achieved in Panama. Whitehead stated in 1988, “Once democratic government and constitutional order are restored in Panama, the United States is fully prepared to work with the government to help quickly restore the nation to economic health.”¹⁷⁶ Democracy promotion is achieved through intervention *and* the attendant consolidation of the success of the invasion through the building of democratic institutions. Based on his comments, though, Whitehead conceptualized the goal of democracy not as a

¹⁷³ Aronson (1991) paragraph 8.

¹⁷⁴ Schultz (1993) p. 77-78.

¹⁷⁵ Schultz (1993) p. 76.

¹⁷⁶ John C. Whitehead (1988) “FY1989 request for security assistance program,” Statement before the Subcommittee on Foreign Operations of the Senate Appropriations Committee, May 26, 1988, paragraph 3.

process or as the building of institutions, but as a result of an invasion to install a democratically-elected government.

Phase One of the Military Support Group's *Panama Strategy* was titled "The Consolidation of Democracy," which included a substantial section on political development. However, the goals of the political development policies did not reflect the structure, resources, and other limitations of the agents that were assigned to execute the policy. Political development goals, largely within the State Department's purview, included getting the Peace Corps into Panama and providing USAID programs for small grants for community development. The resources, however, were not deployed. As stated above, less than 10 percent of the U.S. assistance was actually spent during the first year after the invasion.

Conclusion

The initial stated goals of post-conflict state-building within the State Department were fixated on democracy; however, shortly after the invasion, the policy statements and actual programs were centered on economic and business interests. The length of commitment was minimal. Described by senior officials as a "jump start," in fact, "the reconstruction projects were more like a 'dike to keep the floodgate of chaos from overrunning Panama... The hope was to keep the country from collapsing.'"¹⁷⁷ The Military Support Group's *Panama Strategy* goals of democracy promotion and state-building – and the State Department's role within this "interagency plan" – were downgraded to "infrastructure reconstruction."¹⁷⁸ This limited goal does not seek to return the country to its original state nor build democratic institutions; rather, the goal is preventing chaos. Disconnects between rhetorical goals and commitments and the resources, personnel, and planning necessary to achieve these goals are seen throughout the State Department's role in post-conflict state-building in Panama.

¹⁷⁷ Schultz (1993) p. 108.

¹⁷⁸ Schultz (1993) p. 108.

Congress

Public Law 101-243, *Urgent Assistance for Democracy in Panama Act of 1990*, was passed by Congress on February 7, 1990 and then signed into law by President Bush on February 14, 1990, nearly eight weeks after the U.S. military invaded Panama.¹⁷⁹ This immediate post-conflict Congressional assistance package provided the funding for civilian operations in post-conflict Panama. P.L. 101-243 was considered by President Bush to be “Phase I” of the economic recovery program for Panama, but it also included important law enforcement funding.¹⁸⁰ *Urgent Assistance* provided funding in three areas:

- economic assistance funds up to \$32 million for FY 1990;
- certain guaranty authority funds up to \$10 million; and
- law enforcement funds up to \$1.2 million.

P.L. 101-243 provided no more than \$43.2 million in this initial allocation of post-conflict state-building-related funds for Panama.

In May 1990, Congress appropriated \$420 million for post-conflict state-building related activities through P.L. 101-302, *Dire Emergency Supplemental Appropriations*. Specifically, P.L. 101-302 provided economic support funds up to \$420 million to be spent by September 30, 1991 in Panama with nearly no restrictions.¹⁸¹

Although P.L. 101-243 provided the basis for initial funding, this law was not the first time that Congress raised the issue of post-conflict assistance for Panama. Over four months before the invasion in August 1989, H.R. 3169, “Panama Democracy and Economic Recovery Act,” was proposed, but was never formally discussed or made into law. H.R. 3169, however, provides a means of comparison and analysis with respect to P.L. 101-243 and Congress’ overall understanding of post-conflict state-building in Panama. Similar to

¹⁷⁹ Congress (1990a) *Public Law 101-243: Urgent Assistance for Democracy in Panama Act of 1990*, February 7, 1990, <http://thomas.loc.gov>. P.L. 101-243 was debated as House Resolution 3952 and Senate 2073.

¹⁸⁰ George H.W. Bush (1990) “George Bush Statement on Signing the Urgent Assistance for Democracy in Panama Act of 1990,” February 14, 1990, paragraph 2.

¹⁸¹ Congress (1990b) *Public Law 101-302: Dire Emergency Supplemental Appropriations for Disaster Assistance, Food Stamps, Unemployment Compensation Administration, and Other Urgent Needs, and Transfers, and Reducing Funds*,” May 25, 1990, <http://thomas.loc.gov>. P.L. 101-302 was debated as House Resolution 4404. The only restrictions placed on the Panama supplemental appropriation was “that of this amount up to \$15,000,000 may be used for a debt-for-nature swap and for immediate environmental needs.”

P.L. 101-243, H.R. 3169 rhetorically emphasized the importance of democracy, stating, “The Congress reaffirms United States support for the strengthening of democratic institutions in Panama.”¹⁸² In addition, the August 1989 bill recommended that Congress authorize “the use of funds to support immediate and long-term activities to foster democratic political institutions, including legal education, judicial education, and the administration of justice.”¹⁸³ Although no specific funding amounts were specified for H.R. 3169 initiatives, the recognition of “strengthening democratic institutions” as a key area of post-conflict Panama was an important indicator of Congress’ understanding of the situation. Substantively, though, both P.L. 101-243 and H.R. 3169 focused assistance on economic recovery. The law and proposed bill created stipulations and reporting requirements, particularly regarding issues concerning anti-narcotics and bank secrecy laws, for initial and continued U.S. government assistance.

If passed, H.R. 3169 would have set a framework for Congressional support for Panama. However, the bill was sent to the House Foreign Affairs Committee and the House Banking, Finance, and Urban Affairs and was not discussed by the Committees – the bill “died in committee.” If a bill such as H.R. 3169 would have been discussed and approved, Congress would then have the ability to instruct the Defense or State Department to carry out the provisions, including preparing contingency plans for a post-Noriega Panama.

In January 1990, Senator Kennedy proposed Senate Joint Resolution 247, *Relating to Emergency Aid to Panama*, which emphasized both democracy and stability and then provided a short list of resolutions that would eliminate any impediments to economic or financial development in Panama. The resolution states,

A revitalized Panamanian economy would enhance the development of democratic institutions in Panama, the stability of a democratic Panamanian Government, and the security of the Panama Canal;

*It is in the national security interest of the United States to revitalize the Panamanian economy and help stabilize the Government of Panama as quickly as possible.*¹⁸⁴

¹⁸² House of Representatives (1989) *House Resolution 3169: Panama Democracy and Economic Recovery Act*, August 4, 1989, <http://thomas.loc.gov>.

¹⁸³ House of Representatives (1989).

¹⁸⁴ Senate (1990) *Senate Joint Resolution 247: Relating to Emergency Aid to Panama*, January 31, 1990. Emphasis added in italics.

Again, this resolution was only referred to committee, but it reflects one perspective in Congress regarding post-conflict state-building goals and U.S. government responsibilities, particularly the importance placed on democracy promotion. In addition, Senator Kennedy ties Panama's post-conflict recovery to U.S. national security interests.

Structural

Institutional focus

Two critical parts of Congress' institutional focus for Panama, which were not necessarily related, were democracy promotion and removing Noriega. In foreign assistance appropriations legislation in 1987, 1988, and 1989, increased aid to Panama was tied to a democratic transition. Senator Kennedy's 1988 resolution, S.Con.Res. 140, supported U.S. assistance for Panama's economy recovery in the event of a democratic transition.¹⁸⁵

The United States had a declared policy goal of removing Noriega. The Senate Armed Services Committee and Select Committee on Intelligence called hearings immediately after the October 1989 coup attempt that nearly ousted Noriega.¹⁸⁶ After this failed coup, Chairman of the House Armed Services Committee Les Aspin stated, "We should go in and capture Noriega. ... All I want is Noriega." With little understanding of the post-conflict, or even the post-Noriega, environment, Aspin reflected a common sentiment in Congress. The removal of Noriega was the very narrow conception of the goal.¹⁸⁷ Yet, this sentiment was not backed by Congressional action as a Helms proposal to use military force to remove Noriega was defeated in the Senate by a vote of 74 to 25.¹⁸⁸ Less than one month before the invasion, Congress attached conditions to appropriations acts in order to spur the executive branch into finding ways to remove Noriega. Yet, these calls to find ways to remove Noriega were not followed by finding ways to support the post-Noriega Panama.¹⁸⁹

Based on the legislation proposed and passed, Congress is better structured and more interested in longer-term assistance, not shorter-term, more immediate post-conflict state-

¹⁸⁵ Sullivan (1991) p. 177-178.

¹⁸⁶ Senate Committee on Armed Services (1990)

¹⁸⁷ Flanagan (1993) p. 30.

¹⁸⁸ Flanagan (1993) p. 30.

¹⁸⁹ Michael Hathaway (1991) "The Role of Drugs in the U.S.-Panamanian Relationship" in Watson & Tsouras (1991) p. 41.

building funding. In effect, P.L. 101-243 outlines long-term assistance programs, not short-term assistance efforts for post-conflict state-building. Economic recovery initiatives are critical to long-term state-building; however, the shorter-term post-conflict state-building operations require a different set of resources. President Bush stated,

I would like to express my appreciation to the Congress in passing this legislation, which will allow us to proceed expeditiously on Phase I of our plan to foster economic recovery in Panama. We plan now to proceed with the broad range of activities that officials of my Administration have been discussing with interested Members of Congress in consultations that have taken place over the last several weeks.¹⁹⁰

Economic recovery is the stated goal, not post-conflict state-building. While economic recovery is connected to overall post-conflict recovery (and state-building), there is no mention of the political dimensions of post-conflict state-building. The second sentence in the Bush quote is also instructive because the “broad range of activities” for post-conflict operations is only considered after the conflict. In short, post-conflict state-building was addressed after the military operations have been completed.

Logistical and bureaucratic obstacles

If the “broad range of activities” for post-conflict operations is only considered after the conflict, there inevitably is a lag time between the time that resources are requested for post-conflict operations and the time when the resources are appropriated and finally made available for use in the post-conflict operations. P.L. 101-243 and P.L. 101-302 highlight the lag time between an executive branch contingency operation and how quickly funds can be approved and disbursed to pay for the post-conflict state-building operations. Yet, less than 20 percent of funds available for Panama post-conflict operations were disbursed and less than 10 percent of the funds were actually spent by April 1991, 16 months after Operation Just Cause commenced.

Apart from the lag time, other restrictions limit the use of funds in post-conflict operations. Earmarks and other legislative restrictions require that funds be spent on certain issues (or not), require reporting on specific issues, and create other prohibitions or requirements for spending. The January 1990 Senate Joint Resolution 247 proposed by Senator Kennedy

¹⁹⁰ Bush (1990) paragraph 1.

provides an important perspective on the *structural restrictions* for foreign assistance in a post-conflict state-building environment. After providing rhetorical pledges to democracy and stability in Panama, the resolution was strictly limited to removing possible impediments to U.S. government assistance, trade, and broader bilateral relations. The resolution provided six bullet points regarding the restrictions, waivers, and exceptions that would be needed for Congress to disburse aid efficiently, effectively, and legally to post-conflict Panama. Similar waivers were found throughout P.L. 101-243, yet the limited scope of Senate Joint Resolution 247 highlighted the structural limitations and possible impediments for post-conflict state-building operations.

One major legal restriction enacted by Congress required police training to be done by civilian agencies, not the military.¹⁹¹ ICITAP is funded through the State Department and administered by the Department of Justice. Yet, only seven civilians were in Panama to administer this program, exposing the limited reach of such funding. While there were sound reasons for requiring civilian training of police, the limits and consequences should also be accounted for and understood as they affected post-conflict state-building. The U.S. military was able to purchase non-lethal equipment for the police and was able to do limited police training during the conflict phase.¹⁹² However, if longer-term training by the military would be desired, a Congressional waiver would be required for this training.

Funding mechanisms were another logistical obstacle. Contingency operations, such as post-conflict state-building, are by their nature dependent on other events happening (e.g., killing of the U.S. Marine and President Bush's response: the invasion of Panama). How does Congress deal with this uncertainty and the many contingencies that could occur? Contingency funds are anathema for Congress as they are considered "slush funds" that lack proper oversight. Due to annual budget cycles, contingency operations must be financed through other mechanisms outside of the annual budget. Thus, supplemental budget appropriations provide this mechanism; however, there are difficulties with supplementals as they are a contentious Congressional matter and can take many weeks, if not months, to pass. As was the case with the Panama supplemental, the delayed funding was not authorized and appropriated until May 1990, over five months after the invasion.

¹⁹¹ See: *Code of Federal Regulations*, Title 22, Chapter 32, Subchapter III, Part III, Section 2420, http://lii.law.cornell.edu/uscode/html/uscode22/usc_sec_22_00002420----000-.html. This section outlines the "police training prohibitions" and exceptions.

¹⁹² Schultz (1993) p. 87.

In the case of Panama, Senate Majority Leader George Mitchell delayed the major U.S. assistance package not because of deep policy differences on the goals of the assistance, but rather because he viewed this assistance package as the next example of “one shot increments” of ad hoc, contingency, non-strategic foreign assistance rather than a coordinated, long-term foreign assistance strategy.¹⁹³ In short, Mitchell’s resistance was due to the fact that this request was another supplemental request that was not part of a larger national security strategy that included a foreign assistance strategy. While these concerns might be valid, the delay by Mitchell postponed post-conflict assistance to Panama.

Resource

Numbers

President Bush pledged \$1 billion in foreign aid for Panama; however, the actual amount provided for post-conflict operations in Panama was less than half of the original commitment. On January 25, 1990, Bush requested \$500 million. Through P.L 101-243 and P.L. 101-302, by May 1990, Congress allocated \$462 million. Yet by April 1991, less than 20 percent was disbursed and less than 10 percent actually spent on post-conflict operations. In 1991, U.S. assistance to Panama totaled \$240 million. In 1992, it dropped to \$27 million.¹⁹⁴ As one commentator noted, “American diplomacy since the invasion has been even worse, amounting pretty much to dribbling aid on the country (about one-tenth the amount promised) and destroying its banking system in the name of our ‘war on drugs.’”¹⁹⁵ Within two years of the invasion, the U.S. has resumed a more traditional assistance program with Panama.

¹⁹³ Sullivan (1991) p. 164.

¹⁹⁴ General Accounting Office (1991) p. 1.

¹⁹⁵ Christopher Caldwell (1991) “Panama: The Whole Story – Book Reviews,” *The National Interest*, July 29, 1991.

Length of commitment

The amount of financial assistance that Congress appropriates for post-conflict state-building reflects the length of commitment that Congress envisions for U.S. government personnel. House Resolution 262, a non-binding resolution expressing a “Sense of Congress” regarding Operation Just Cause, states,

[Congress] commends the President for his efforts to provide for the early return to the United States of the remaining United States troops engaged in Operation Just Cause.¹⁹⁶

With a minimal non-military presence in Panama, Congress is effectively supporting a full withdrawal – or “an early return” – of all U.S. personnel in Panama. While this resolution notes the importance of spreading democratic ideals in Panama, it also pays particular attention to the 23 U.S. military personnel killed in Operation Just Cause. Days after Operation Just Cause officially ended, Congress is immediately calling for U.S. troop withdrawal, notably without an assistance package completed or significant U.S. civilian presence in Panama. In June 1990, representatives in the House proposed a resolution regarding the conduct of U.S. operations in Panama, including a request by Congress for the President to state “the mission of all United States military personnel remaining in Panama as of the date of this resolution is adopted.”¹⁹⁷ While this resolution did not make it out of committee and did not pass, it is illustrative of one line of thinking within Congress regarding the limited length of commitment that Congress envisions for the military in post-conflict state-building environments.

“The public’s attention span is too short to inspire the difficult, comprehensive measures that are required to address such modern-day evils as disagreeable dictators, drug dealers, and terrorists.”¹⁹⁸ The will of Congress to address post-conflict state-building is limited, often by competing interests and events in the domestic and international political spheres.

Priority and goals of the resources

¹⁹⁶ House of Representatives (1990a) *House Congressional Resolution 262: Expressing the Sense of Congress concerning Operation Just Cause in Panama*, February 7, 1990, <http://thomas.loc.gov> .

¹⁹⁷ House of Representatives (1990b) *House Resolution 411: Requesting the President to furnish certain information to the House of Representatives on the United States' invasion of Panama*, June 11, 1990, <http://thomas.loc.gov>.

¹⁹⁸ Kempe (1992) p. 2.

Congressional assistance to Panama focused on longer-term economic assistance, to the neglect of the shorter-term post-conflict assistance. “Critical to the effective massing of forces in restoration operations is adequate funding and a sense of urgency. In the immediate aftermath of combat, operational funds must be used for restoration purposes. ... Long-term funding from appropriations requires that the executive branch have a well-developed plan for convincing the Congress to pass the required legislation with a real sense of urgency.”¹⁹⁹ Congress established a longer-term economic assistance package for Panama, not focusing on the immediate needs required in post-conflict state-building package. After May 1990, Congress did not provide a specific post-conflict funding package for Panama. Thus, the immediate post-conflict state-building and longer-term development assistance was molded into one aid package. Yet, Congress does not bear all responsibility for these funding decisions. The funding approved by Congress largely reflected the goals stated by the President in NSPD 33 and 34.²⁰⁰

Placing supplemental appropriations within a larger perspective, there is a constant competition for resources in the overall budget as well as the specific foreign affairs budgets. This competition for resources restricts overall foreign affairs spending and leads to unlikely alliances and adversaries. Post-conflict assistance for Panama was reportedly being taken out of the \$600 million National Defense Stockpile Transaction Fund, affecting members and equities in the House Subcommittee on Sea-power and Strategic and Critical Materials. Far removed from determining the *theoretical* strategic goals for post-conflict assistance in Panama, there are competitions for resources that relate to fundamental budgeting questions regarding from where money came to pay for post-conflict operations.²⁰¹

Disconnects between resources and goals

The Military Support Group provided the structure for post-conflict state-building in Panama. In some cases, Congressional appropriations matched the stated goals of the Military Support Group, thus aligning resources and goals. For instance, Congress appropriated funds for ICITAP and other police training, a key goal for the *Panama Strategy* of the Military Support Group to be carried out by the State Department and Department of Justice.

¹⁹⁹ Lambert (2004) paragraph 16.

²⁰⁰ See: The White House (1990a); and The White House (1990b).

²⁰¹ Peggy Abrahamson (1990) “Proposed Panama aid stirs debate,” *American Metal Market*, March 12, 1990.

Yet, there was a major disconnect between the urgency to fund post-conflict Panama operations and Congressional action. Senator Kennedy stated in early February 1990, “It has been over 6 weeks since United States forces invaded the country of Panama and ousted the dictator Noriega. At that time, President Bush stated his intention to provide immediate humanitarian assistance to the Panamanian people and to lift the sanctions imposed against the corrupt, drug-running regime of Manuel Noriega. But Panamanian people have yet to receive that emergency assistance and United States sanctions against Panama remain in place.”²⁰² Funds were slow to reach the Military Support Group and Embassy’s country team as the assistance package was not quickly moved through Congress.²⁰³ In the end, Congress appropriated \$420 million to be spent on post-conflict operations in Panama in May 1990, yet the Military Support Group was only designed to be in operation through January 1991. While Congressional funding was designed to be disbursed through non-Military Support Group mechanisms, particularly the Embassy country team, the only functioning mechanism conducting post-conflict operations and the support to the Embassy country team – the Military Support Group – would cease to exist only eight months after money was made available for post-conflict operations.

Policy

What is the goal?

As with the other institutions studied, the answers to “what is the goal?” varied widely within Congress. Four lines of thought appeared to be most important: strategic interests, democracy promotion, economic and business interests (related to strategic interests with respect to the Panama Canal), and anti-narcotics. While some members of Congress engaged in debates on Panama, most – possibly a large majority – were not focused on any post-conflict operations.

Panama is of strategic importance to the United States due to the Panama Canal as well as its geographic position in Latin America. Senator Jesse Helms noted the strategic importance of Panama and argued for the need for a democratic state in Panama during deliberations on post-conflict assistance, culminating the May 1990 P.L. 101-302 assistance. Although not

²⁰² Senate Committee on Appropriations (1990) p. 979.

²⁰³ Schultz (1993) p. 108.

passed, H.R. 3169 in August 1989 stated the strategic importance of Panama, arguing “the security of the Panama Canal is a strategic national concern of the United States.”²⁰⁴

Reviewing the importance of the assistance package, Senator Dole stated, “We also have an enormous stake in Panama. It anchors the southern end of Central America--where the struggle for democracy goes forward.”²⁰⁵

Another overriding key factor stated in Congress was democracy promotion. From the names of bills and laws (e.g., *Urgent Assistance to Democracy Act*) to the commonly used rationale for both the invasion and the goal of the post-conflict environment, democracy promotion is a justification and end state that is used by nearly all members of Congress involved in the debate. Yet, the understanding of what democracy promotion translates into is more vague. H.R. 3169 states, “The Congress reaffirms United States support for the strengthening of democratic institutions in Panama.”²⁰⁶ Yet, there is little specific information on projects, programs, or funding discussed in the bill. A small percentage of the post-conflict assistance is devoted to political development. More generally, assistance is targeted for the immediate post-conflict period, neglecting an overall strategy for democracy promotion that extends beyond the Military Support Group mission.

Related to strategic interests, economic and business interests are prominent factors in Congress’ understanding of determining the goals for post-conflict state-building in Panama. As stated, economic recovery was a key – if not, *the* – focus of the actual post-conflict assistance provided by Congress. Specific language on international financial institution arrears, bank and other financial reform, and economic empowerment (e.g., job creation, small business loans) are all highlighted in the legislation and assistance packages through Congress. Related to strategic interests, the economic and business interests guiding post-conflict state-building are often interpreted through the prism of how these interests relate directly to U.S. national interests. There is little specific reference to *how* democracy or a functioning state would be built through these programs.

Last, counter-narcotics policies were a motivating factor and key consideration in post-conflict Panama. Specifically, General Noriega’s narco-trafficking was an original

²⁰⁴ House of Representatives (1989).

²⁰⁵ Senate Committee on Appropriations (1990) p. 981

²⁰⁶ House of Representatives (1989).

justification for invasion and a key consideration in improving the post-conflict environment. P.L. 101-243 in February 1990 lists counter-narcotics as a “vital national interest.”

As with the other institutions, these competing and different understandings of the goal in post-conflict state-building in Panama shape the overall outcomes. No one single answer should be considered *the* answer or *the* guiding factor; however, an interaction between these different answers to “what is the goal?” guide the overall post-conflict state-building by Congress.

Conception of the mission

“What is the goal?” described *what* Congress viewed as the goal; the “conception of the mission” described *how* those goals might be achieved and what *role* Congress envisioned for U.S. government assistance to post-conflict Panama. Congress had accurate information about the nature of the Panamanian state, particularly due to its interest in Panama regarding narco-trafficking. A Senate subcommittee report described the state of Panama as a “‘narcokleptocracy,’ a political system in which [the] Panamanian government became controlled by personal loyalties to Noriega, cemented by graft and corruption, and substantially funded with narcotics money.”²⁰⁷ However, there remained a lack of understanding of the commitment and the complexity of the post-conflict state-building mission. For instance, Senator Helms supported the October 1989 coup, but demonstrated his lack of commitment (and understanding) to what would be needed for post-conflict Panama.²⁰⁸ In Congressional hearings, regional and thematic experts’ answers to the role of the U.S. government in Panama ranged from “we should speak in the ears” of the Panama government – indicating an advisory role, but still conceptualizing a more limited level of responsibility – compared to a responsibility to conduct post-conflict state-building operations.²⁰⁹ Although exclusively a U.S. invasion, Senator Warner asked two days after the invasion if the neighboring countries can assist in post-conflict state-building. Senator Warner argued, “Part of the burden of reconstituting the economy, it seems to me, falls on

²⁰⁷ Hathaway (1991) p. 41.

²⁰⁸ See: Kevin Buckley (1991) *Panama: The Whole Story*, London: Simon & Schuster, p. 203-216.

²⁰⁹ House of Representatives - Committee on Foreign Affairs - Subcommittee on Western Hemisphere Affairs (1991) “Post-Invasion Panama: Status of Democracy and the Civilian Casualties Controversy,” One Hundred Second Congress (no hearing number given) July 17 and 31, 1991, Washington, D.C.: U.S. Government Printing Office, p. 93.

other Central American and Latin American countries.”²¹⁰ How can regional partners have an immediate burden for post-conflict state-building before the U.S. even has a strategy for the post-conflict environment?

Many in Congress, though, viewed the issues surrounding Panama more as a question and debate over the use of force, not addressing or overlooking post-conflict questions.

Discussion included on one side, Speaker of the House Jim Wright stating, “obviously we don’t want to go [to Panama] with the force of military arms – that’s ridiculous.”²¹¹ On another side, “Senator Alfonse D’Amato accused the Department of Defense and the JCS of being “cowards” for their lack of military decisiveness in Panama”²¹² The conception of the mission – whether supporting the operation or not – was military. “Should force be used or not?” was the question, not “how should force be used and what comes after the force?”

The role of democracy promotion

On June 26, 1987, the Senate approved a resolution that called for democracy in Panama and threatened to cut off U.S. foreign assistance to Panama. Over two years before the invasion, Congress was deeply aware of the situation in Panama, yet there was no follow-on inquiries into what democracy might look like in Panama after Noriega or what the U.S. role might be in this post-conflict environment.²¹³

As discussed briefly in “what is the goal?” there is strong importance placed on the role of democracy promotion in post-conflict state-building, even if a full understanding of the complexities and responsibilities are not apparent. Beyond rhetoric, however, some elements of Congress are deeply interested in the role of democracy promotion.

On the rhetoric side, though, bills and public laws regarding Panama highlighted the idea of democracy. P.L. 101-243 was titled “Urgent Assistance for Democracy in Panama Act of 1990;” H.R. 3169, named “Panama Democracy and Economic Recovery Act,” supported the rebuilding of Panama, particularly in terms of economic recovery. Yet, H.R. 3169 made little

²¹⁰ Senate Committee on Armed Services (1990) p. 136.

²¹¹ Scranton, *The Noriega Years*, p. 147 from Gilboa 549.

²¹² Kevin Buckley (1991) *Panama: The Whole Story*, New York: Simon & Schuster, p. 137 from Gilboa (1995-1996) p. 549.

²¹³ Horwitz (1991) p. 50.

mention of specific support for democratic institutions, providing no detail or ideas for funding. The \$420 million supplemental in May 1990, P.L. 101-302 was named “Supplemental Assistance for Emerging Democracies Act of 1990.” In addition, Senate Resolution 247 and House Resolution 262 highlighted the rhetorical importance of democracy.²¹⁴

Not all members of Congress, however, were fixated on democracy. Senator Symms, a member of the Armed Services committee, put forth a resolution, Resolution 235, which discussed the need to support a “representative government,” but did not once mention the word democracy. While the resolution did not pass, it is indicative of the fact that there were other camps and schools of thought within Congress.

Representative Dreier’s comment surrounding the May 1990 supplemental for Panama provide an insight into the importance placed on democracy promotion, yet the uncertainty of how the United States can support that effort through post-conflict operations.

If we had thought 1 year ago today that we would see Manuel Noriega out of office, out of control of Panama, and Daniel Ortega out of control of Nicaragua, most everyone in this House would be absolutely stunned. At that time, if we had in a bipartisan way talked about putting together some kind of aid package which would assist these people, who have been living under the repression of Noriega in Panama and Ortega in Nicaragua, I believe that we would have had complete bipartisan support for that package. Mr. Chairman, that is exactly what the President of the United States is calling for here. He wants us to help these people who have, as has been said many times, these fledgling democracies which are attempting to reach out of this deep pit of totalitarianism to some kind of democratic form of government.²¹⁵

There is a real desire to support the “fledgling democracies,” yet there was no thought into how the United States should assist these emerging democracies. Nearly six months after the invasion, Dreier and others in Congress were engaging in a discussion of *what the goal* is when the discussion should be centered on *how to achieve the goal*.

Conclusion

To say that Congress was not aware of the situation and conditions in Panama is simply not true. Congress was deeply involved and aware of U.S. actions and the environment in

²¹⁴ See: Senate (1990); House of Representatives (1990a).

²¹⁵ David Dreier (1990) *Supplemental Assistance for Emerging Democracies Act of 1990*, House of Representatives, May 22, 1990.

Panama, from covert assistance for opposition groups to economic sanctions and covert actions against Noriega. Yet, there was a failure to plan for what would happen after Noriega from the beginning until the actual invasion.²¹⁶ Congress maintains control of the foreign assistance budget as well as policy oversight. By not engaging in these policy responsibilities, post-conflict state-building did not receive the necessary funds nor oversight and accountability from Congress.

²¹⁶ For a chronology of U.S. foreign policy in Panama, with a particular focus on events leading up to and including Operation Just Cause, see: Watson & Germain (1991).

Conclusion

Institutional dynamics – resource, structural, and policy – explain much of the overall effectiveness (or ineffectiveness) of post-conflict state-building in Panama. The issues and differences that institutions faced internally explained more about overall post-conflict state-building policy than issues and differences between these institutions studied. Another key takeaway, however, is the disparity in influence, resources, and overall capabilities of the Defense Department compared to all other actors. In many regards, the Defense Department was *the* actor in post-conflict state-building, particularly in the immediate post-conflict period. Differences within the Defense Department are notable; however, differences within the State Department and Congress are less understood, although still present, because there was no decisive role taken by these other institutions.

Fundamental issues related to resources and structure within each institution explain the difficulties and challenges regarding U.S. foreign policy and post-conflict state-building. In Congress, the lag time to pass legislation and emergency supplemental appropriations led to delayed and often ineffective policy. In the State Department, there were insufficient personnel to participate – much less lead – post-conflict state-building operations. In the military, structural issues led to a bifurcation of the combat and post-conflict phases of planning and operations.

Institutional barriers to planning and implementing post-conflict state-building policies had compounding negative effects when combined with the barriers and obstacles of other institutions. For instance, the short-term length of commitment of personnel and resources in the military coupled with Congress' more long-term perspective and delays in the funding processes led to critical disconnects between funding and operations as well as disconnects between resources and personnel. The Military Support Group's *Panama Strategy* provided excellent long-term goals; however, the goals did not reflect the structural and resource limitations within the military and the larger U.S. government. Further, the Military Support Group developed the goals in May 1990, nearly half a year after the conflict was initiated. Congress was debating post-conflict assistance into May 1990 as well, even though there was a need to have post-conflict assistance already enacted. Within and between these institutions, there were disconnects between policy goals and the resources, structures, and mechanisms to achieve these goals.

On another level, the bifurcation of the combat and post-conflict phases in the military was exacerbated by the lack of planning by the State Department for any post-conflict scenarios. When the actual operations were implemented in Panama, the major combat operations and post-conflict state-building were more simultaneous, not sequential. However, the strategy, planning, and operations conceptualized, funded, and prioritized these missions as separate, distinct, and not simultaneous. While much of this bifurcation can be seen within the military alone, the resource, structural, and policy issues within the State Department and Congress only exacerbated this bifurcation.

Across the institutions, defining the goals was a critical problem. There was little focus on building political institutions. There was no conception of the environment into which the U.S. would conduct the post-conflict state-building functions, which led to a lack of understanding that political institutions needed to be built, not rebuilt. As discussed in chapter 2, post-conflict state-building operations should be conceptualized as part of the warfighting process, directly influenced and shaped by the conflict and the combat operations. In Panama, post-conflict state-building did not account for the years of conflict (and neglect) leading up to the conflict nor the post-conflict dynamics that resulted from the December 20, 1989 invasion of Panama. State-building in Panama was not conceptualized as part of the warfighting process, neither by the military nor the civilian institutions. “The pursuit, the second act of victory” was not part of the strategic or operational framework of this mission.

Democracy promotion was a stated goal of U.S. foreign policy towards Panama; however, *how* democracy promotion would be enacted through the post-conflict state-building operations was never fully articulated nor translated into operational policies from the broader, more vague strategic level. “Part of the problem lay in the fact that promoting democracy was never the driving force of U.S. policy toward Panama; more selfish interests have always been paramount there.”²¹⁷ Democracy promotion was a secondary goal of U.S. foreign policy towards Panama. “When the Reagan administration finally shifted to a policy of attempting to oust Noriega in late 1987 and 1988, it did not do so out of any sudden embrace of pro-democratic ideals with respect to Panama. ... Although the Reagan

²¹⁷ Kempe (1992) p. 2.

administration touted its new Panama policy as one of promoting democracy, in fact the policy was anti-Noriega, not pro-democracy. ... the administration devoted little real time or energy to the issue of what a post-Noriega Panama would look like. ... The policy was a U.S. effort for U.S. ends, wrapped in a pro-democracy banner for public relations purposes.”²¹⁸ Although a stated goal, democracy promotion was not a central goal for U.S. post-conflict state-building strategy, policy, and programs. The resource, structural, and policy decisions did not reflect any commitment to democracy promotion. Democracy promotion lacked a short or long-term strategy. Further, the U.S. intervention did not consider what the pre-existing political conditions were and what strategy would be able to accomplish its longer-term goals.

What was the goal of post-conflict state-building? The goals ranged from economic recovery to counter-narcotics, removing Noriega (as an end in itself) to democracy promotion. Yet, Assistant Secretary of State Aronson most succinctly and accurately stated the fundamental goal of post-conflict state-building in the immediate post-conflict period: “to reassert control and authority.” The aforementioned goals are important *long-term* goals. These goals cannot be achieved in the immediate post-conflict period, if even in the long-term in many cases.

What can be achieved in the immediate post-conflict period? “Reasserting control and authority,” particularly on a political level, is a key immediate post-conflict goal that was not fully considered in U.S. post-conflict state-building strategy. There is a large security dimension to “reassert control and authority,” yet it does not end there. The political dimensions of the immediate post-conflict period are also crucial. The goals of post-conflict state-building for Panama were wide-ranging, ambitious, long-term goals; yet there was no focus on what could be achieved in the immediate post-conflict period and what the limited role of the U.S. could be in achieving these goals.

The lack of integrated planning processes before the invasion led to disintegrated operational processes. The different and competing perspectives and factors within each institution fed into a larger process that was disjointed and disintegrated. Describing the lack of an overall strategy and lack of a coherent interagency effort, Lt. Col. Dennis Barlow stated,

I recall attending at least two interagency meetings involving 18 USG agencies in January. I was very frustrated at the time, not because they seemed unwilling to participate, but because

²¹⁸ Carothers (1992) p. 81.

very little happened. Thinking back on it, they may have felt that they had been left out of the game until it was too late. From their perspective, they were justifiably irritated, and maybe not have wanted to get involved after the military had already created its own little mess. I could understand that attitude ... Unfortunately, nothing came of these meetings.²¹⁹

“Several officials said the military plan lacked overall ‘integration’ into a larger strategy to bring stability to Panama. For instance, they said, little planning was done on the question of how to establish the legitimacy of Endara”²²⁰ Military objectives were a sub-set of a larger national security strategy for Panama; however, the overall strategic planning for Panama did not exist and the attendant plans of other departments and agencies did not exist either. Instead, the military operational goals drove overall U.S. foreign policy, resulting in a failure to achieve the overall strategic goals, largely because the strategic planning did not exist and the civilian capabilities to enact non-military components of the strategic planning were not part of the military planning process.

Beyond the strategic differences, there was a lack of strategic awareness or involvement in the post-conflict state-building strategies by anyone except the Defense Department until after the invasion occurred. The only institution equipped to deal with the immediate post-conflict period in Panama was the military. The lag time with Congressional funding, the lack of civilian personnel able to work in non-permissive, military-centric environments, and the focus of civilian government and Congress on longer-term, rebuilding aspects of state-building does not permit the more dynamic, contingency-oriented policies, funding, and operations that the military are able to plan and execute. The entire U.S. government is needed for longer-term state-building; however, the military occupies a lead role in the conflict and immediate post-conflict periods.

* * *

Post-conflict state-building was not a priority within any institution of the U.S. government for Panama contingency planning and operations after the December 20, 1989 invasion. Each institution had structural, resource, and policy issues that contributed to the institutions’ inability to conduct post-conflict state-building effectively. These failures cannot be blamed on civilian – uniformed military divides or operational failings. The failure began at the

²¹⁹ Interview with Lt. Col. Dennis Barlow, p. 6 in Schultz (1993) p. 75.

²²⁰ Hoffman & Woodward (1989).

strategic level. The senior civilian foreign policy leadership – in the Defense Department, State Department, and Congress – neglected post-conflict state-building. It was not a priority. Consequently, this lack of focus and priority on the strategic level led to inadequate resources devoted to the mission set and structural impediments that inhibited the achievement of post-conflict state-building goals.

CHAPTER 5 – CASE STUDY 2: IRAQ

Overview

History will judge the war against Iraq not by the brilliance of its military execution, but by the effectiveness of the post-hostilities activities.¹

- Office of Reconstruction and Humanitarian Assistance, *Unified Mission Plan*, April 2003

This [ORHA] is an ad-hoc operation, glued ... together over about four or five weeks' time ... didn't really have enough time to plan.²

- General (ret.) Jay Garner, House International Relations Committee testimony, May 2003

The second case study assesses U.S. post-conflict state-building planning and operations as a part of and after Operation Iraqi Freedom, specifically from April 2003 to November 2003.³

The goal of this chapter and case study is to assess U.S. post-conflict state-building strategy from an institutional perspective. The “value-added” of this analysis is not necessarily in the information presented as many books, articles, and first-person accounts of this period have already been written by scholars, policymakers, and journalists. The value-added is found in the approach of the analysis that asserts that U.S. government *institutions – both separately and together* – ultimately shaped post-conflict state-building strategy in Iraq. Post-conflict state-building is conceptualized as part of the warfighting process; however, the structures, resources, and policies of U.S. government institutions do not support this critical transitional phase of state-building in the immediate post-conflict period.

This second case study continues to use the methodological framework described in Chapter 3. The principal units of analysis are the Defense Department, the State Department, and Congress. Within these units of analysis (and sub-sections of the chapter), three categories of analysis – structural, resource, and policy – provide a framework for the case study. After this evaluation, a series of conclusions assess key points from the chapter's analysis.

¹ Office of Reconstruction and Humanitarian Assistance (2003) “A Unified Mission Plan for Post Hostilities in Iraq,” April 2, 2003, p. 1. Also cited in Thomas E. Ricks (2006) *Fiasco: The American Military Adventure in Iraq*, New York: Penguin Press, p. 107 Taken from Ricks 107.

² Eric Schmitt and David E. Sanger (2003) “After Effects: Reconstruction Policy; Looting Disrupts Detailed U.S. Plan to Reconstruct Iraq,” *New York Times*, May 19, 2003.

³ While the Coalition Provisional Authority's (CPA) mandate continued through June 28, 2004, this chapter focuses on the first six months of the CPA as this constitutes the immediate post-conflict period. In addition, the November 15 Agreement constitutes a shift in US policy toward post-conflict Iraq that would merit an additional chapter. As this study is concerned with policy-making related to the immediate post-conflict period, the first six months (before the November 15 Agreement) provide the most useful time period for analysis of immediate post-conflict Iraq.

Introduction and Context

Post-conflict state-building was not an institutional priority in the lead up to the invasion of Iraq in March 2003. Post-conflict state-building was conceptualized as part of the warfighting process; however, institutions within the U.S. government did not transfer this theoretical conceptualization into the requisite planning and operations. Within the war planning that did occur, post-conflict state-building was not a priority. While it received attention at various stages leading up to March 2003, post-conflict operations were relegated in importance and often conceptualized as short-term, humanitarian assistance-based operations.

The 1991 Gulf War, Clinton Administration, and Election of George W. Bush

The roots of the 2003 U.S. military and civilian operations in Iraq – including the post-conflict planning and operations – can be found in the 1991 Gulf War and the follow-on policies of the Clinton Administration in the 1990s. After a 1998 four-day bombing campaign named *Desert Fox*, CENTCOM Commander General Anthony Zinni began planning for possible future military scenarios with Iraq.

1003-98 → 1003V → Generated Start → Running Start → Hybrid → 1003V (Cobra II)

The focus of this initial planning was largely kinetic, major combat operations. In 1999, CENTCOM produced *OPLAN 1003-98*, which set out U.S. military operations in Iraq in the event of an aggressive military operation by Saddam Hussein, similar to the 1991 Kuwait invasion.⁴ *OPLAN 1003-98* planning revealed the lack of overall planning for post-conflict operations, including the potential military occupation of Iraq. The plan lacked a sufficient Annex V – the post-conflict operations annex – to outline political administration, reconstruction, and other essential post-conflict operations that the military would at least need to support.⁵ Zinni posed the question, “If you do indeed topple Saddam Hussein, what will come next? ... It [*OPLAN 1003-98*] brought out all of the problems that have surfaced

⁴ Central Command (1999) “Desert Crossing Seminar – After Action Report,” June 28-30, 1999. Declassified on July 2, 2004; available at George Washington University National Security Archive: <http://www.gwu.edu/~nsarchiv/NSAEBB/NSAEBB207/index.htm>. For a brief description of *OPLAN 1003-98*, see: Michael R. Gordon and General Bernard E. Trainor (2006) *Cobra II: The Inside Story of the Invasion and Occupation of Iraq*, New York: Pantheon Books, p. 26-27.

⁵ Gordon & Trainor (2006) p. 27.

now ... It shocked the hell out of me.”⁶ Due to these apparent gaps in post-conflict operations, Zinni authorized classified war game *Desert Crossing* to “identify interagency issues and insights on how to manage change in a post-Saddam Iraq.”⁷ However, this planning guided CENTCOM to plan for possible humanitarian – not state-building – operations in the event of Saddam Hussein’s collapse.⁸

As he campaigned in 2000, President Bush clearly stated his disdain for “nation-building.” Bush said, “He [Gore] believes in nation building ... I would be very careful about using our troops as nation builders. I believe the role of the military is to fight and win war and therefore prevent war from happening in the first place.”⁹ In a later debate, Bush added, “I don’t think our troops ought to be used for what’s called nation building ... I think our troops ought to be used to help overthrow a dictator ... when it’s in our best interests.”¹⁰ Not ruling intervention out, Bush did not advocate for a conception of war that included post-conflict state-building.

Just after taking office, the Bush administration conducted a policy review of Iraq in spring 2001. The Senate Foreign Relations Subcommittee on Near Eastern and South Asian Affairs also participated in this policy review, holding a hearing in March 2001, titled, “United States Policy Toward Iraq.”¹¹ While no major policy recommendations came from these high-level meetings, the issue of Iraq was on the foreign policy agenda of the Bush administration.

After September 11, Iraq gained further prominence as a foreign policy priority due to the Bush administration’s evaluation of Iraq’s relationship to the wider “Global War on Terrorism.”¹² President Bush instructed Secretary Rumsfeld in November 2001 to review and update Iraq contingency plans.¹³ CENTCOM was consequently tasked with developing

⁶ Ricks (2006) p. 20.

⁷ Central Command (1999) p. 3.

⁸ There are conflicting reports on the quality of OPLAN 1003-98, particularly the post-conflict elements. See: Ricks (2006) p. 34.

⁹ CNN (2000) “Vice President Gore and Governor Bush Participate in Presidential Debate,” October 3, 2000, <http://www.cnn.com/ELECTION/2000/debates/transcripts/u221003.html> .

¹⁰ UCSB – The American Presidency Project (2000) “Second Gore-Bush Presidential Debate,” October 11, 2000, <http://www.presidency.ucsb.edu/showdebate.php?debateid=21> .

¹¹ Senate Foreign Relations Committee – Near East and South Asia Subcommittee (2001) “United States Policy toward Iraq,” S. Hrg. 107-19, March 1, 2001, Washington, D.C.: U.S. Government Printing Office.

¹² Among numerous books, see: Douglas Feith (2008) *War and Decision*, New York: HarperCollins.

¹³ Bob Woodward (2006) *State of Denial*, London: Simon & Schuster, p. 81. Woodward wrote, “‘Let’s get started on this,’ Bush recalled saying that day. ‘And get Tommy Franks looking at what it would take to protect America by removing Saddam Hussein if we have to.’”

conceptual plans for Iraq. One of four parts of the tasking was to develop plans for post-combat operations.¹⁴ Post-conflict operations were on the conceptual map for Iraq planning.

Yet, post-conflict operations never became an institutional priority for any U.S. government institution. The November 2001 instruction to review Iraq war plans signaled the beginning of a 16-month policy process that would culminate in the February 2003 Presidential approval of the Iraq war plan – 1003V. CENTCOM began revising war plans and presented several versions to President Bush, Secretary Rumsfeld, and other senior leaders. The discussions focused largely – if not exclusively – on the major combat operations portion of the war planning, particularly troop numbers. Zinni’s original 1003-98 plan proposed 385,000 troops.¹⁵ Largely guided by the “transformation” doctrine, Rumsfeld continued to push back on CENTCOM Commander General Tommy Franks to reduce troop levels to 145,000 troops.¹⁶

During the first Iraq war briefing to President Bush on December 28, 2001, Franks presented a Commander’s Concept, an overview of the 89 pages plus thousands of pages of appendices of military planning. A “lines and slices” model included a broad conceptualization of post-conflict goals within the warfighting process, but few specifics on goals or priorities. Phase III planning – the final phase of major combat operations – listed goals as “regime forces defeated or capitulated; regime leaders dead, apprehended, or marginalized.”¹⁷ Phase IV – the post-conflict phase – was not well-defined, but Franks indicated that it would likely take years, not months.¹⁸ Franks’ war plan now included 275,000 troops, although Secretary Rumsfeld was still angling to reduce that number. The main policy issue was weapons of mass destruction and the threat Saddam Hussein posed by his apparent possession of these weapons.

The focus for Iraq planning remained on the kinetic, major combat operations. After completing this Commander’s Concept, Franks returned to his CENTCOM planners with

¹⁴ Ricks (2006) p. 32.

¹⁵ Gordon & Trainor (2006) p. 28.

¹⁶ This debate is well-documented in many popular accounts, including Gordon & Trainor (2006) p. 28-32, Ricks (2006), and Woodward (2006).

¹⁷ General (ret.) Tommy R. Franks (2004) *American Soldier*, New York: Harper Collins, p. 545.

¹⁸ Central Command (2002-C) “Compartmented Plan – Update,” May 10, 2002, slide 2. Declassified on June 16, 2005; available at George Washington University – National Security Archive; labeled as “Tab C” at <http://www.gwu.edu/~nsarchiv/NSAEBB/NSAEBB214/index.htm> .

further guidance – work on scenarios if Iraq initiated a war. CENTCOM planners spent four months on these efforts. Deployment times for operations were shortened to respond rapidly to a war initiated by Iraq. Shortly after President Bush deemed Iraq part of the “axis of evil” in his January 2002 State of the Union address, Franks presented another iteration of the war plans to Secretary Rumsfeld. CENTCOM’s war plan was now titled *Generated Start*, due to its initial three divisions – about 140,000 to 150,000 troops – followed by initial deployment of nearly three additional divisions – amounting to 275,000 troops.¹⁹ Secretary Rumsfeld continued to push for lower troop numbers and a shorter deployment phase. President Bush received another round of war plan briefings on March 3, 2002, evaluating *Generated Start* and raising questions about ally support.²⁰

In a May 2002 briefing to the President, Franks added one more option to the table: *Running Start*, reducing the buildup by beginning operations with a bombing campaign that led to a ground attack.²¹ *Running Start* did not replace *Generated Start*, but was just one more option. Over the summer 2002, another plan titled *Hybrid* – or *5-11-16-125 Plan* – developed a rapid deployment that combined air and ground attacks.²²

Although no plan was established yet for post-conflict operations, Franks included post-conflict goals in his overall strategic outlook. Franks outlined his goals for the Iraq war plan to CENTCOM staff in August 2002: “the end state for the operation is regime change. Success is defined as regime leadership and power base destroyed; WMD capability destroyed or controlled; territorial integrity intact; ability to threaten neighbors eliminated; an acceptable provisional / permanent government in place.”²³ Secretary Rumsfeld remained closely engaged on the combat operations planning, continuing to press Franks and CENTCOM staff to reduce troop levels, particularly through a shorter deployment time. Consequently, the post-conflict operations were either not being addressed or remained subordinated to continual major combat operations’ revisions. Franks outlined OPLAN

¹⁹ Central Command (2002-L) “Compartmented Concept,” August 4, 2002, slides 2 & 7. Declassified on June 16, 2005; available at George Washington University – National Security Archive; labeled as “Tab L” at <http://www.gwu.edu/~nsarchiv/NSAEBB/NSAEBB214/index.htm>. Also, see: Gordon & Trainor (2006) p. 36-38.

²⁰ Gordon & Trainor (2006) p. 38.

²¹ Gordon & Trainor (2006) p. 50.

²² Gordon & Trainor (2006) p. 67-72, 76-77.

²³ Gordon & Trainor (2006) p. 67.

1003V on August 4, 2002 to the President and NSC. Phases I, II, and III would last 90 days. Phase IV was an undetermined length.²⁴

CENTCOM continued to revise combat operations planning. Adopting much of *Generated Start*, the war plan now became known as *Cobra II* by fall 2002.²⁵ The President received another briefing from Franks on October 31, 2002.²⁶ Further revisions continued to the war plan over the course of the fall and winter, leading to the President's approval of *OPLAN 1003V* on February 13, 2003, also called *Cobra II*. The attendant Phase IV plans – *Operation Iraqi Reconstruction* – would be developed by the 1st Marine Expeditionary Unit and the Army V Corps. In Franks' final briefing before the commencement of war, President Bush asked about Phase IV operations. Franks replied that the military would establish “lord mayors,” overlooking the complexity of actors, plans, and interactions involved in post-conflict planning for Iraq.²⁷

Planning for Post-Conflict Operations

The post-conflict element of the war plan was not a primary point of focus for any of the President's briefings until January 2003. Since the development of Zinni's 1003-98, post-conflict planning was a subordinate task. Although the 1999 war game *Desert Crossing* was designed to address the “gaping hole in the occupation annex,” the problems were not comprehensively addressed in the war planning during 2001 to 2003 military planning.²⁸

For some in the Defense Department, post-conflict operations were the responsibility of “other” departments, usually naming the State Department. Yet, the fall 2002 war game *Internal Look* revealed shortcomings in this thinking – the State Department and other inter-agency actors did not have the capacity, resources, or plans to lead post-conflict operations. Some in the Defense Department did acknowledge that the Defense Department would need to at least be an important player in any post-conflict operations. However, another fall 2002 war game – *Prominent Hammer II* – led to the conclusion that the Defense Department had

²⁴ Central Command (2002-L) slide 2.

²⁵ Gordon & Trainor (2006) p. 75-77, 93-94.

²⁶ Gordon & Trainor (2006) p. 79.

²⁷ Woodward (2006) p. 122

²⁸ Gordon & Trainor (2006) p. 27.

not sufficiently planned for the resources required for post-conflict operations in Iraq.²⁹ The State Department did not have the capability and the Defense did not make the necessary preparations for post-conflict operations.

The Defense Department did begin acknowledging the neglect of post-conflict planning by August 2002 and CENTCOM was tasked with working on a post-conflict plan.³⁰ However, CENTCOM planners were continuing to devote their attention to revising major combat operations – Phases I, II, and III of the war planning – not focusing on Phase IV planning.³¹ There was also some planning confusion as Franks assured his planning staff that the State Department would take the lead on post-conflict operations.³²

Institutes within two prominent military war colleges – the National Defense University (NDU) and the Army War College (AWC) – hosted conferences to discuss post-conflict Iraq. The Institute for National Strategic Studies at NDU hosted a conference titled “Iraq: Looking Beyond Saddam’s Rule” to “discuss post-intervention challenges in Iraq; how U.S. efforts should relate to the overall post-intervention reconstruction and political stabilization of the country; and the role of allies in this effort.”³³ The AWC hosted a post-conflict Iraq conference, which generated a widely circulated paper by Conrad Crane and Andrew Terrill, documenting the potential challenges in post-conflict state-building in Iraq.³⁴ These strategic-level conferences, although organized and attended by military and civilian personnel, did not have direct influence on the policy decisions.

Two separate levels – a political front and a military planning front – were operating at the Defense Department regarding post-conflict planning and operations. On the military planning front, the Joint Staff, CENTCOM, and other uniformed military were attempting to assemble Phase IV planning structures and processes. In December, Lieutenant General George Casey – head of the J5 (planning) of the Joint Staff – called in Brigadier General

²⁹ Gordon & Trainor (2006) p. 140.

³⁰ Ricks (2006) p. 78; Gordon & Trainor (2006) p. 139-140.

³¹ Colonel John Agoglia (2007) interview, July 15, 2007. Agoglia headed CENTCOM J-5 (planning) during Iraq planning and execution and was a military liaison to CPA headquarters.

³² Gordon & Trainor (2006) p. 138.

³³ National Defense University – Institute for National Strategic Studies (2002) “Workshop Report: Iraq: Looking Beyond Saddam’s Rule,” November 20-21, 2002; unclassified report given to author by conference organizer.

³⁴ Conrad C. Crane and W. Andrew Terrill (2003) *Reconstructing Iraq: Insights, Challenges, and Missions for the Military Forces in Post-Conflict Scenarios*, Carlisle, PA: U.S. Army War College – Strategic Studies Institute, February 2003.

Steve Hawkins to head up a military effort for post-conflict Iraq.³⁵ Hawkins would work with Joint Forces Command (JFCOM) to set up Joint Task Force-IV (JTF-IV) – modeled under JFCOM’s standing joint force headquarter (SJFHQ) concept – for post-conflict military operations in Iraq. On the civilian side, Under Secretary Douglas Feith called Lieutenant General (ret.) Jay Garner on January 9, 2003 to lead an office to *coordinate* the civilian side of post-conflict Iraq planning within the military. Feith would set up the Post-War Planning Office, later known as the Office of Reconstruction and Humanitarian Affairs (ORHA).³⁶

On the political front, the Office of the Secretary of Defense was negotiating within Washington (particularly within the White House – President, Vice President, and National Security Council) for DOD control of the post-conflict planning and operations. Feith negotiated a DOD lead for post-conflict operations, citing a lack of State Department competence in post-conflict Afghanistan. These negotiations ultimately resulted in National Security Presidential Directive (NSPD) 24, signed on January 20, 2003, giving DOD control of post-conflict operations in Iraq. DOD designated Feith’s office – the Office of the Under Secretary of Defense for Policy (OSD-Policy) – as the lead office within DOD for post-conflict Iraq planning.³⁷

In mid-January 2003, President Bush received his first post-conflict Iraq briefing at the NSC. This briefing focused on issues – particularly humanitarian assistance – related to what would become ORHA’s mission.³⁸ Stephen Hadley, Deputy National Security Advisor, had worked with NSC Staff and OSD-Policy to create NSPD 24.³⁹ NSPD 24 provided presidential direction for post-conflict Iraq operations, stating:

If it should become necessary for a U.S.-led military coalition to liberate Iraq, the United States will be want to be in a position to help meet the humanitarian, reconstruction, and administration challenges facing the country in the immediate aftermath of the combat operations. The immediate responsibility will fall on the U.S. Central Command; overall success, however, will require a national effort. ... [The Office of Reconstruction and

³⁵ Gordon & Trainor (2006) p. 143.

³⁶ Senate Foreign Relations Committee (2003a) “The Future of Iraq,” S. Hrg. 108-43, February 11, 2003, Washington, D.C.: U.S. Government Printing Office, p. 16-17. Both JTF-IV and ORHA are more fully discussed below; see: page 178-184.

³⁷ Woodward (2006) p. 91.

³⁸ Woodward (2006) p. 107.

³⁹ Woodward (2006) p. 112. Also, see: Woodward (2006) p. 91, 111. The basis for this planning appears to be found in a series of NSC-hosted lunches that outlined major goals and reviewed planning. Deputy National Security Advisor Stephen Hadley had been working on this post-conflict Iraq issue for months.

Humanitarian Assistance will lead] detailed planning across the spectrum of issues that the United State government would face with respect to the postwar administration of Iraq.⁴⁰

The specified security, economic, and political issues included:

- (a) Assisting with humanitarian relief;
- (b) Dismantling weapons of mass destruction;
- (c) Defeating and exploiting terrorist networks;
- (d) Protecting natural resources and infrastructure;
- (e) Facilitating the country's reconstruction and protection of its infrastructure and economy;
- (f) Assisting with the reestablishment of key civilian services, such as food supply, water, electricity, and health care;
- (g) Reshaping the Iraqi military;
- (h) Reshaping the other internal security institutions; and
- (i) Supporting the transition to Iraqi-led authority over time.⁴¹

NSPD 24 definitively established the Defense Department as the lead for post-conflict state-building in Iraq, delegating the civilian planning to ORHA, yet also acknowledging the role of U.S. Central Command. Although he did not have any input on NSPD 24, Garner was responsible for executing this directive.

With this mantle of leadership for civilian post-conflict coordination, Garner briefed President Bush and senior national security officials in late February 2003 regarding the nine issues, as stated above, for post-conflict Iraq. Garner stated that ORHA could not lead four issue areas: dismantling WMD; defeating terrorist networks; reshaping Iraqi military; and reshaping internal security institutions. CENTCOM would need to lead these efforts.⁴²

On the eve of the war, Rice and Hadley briefed President Bush and the NSC on the war objectives. Regarding post-conflict Iraq and a suitable end state, the briefing said, "Iraq is seen to be moving towards democratic institutions and serves as a model for the region ... Place as many Iraqi faces in positions of visible authority as quickly as possible ... Accomplish the above urgently."⁴³

⁴⁰ Woodward (2006) p. 112.

⁴¹ Woodward (2006) p. 112.

⁴² Woodward (2006) p. 132.

⁴³ Woodward (2006) p. 153.

Overwhelming Success of Major Combat Operations

Major combat operations began on March 21 and were an overwhelming conventional military success.⁴⁴ Proceeding immediately to the capital, CFLCC (Coalition Forces Land Component Command) led by General McKiernan took over Baghdad on April 9. On May 1, President Bush declared, “Major combat operations in Iraq have ended. In the battle of Iraq, the United States and our allies have prevailed. And now our coalition is engaged in securing and reconstructing that country.”⁴⁵

The April – May 2003 “post-conflict” transition period was a critical time in post-conflict Iraq. The security and governance situation varied throughout the country as the uncertain, tenuous transition from major combat operations to the commencement of post-conflict operations took place.⁴⁶ Garner, ORHA, NSC representative Zalmay Khalilzad, and others began executing plans to forge a political strategy for post-conflict Iraq. Garner and Khalilzad hosted political conferences throughout Iraq in what was anticipated to be the lead-up to a larger “big tent” political gathering in Baghdad.

However, this April – May time period also revealed the lack of an executable immediate post-conflict plan and – even more importantly – a lack of resources or policy priority for these operations. In fact, no plan existed initially. CENTCOM had completed *Eclipse II* – a Phase IV plan for Iraq. However, the plan was completed on April 12, three days after the fall of Baghdad. Further, *Eclipse II* was described as “PowerPoint deep,” lacking any level of depth for further planning.⁴⁷ As corps and division commanders would have needed to develop and implement operational and tactical plans for post-conflict Iraq in April and May at the latest (based on strategic level guidance from CENTCOM), CENTCOM had just completed the larger strategic plan more than mid-way through the major combat operations.

⁴⁴ For a thorough examination of the major combat operations, see: Gordon & Trainor (2006) chapters 9-24; Ricks (2006) chapter 7.

⁴⁵ George W. Bush (2003) “President Bush Announces Major Combat Operations in Iraq Have Ended,” May 1, 2003, <http://www.whitehouse.gov/news/releases/2003/05/20030501-15.html> .

⁴⁶ Conceptually, it is important to note here that this sentence does not mean that major combat operations were not still going on during post-conflict state-building operations. The separation – if any – between major combat operations and post-conflict state-building is artificial in many environments.

⁴⁷ Gordon & Trainor (2006) p. 145.

The assumptions of post-conflict planning were shattered. As early as a May 2002 CENTCOM presentation, Phase IV operations included: “support the establishment of Iraq military forces” and “support the establishment of a provisional/permanent Iraqi government.”⁴⁸ A rapid, short-term transition process was not possible as the Iraqi state did not exist. “The Iraqi state, its ministries, their civil servants, police force and army ceased to exist in a meaningful way in the aftermath of regime change.”⁴⁹ Post-conflict state-building was necessary, yet there was a lack of executable planning, resources, and political will to address this mammoth challenge.

The immediate post-conflict: looting, lawlessness, little state capacity

The administrative capacity of the state had been destroyed by over a decade of sanctions, three wars in 20 years and three weeks of uncontrolled looting.

- Toby Dodge, “How Iraq Was Lost.”⁵⁰

Iraq was not a well-functioning state before the U.S.-led invasion in March 2003: unemployment was at 50%; there was a \$55-75 billion “infrastructure deficit,” subsidies were hemorrhaging the budget, electricity production was very low, and oil production was limited.⁵¹ Yet, “the Iraqi state that the US-led coalition inherited was much more dysfunctional than anticipated. The economy had collapsed.”⁵² Beyond poor macro and microeconomic fundamentals, government and bureaucratic functions were limited to non-existent. During Saddam’s rule, only eight percent of the national budget went through the Finance Ministry as the rest went directly through the President’s office. Decision-making authority was overly centralized, eroding the bureaucratic capacity of ministries.⁵³

Looting exacerbated an already difficult post-conflict environment.⁵⁴ “After three weeks of violence and looting the state’s administrative capacity was destroyed. Seventeen of Baghdad’s 23 ministry buildings were completely gutted.”⁵⁵ The cost of this looting was

⁴⁸ Central Command (2002-C) slide 9.

⁴⁹ Toby Dodge (2007) “The Causes of US Failure in Iraq” *Survival* 49:1, p. 87.

⁵⁰ Toby Dodge (2006-2007) “How Iraq Was Lost,” *Survival* 48:4, p. 166.

⁵¹ L. Paul Bremer, James Dobbins, and David Gompert (2008) “Early Days in Iraq: Decisions of the CPA,” *Survival* 50:4, p. 44-46.

⁵² Bremer, Dobbins, & Gompert (2008) p. 22.

⁵³ Ambassador L. Paul Bremer (2007) interview, July 3, 2007. Bremer headed CPA.

⁵⁴ For an overview of the looting, see: George Packer (2005) *Assassins’ Gate: America in Iraq*, New York: FSG Books, p. 135-142.

⁵⁵ Toby Dodge (2007) p. 88.

estimated at \$12 billion by the CPA, half of Iraq's GDP.⁵⁶ Communications systems were also failing or completely out of service, in large part due to U.S. military strikes on Baghdad's telephone centers to disable Saddam's communication networks. Electrical grids were not functioning and sewage systems needed to be rebuilt due to looting. "The infrastructure was not only antiquated but had collapsed."⁵⁷ Police stations were abandoned and subsequently looted down to the electrical wire. Garner and ORHA found Iraqi ministries in disrepair, decrepit before the war and now ransacked by looters. "It is not the threat of leftover forces continuing the fight, but from looters and other personnel using lawlessness to their advantage," Garner stated during Congressional testimony in May 2003.⁵⁸

U.S. post-conflict planning did not anticipate the very weak state capacity that existed before the invasion or how the looting would further deteriorate the post-conflict Iraqi state. On April 11, days after U.S. forces took control of Baghdad, Secretary Rumsfeld dismissed the looting reports as minor. "Freedom's untidy, and free people are free to make mistakes and commit crimes and do bad things," Rumsfeld said.⁵⁹ He dismissed the looting and lawless environment as a normal condition for a country emerging from conflict and dictatorial rule, not conditions that would fundamentally alter the environment for post-conflict operations. Rumsfeld's statements reflected a widely held belief within the Defense Department – "that relatively benign stability and security operations would precede a handover to Iraq's authorities."⁶⁰ Rather than hand over control to a functioning Iraqi government in 30-60 days, as some in the military expected, the massive scope and scale of post-conflict needs was becoming more evident.⁶¹

The power vacuum that followed U.S.-led major combat operations and the subsequent looting brought to light the lack of authority and compounded the problems for the United States during post-conflict operations. All of this post-conflict disorder also signaled the end

⁵⁶ Bremer, Dobbins, & Gompert (2008) p. 46. The authors note, "The International Monetary Fund subsequently estimated that the economy had contracted 41% in 2003."

⁵⁷ Gordon & Trainor (2006) p. 465, 467.

⁵⁸ David Phillips (2005) *Losing Iraq: Inside the Postwar Reconstruction Fiasco*, Boulder, CO: Westview, p. 136.

⁵⁹ Donald Rumsfeld (2003) "DoD News Briefing - Secretary Rumsfeld and Gen. Myers," April 11, 2003, <http://www.defenselink.mil/transcripts/transcript.aspx?transcriptid=2367>. Also, see: L. Paul Bremer III (2006) *My Year in Iraq: The Struggle to Build a Future of Hope*, New York: Simon & Schuster, p. 14.

⁶⁰ Ricks (2006) p. 147.

⁶¹ Gordon & Trainor (2006) p. 459.

to the very brief celebration of the fall of Saddam Hussein. Iraqis were astounded that the U.S. could take over Iraq in a matter of weeks, but not police the streets of Baghdad against looters and provide basic security.⁶²

“There was a window of opportunity in the early weeks and months of the invasion, which was allowed to close.”⁶³ While the U.S. would not have achieved overall post-conflict operational success by being more prepared for this “window of opportunity” in the immediate post-conflict period, the lack of awareness of the decrepit Iraqi state and the inability to prevent looting and lawlessness that followed major combat operations diminished U.S. standing in the country and further complicated an already complex post-conflict state-building mission.

⁶² Phillips (2005) p. 8.

⁶³ Gordon & Trainor (2006) p. 506.

Defense Department

Any review of post-conflict operations in Iraq must address the critical role of the Defense Department. Beyond the uniformed military, particularly CENTCOM, the Defense Department exerted strong influence through its civilian leadership as well as ad hoc organizations established to work on post-conflict operations in Iraq. There were multiple centers of post-war planning (and execution) within the military over the course of the pre-war planning efforts and the eventual post-conflict state-building operations, particularly CENTCOM, JTF-IV, OSD-Policy, ORHA, CPA, and CJTF-7. These actors and sub-institutions are not necessarily distinct entities; at times, they have overlapping missions, responsibilities, and personnel. For example, Joint-Task Force – IV (JTF-IV) was an organization established by OSD-Policy and placed under CENTCOM.

This section assesses: CENTCOM, CFLCC, CJTF-7, JTF-IV, ORHA, and key actors within OSD. While other actors had critical roles, these institutions shaped the planning and conducted operations in post-conflict Iraq. The following section that assesses the State Department also includes the CPA. CPA did report to the President through the Secretary of Defense. However, there was a fundamental shift in outlook, planning, and operations with the arrival of the CPA. Grouping the different actors within the sub-sections could take many forms, but these groupings are intended to provide opportunities to assess the institutional differences within organizations and insights into post-conflict state-building strategy.

CENTCOM

Central Command (CENTCOM) is the U.S. military's geographic combatant command responsible for operations – including post-conflict operations – in the Middle East, North Africa, and parts of Southwest Asia. CENTCOM was led by General Tommy Franks during the entire planning process for Iraq. Franks handed over command in July 2003 – two months after major combat operations were declared to be completed – to General John Abizaid, former CENTCOM deputy commander.

At the combatant command level, CENTCOM was responsible for providing the strategic level planning for operations in Iraq, including post-conflict operations. Strategic level plans

would be the basis for the operational and tactical level plans developed by the various commands within CENTCOM.

CFLCC

Coalition Forces Land Component Command (CFLCC) – the Army component of CENTCOM that would lead the invasion – was headed by Lieutenant General David McKiernan, commander of 3rd Army. McKiernan and his troops would be responsible for conducting the major combat operations in Iraq and beginning the initial components of Phase IV – post-conflict – operations. McKiernan was responsible for translating the strategic guidance from Pentagon and CENTCOM leadership into operational plans.

CFLCC was comprised of two major units: 1st Marine Expeditionary Force (1st MEF) and the U.S. Army's V Corps, which included coalition troops from the U.K. as well as the 3rd Infantry Division, 101st Airborne Division, 173rd Airborne Brigade, and the 82nd Airborne Division.

CJTF-7

Coalition Joint Task Force-7 – the successor military command of CFLCC – replaced CFLCC on June 14, 2003 in Iraq. Led by Lieutenant General Ricardo Sanchez, CJTF-7 was comprised primarily of the Army V Corps troops. CJTF-7 was responsible for continuing military operations in Iraq. CJTF-7 and Gen. Sanchez were the direct counterparts to CPA and Ambassador Bremer, although the relationship was disputed.⁶⁴ In this regard, CJTF-7's responsibilities included stabilization and reconstruction operations. This role for CJTF-7, however, was not straightforward because the operational environment in Iraq fluctuated between permissive and non-permissive based on both time and region.

JTF-IV

Two ad hoc organizations – whereas the three above actors are more institutionally fixed within the Defense Department – were added to the post-conflict planning puzzle: Joint-Task

⁶⁴ See: Bremer (2006).

Force-IV (JTF-IV) and the Office of Reconstruction and Humanitarian Assistance (ORHA). JTF-IV was created by the Joint Staff J5 (planning) head Lieutenant General George Casey.⁶⁵ After the war game *Internal Look* in November 2002 to assess post-conflict planning for Iraq, Casey identified major gaps and problems with the current post-conflict plans.

As a direct result, Casey called upon Brigadier General Steve Hawkins, a US Army Corps of Engineers officer, to lead a JFCOM unit responsible for military post-conflict planning. Casey described JTF-IV's mission to Hawkins in a December 18, 2002 meeting at the Pentagon. "JTF-4 would not run Iraq during the post-war period. Rather, it would help design and provide the nucleus of the *follow-on headquarters* that would be called CJTF-I, or Combined Joint Task Force – Iraq."⁶⁶

JTF-IV was ordered to be operational by February 1. The team was based on a JFCOM standing joint task force concept, which was not yet a fully operational concept and largely based on contract work. A standing joint task force is designed to be a military planning staff that could be deployed rapidly to support a command's planning for operations. With JFCOM's support, Hawkins quickly assembled a 58-person staff at CENTCOM's headquarters in Tampa and almost immediately deployed the team to Kuwait in January.⁶⁷

JTF-IV lacked a budget and access to sufficient resources for its mandate as the Joint Staff did not provide Hawkins and JTF-IV with such provisions. While it is important to be near the other actors involved in the war planning and eventual warfighting, particularly CENTCOM and CFLCC, JTF-IV did not even have basic tools such as internet connectivity. More importantly, it lacked a working relationship with CENTCOM and CFLCC. As a CENTCOM outsider, JTF-IV was not well-received in Kuwait. JTF-IV did not obtain access to classified war plans until February 2003, one month before the war began. Further, JTF-IV did not establish any working relationships back in Washington. Thus, JTF-IV has no institutional supporters within the Pentagon and was isolated and marginalized in the field due to its lack of resources, institutional relationships, and "outsider" perception.

⁶⁵ See: Gordon & Trainor (2006) p. 143. Although JTF-IV ultimately was based at CENTCOM sites and worked for CENTCOM, the Joint Staff leadership made the initial order to establish JTF-IV.

⁶⁶ Gordon & Trainor (2006) p. 143. Gen. Casey and Gen. Hawkins knew each other when they both served in Bosnia. CJTF-I would actually be named CJTF-7. Emphasis added in italics.

⁶⁷ Gordon & Trainor (2006) p. 143.

The reporting relationships, hierarchy, resourcing, and mission sets were not clearly defined for JTF-IV. Theoretically, JTF-IV could be viewed as the military counterpart to the civilian planning coordination at ORHA. Both JTF-IV and ORHA could be the transition elements – at least the headquarters element – from Phase IV-A operations into Phase IV-B operations – the transition from the immediate aftermath (30-60 days) of major combat operations into a medium-term (12 months) timeframe for post-conflict operations.

One of the sources of potential confusion was JTF-IV's mission. Based on Casey's description of the JTF-IV mission and its limited resources, JTF-IV was a planning unit, not an operational unit. However, where did it fit within the larger set of actors conducting strategic planning? What was the relationship between JTF-IV, CENTCOM, and CFLCC? How did CENTCOM and CFLCC understand JTF-IV's role within the former institutions existing planning? Further, who was the implementing organization of the JTF-IV plans? As an ad hoc organization, JTF-IV lacked the gravitas and institutional pull within the Defense Department. Also, JTF-IV was established at such a late moment that other related actors – such as CENTCOM on the ground and the Joint Staff in Washington – were unable to devote the time and personnel to the mission and its development.

In some respects, JTF-IV was much more advanced than ORHA in terms of setting up an organization and working to develop its mission. However, CENTCOM and ORHA planners did not receive any planning products or guidance from JTF-IV.⁶⁸ By January 2003, CENTCOM leadership realized that JTF-IV was faltering.⁶⁹ By the end of March, it became clear that JTF-IV had no role in post-conflict planning and it was disbanded.⁷⁰ No planning from JTF-IV's efforts was salvaged institutionally. However, about half of JTF-IV's personnel stayed in the region and joined the ORHA staff.⁷¹

⁶⁸ Agoglia (2007) interview; Colonel (ret.) Robert Polk (2007) interview, June 27, 2007 and July 5, 2007. Polk was part of both the ORHA and CPA strategic planning units. Polk and Agoglia regarded the planning as "PowerPoint deep" and not actually operational-level plans.

⁶⁹ Ricks (2006) p. 80.

⁷⁰ Polk (2007) interview.

⁷¹ Dayton Maxwell (2007) interview, July 16, 2007 and August 8, 2007. Maxwell, a USAID employee, was part of both the ORHA and CPA strategic planning units.

ORHA

Another critical piece of the post-conflict puzzle was the Office of Reconstruction and Humanitarian Assistance (ORHA). However, there would be “more confusion than coherence” with the creation of ORHA.⁷² Like JTF-IV, ORHA would ultimately not play a critical role in post-conflict Iraq. However, its creation, intended mission, and challenges as an organization provide insight into the post-conflict planning and operations of Iraq, particularly within the Defense Department.

JTF-IV and ORHA were both late responses and reactions by the Joint Staff and OSD, respectively, to fill the perceived post-conflict planning and operations gap. Senior leadership in OSD established the Postwar Planning Office – later to be called ORHA – in January 2003. After initially declining the job, Garner accepted in mid-January and took a four-month leave of absence from his private sector job and began working as the head of ORHA.⁷³

On January 20, 2003, OSD worked with the White House to establish NSPD 24, which officially established ORHA’s mandate.⁷⁴ Senior Defense Department officials considered ORHA to be the initial civilian-led organization to jump start and coordinate all post-conflict activities once the major combat operations concluded.⁷⁵ On January 20, Feith told Garner, “We want you to put together a team and prepare it for deployment to Iraq to operationalize the planning that has already been done.”⁷⁶ Based on this mission description, ORHA would not write new post-conflict plans for civilian operations; it would coordinate and “operationalize” existing plans, which assumes both that these plans exist and that resources exist to execute the plans. In one respect, ORHA is a coordinator and catalyst for the civilian post-conflict efforts through the Defense Department. ORHA was considered a “facilitator” and “coordinator,” not an “implementer.”

⁷² Ricks (2006) p. 81.

⁷³ House of Representatives – Committee on Government Reform – Subcommittee on National Security, Emerging Threats, and International Relations (2003) “Humanitarian Assistance Following Military Operations: Overcoming Barriers,” Serial. No. 108-88, July 18, 2003, Washington, D.C.: U.S. Government Printing Office, p. 21; and Gordon & Trainor (2006) p. 150.

⁷⁴ Senate Foreign Relations Committee (2003a) p. 16. NSPD 24 is discussed in greater depth in the following sub-section.

⁷⁵ Polk (2007) interview.

⁷⁶ Lieutenant General (ret.) Ron Adams, interview, July 30, 2007. Adams was one of two deputies to General Garner for ORHA.

One common criticism of Garner is that he did not embrace post-conflict planning responsibilities. As described to him by Pentagon senior leadership, ORHA's mandate did not include the actual planning, but rather the coordinating and "operationalizing" of the existing plans. When Garner and ORHA recognized that the plans they were meant to operationalize did not exist at the level of detail that they anticipated, ORHA made a late effort to develop a strategic plan. "There was no Garner plan," though, largely because that was not the original mission of ORHA.⁷⁷

Based on its original mandate of coordination, JTF-IV would handle coordinating the military elements of post-conflict planning and ORHA would handle coordinating and "operationalizing" of the civilian elements of post-conflict plans. However, this clear theoretical division did not hold up. JTF-IV and ORHA were not fully equipped with the resources, authority, and policy priority to effectively pursue its intended purpose. In theory, JTF-IV and ORHA would fill a critical gap in post-conflict planning – the gray, uncertain immediate post-conflict period where there is an ongoing transition from major combat operations to a longer-term state-building mission.

Initially, it was unclear if ORHA would even need to deploy to the theatre based on its limited mandate. Garner was told, "Someone of international stature would be selected to head up the civilian component of U.S. government efforts in Iraq."⁷⁸ Yet, as ORHA began to stand up its office in late January and February in the Pentagon, it became clear that ORHA would need to deploy to Kuwait – and ultimately to Iraq – in order to function as the initial coordinator of civilian post-conflict planning. After an early March meeting with Deputy Secretary of Defense Paul Wolfowitz, ORHA was asked to deploy immediately to Kuwait.⁷⁹ Two months after receiving the initial call from Feith to head ORHA, Garner and ORHA staff deployed to Kuwait March 9 – 16. ORHA deployed 151 staff – largely active or retired military – despite estimates said that ORHA needed 300 staff. ORHA did not have the necessary time and policy priority to develop a comprehensive strategic plan that would be the basis for operational level plans. Even more basic, ORHA lacked the time to develop an organizational structure and adequate staffing.

⁷⁷ Ambassador (ret.) Barbara Bodine (2007) interview, June 28, 2007. Bodine was one of three heads of geographic parts of Iraq, covering Baghdad and central Iraq, for ORHA.

⁷⁸ Adams (2007) interview.

⁷⁹ Adams (2007) interview.

Garner hoped that deploying to Kuwait would lead to better cooperation and coordination with the CENTCOM planners and operational actors, specifically CFLCC.⁸⁰ The deployment did lead to closer interaction. However, ORHA was not sufficiently well established to offer any planning and operational capability to its counterparts. Once deployed, it was difficult to conduct planning as resources – personnel and material – were not available and related actors – particularly CFLCC – were focused on major combat operations planning.

McKiernan at CFLCC pushed back on ORHA and did not want a joint CLFCC – ORHA headquarters. Already over capacity at the CFLCC base in Kuwait, ORHA was forced to stay in a set of villas at the Hilton Hotel in Kuwait.

CENTCOM ordered ORHA to stay in Kuwait and not to enter Iraq until the conclusion of major combat operations. With the fall of Baghdad on April 9, Garner began to make plans to visit Iraq, despite orders from the military stating otherwise. On April 11, Garner visited Umm Qasr in Basra to meet political leaders.⁸¹ Following this meeting, on April 12, Garner announced his intention to have a “big tent” political conference as part of his plan to establish a transitional Iraqi government. Garner visited Nasiriyah on April 15 and met with 75 Iraqi political leaders. On April 17, Garner and Franks met in Kuwait. Garner arrived in Baghdad on April 21, twelve days after the fall of the city on April 9, but before major combat operations were declared to be completed on May 1. On April 28, 300 Iraqis met with Garner and ORHA officials in Baghdad to discuss a transitional Iraqi government.⁸²

However, three days after Garner’s April 21 arrival in Baghdad, Secretary Rumsfeld called Garner to say that Bremer would be coming to Iraq in May as the Presidential Envoy to Iraq. As Garner was trying to establish an operating headquarters in Baghdad, he had just lost the legitimacy as the U.S. government’s civilian leader in Iraq. At this point – in late April and into early May – the role of Bremer was still unclear. Bremer appeared to be the man of “international stature” that Feith had mentioned earlier to Garner.⁸³ Garner and ORHA leaders have insisted that this transition was known from the beginning – not the exact time or person, but the short-term nature of their assignment. However, this awkward transition in

⁸⁰ Polk (2007) interview.

⁸¹ Department of State (2003) “Daily Press Briefing for April 11, 2003 – Transcript,” Washington, D.C.

⁸² Larry Diamond (2005) *Squandered Victory: The American Occupation and the Bungled Effort to Bring Democracy to Iraq*, New York: Times Books, p. 33.

⁸³ Adams (2007) interview.

April and May amounted to weeks – if not months – being lost in the beginning of U.S. government post-conflict state-building operations in Iraq.⁸⁴ Garner met Bremer in Kuwait on May 11 and they flew together to Baghdad on May 12. On June 1 – 40 days after entering Baghdad – Garner departed Baghdad. By mid-June, the ORHA transition to CPA was officially completed.⁸⁵

Many Actors, Much Planning, Little Capacity, Few Operations

The month of April can be viewed as a critical juncture in U.S. post-conflict planning and operations in Iraq. Assumptions regarding the condition of the Iraqi state and the prospects for a rapid handover to an Iraqi transitional government were proved incorrect. The lack of comprehensive, executable post-conflict planning was revealed within the U.S. government. The lack of an operational capacity and will to conduct these immediate post-conflict operations in the military was exposed. The below three sub-sections – structural, resource, and policy – go into further depth regarding the Defense Department’s role in this post-conflict state-building strategy and planning in Iraq.

Structural

Overview of planning and key actors

The argument that post-conflict planning did not exist or was not conducted for Iraq is false. In fact, the opposite was true: there were multiple – and, at times, competing – post-conflict planning efforts. For example, in early 2003, CENTCOM and CFLCC were working on post-conflict plans, ultimately producing *Eclipse II*; JTF-IV was beginning to plan for post-conflict military operations; and ORHA was realizing that no civilian plans existed and attempted to establish their own plans, producing a strategic plan called the *Unified Mission*

⁸⁴ The May 22, 2003 Senate Foreign Relations Committee hearing reveals some confusion about Ambassador Bremer’s initial title and, more importantly, how the transition from ORHA to CPA would occur. Lugar stated, “the recent appointment of Ambassador Bremer as the Civil Administrator of the Department of Defense Office of Reconstruction and Humanitarian Assistance, is the first step in a carefully coordinated, integrated plan for dealing with Iraq.” Senator Lugar refers to Ambassador Bremer as the head of ORHA. See: Senate Foreign Relations Committee (2003c) “Iraq Stabilization and Reconstruction: U.S. Policy and Plans,” S. Hrg. 108-132, May 22, 2003, Washington, D.C.: U.S. Government Printing Office.

⁸⁵ Elaine Halchin states that the ORHA – CPA transition was official as of June 16, 2003 based on a Defense Department Inspector General memorandum. See: L. Elaine Halchin (2005) “The Coalition Provisional Authority (CPA): Origin, Characteristics, and Institutional Authorities,” Washington, D.C.: Library of Congress – Congressional Research Service, updated June 6, 2005, p. 3 – footnote 15.

Plan. In some respects, there were almost too many plans and too many coordinating actors involved in post-conflict operations; yet, there was no decisive action to provide direction, resources, or policy priority for post-conflict state-building.

Planning processes exposed a fundamental problem that the Defense Department lacked the institutional capability and priority to develop a comprehensive, coordinated, and executable plan for Iraq that included post-conflict operations. Despite uneven quality, planning existed at different levels of government, particularly within the military. The resulting problem was the lack of attendant structures, entities, or organizations to execute these plans. Further, beyond a lack of executing structures, there was no commitment to provide sufficient resources – personnel, financial, or policy priority. These planning processes and plans were often done in isolation of the other plans or without knowledge of the other planning processes. JTF-IV and ORHA planning was “at best, running parallel.”⁸⁶ At the worst, JTF-IV and ORHA did not even know that the other existed, missing obvious opportunities to collaborate to create a more comprehensive post-conflict planning and operations strategy.

Planning within the military is viewed on three levels – strategic, operational, and tactical.⁸⁷ The planning processes that did exist were located largely at the strategic level, lacking any relationship to the operational and tactical levels. Franks commented on post-conflict planning, saying, “Doug is working on that.” Referring to the Under Secretary of Defense for Policy and his work on the civilian components of post-conflict planning, Franks did not embrace post-conflict operations as part of the warfighting process nor as set of operations that needed to be planned for at the same depth as the major combat operations.⁸⁸ “Doug” was working on the plans; however, any plans developed in OSD-Policy would be for the civilian elements of the post-conflict operations. Further, OSD-Policy would remain at the strategic level, lacking resources or personnel to implement the plan. In an ideal situation, OSD-Policy strategic-level planning would coordinate with CENTCOM on the operational planning level.

⁸⁶ Bodine (2007) interview.

⁸⁷ Department of Defense – Department of the Army (2008) *FM 3-0: Operations*, February 27, 2008, Washington, D.C.: Department of Defense, p. 6-2 – 6-4. Department of Defense – Joint Chiefs of Staff (2004) *The National Military Strategy of the United States of America: A Strategy for Today; A Vision for Tomorrow*, <http://www.defenselink.mil/news/Mar2005/d20050318nms.pdf>.

⁸⁸ Woodward (2006), p. 143.

Franks' comments represented a view that Phase IV operations were not the military's responsibility. Yet, as CENTCOM planners outlined, there were three sub-phases in Phase IV – named A, B, and C – which all required different levels of military engagement. Declassified war plans provided insights into how CENTCOM proposed to divide the complex operations of Phase IV. Phase IV-A occurred immediately after major combat operations, estimated at two to three months. The focus of operations was on stability, security, and rapid restoration of essential services. This immediate post-conflict state-building could also be termed the “stabilization phase,” where security and stability alone are the fundamental goals. Phase IV-B – the “recovery phase” – focuses post-conflict operations on establishing a coalition-led transitional civilian agency, estimated to be 18 to 24 months. In this phase, CFLCC – the CENTCOM forces that conducted major combat operations – would transition responsibility to a combined joint task force – what would be CJTF-7. Phase IV-B would include the goal of establishing an Iraqi interim government and transitioning control of military operations to a multi-national force – what would be MNF-I. Phase IV-C – “the transition to security cooperation” assumes stability and a functioning Iraqi government. While the phasing and sub-phasing doctrine and planning is always more fluid and less sequential in practice, this phasing model underscored the critical role of military institutions within the post-conflict state-building operations, particularly the immediate post-conflict period.⁸⁹

The 16 months of major combat operations-focused planning was reviewed above. This planning process is important to post-conflict planning insofar as it affects the assumptions, resources, and priorities for post-conflict planning. Despite the fact that post-conflict planning existed, it can largely be described as ad hoc; ad hoc organizations developing ad hoc plans. One ORHA planner described the process as “building a plan in flight.”⁹⁰

During summer 2002, after planning for and executing Afghanistan operations and already producing two iterations of the Iraq major combat operations plans, CENTCOM was tasked with the post-war planning for Iraq. CENTCOM produced a plan that focused principally on potential humanitarian disasters.⁹¹ However, there were conflicting messages at CENTCOM. “Franks had told his commanders in early August 2002 that the State Department would take

⁸⁹ Central Command (2002-L) slide 6.

⁹⁰ Polk (2007) interview.

⁹¹ Ricks (2006) p. 78.

the lead in planning for the leap into the unknown that would follow the ouster of Saddam Hussein.”⁹² This conflicting message – plan for post-conflict operations versus “State Department would take the lead” – also exposed the chasm between planner and commanders in the field. CENTCOM planners were told to make plans for post-conflict Iraq whereas commanders in the field were told to not worry the post-conflict, thus not preparing for these operations. While planners should be developing plans for many possible scenarios, it is also important to be preparing commanders and troops for the likelihood of post-conflict operations.

As described above, OSD-Policy took the institutional lead for post-conflict Iraq planning within DOD by October 2002. Between October 2002 and January 2003, there was little movement within OSD regarding how it would conduct this post-conflict planning. More than OSD-Policy having the lead on post-conflict planning, CENTCOM leadership felt as though this set of operations was no longer its responsibility for planning. Franks said to a senior aide, “It sounds to me like OSD Policy has responsibility for planning post-conflict and our responsibility is security. And we don’t own the reconstruction stuff.”⁹³

JTF-IV did not produce a planning document. ORHA did produce a strategic planning document for post-conflict Iraq, the *Unified Mission Plan* (UMP). The plan outlined ORHA’s role, including:

- [To] build links to the specialized UN agencies and non-governmental organizations that can play a role in meeting the needs of the Iraqi people, to counterpart planning offices in the governments of coalition countries; [and]
- In the event a US-led military coalition uses force to bring about Iraqi compliance with UN mandates, the Planning Office shall be deployed to Iraq to form the nucleus of the administrative apparatus that will assist in administering Iraq for a limited period of time.⁹⁴

ORHA’s efforts were focused on three areas: humanitarian assistance, security, and reconstruction. While political governance issues were noted in the *UMP*, ORHA did not have an occupational authority mission.

⁹² Gordon & Trainor (2006) p. 138.

⁹³ Woodward (2006) p. 91.

⁹⁴ Office of Reconstruction and Humanitarian Assistance (2003) “A Unified Mission Plan for Post Hostilities Iraq – Part 1,” April 2, 2003. Copy of document provided to author.

As a strategic vision for post-conflict Iraq, the *UMP* could be considered at least modestly successful. However, this document was produced in Kuwait in March and April 2003 as the ORHA team assembled in preparation for the invasion. In the final weeks before the invasion, this document had the ability to provide a coherent vision for ORHA members. However, the plan had little to no influence throughout the military and did not function as a unifying U.S. government civilian post-conflict plan. The *UMP* was prepared too late in the process and by an ad hoc organization that lacked institutional strength.⁹⁵

The February 21-22 “Rock Drill” at the National Defense University is often mentioned in account of the planning for post-conflict operations. In many respects, the Rock Drill receives too much attention as it was an ORHA planning exercise occurring just one month after ORHA was established as an organization *and* just one month before the start of major combat operations. On the other hand, the Rock Drill provides insights into the planning – or lack thereof – for civilian-led operations after major combat operations in Iraq. Weeks before their deployment in early March, ORHA presented their initial goals and objectives to a larger audience of fellow planners and other U.S. government officials at the National Defense University. This exercise exposed many problems with the planning and coordination efforts. However, there was not enough time to revise the plans before deployment. Revisions would wait until Kuwait. Security in post-conflict Iraq – a major concern for any post-conflict operation – was not clear. Further, who provided security for ORHA operations was not determined. A detailed, operational-level plan did not exist. One month before the invasion began, ORHA was not coordinating a comprehensive strategy for the civilian component of post-conflict operations.

Three days after the fall of Baghdad, CENTCOM planners completed *Eclipse II* – the military component of post-conflict planning. With the war in full swing, it was impossible to implement the post-conflict planning in *Eclipse II*. Harnessing the necessary resources to execute the plan was not possible. Without the ability to deploy desired levels of troops for post-conflict operations, the plan was forced to use whatever troops were already in theatre. Further complicating the situation, the *Eclipse II* planning assumptions were overly optimistic. No implementable plan to run essential services existed because there was an assumption that the Iraqi services – and the people required to provide the services – would

⁹⁵ Ricks (2006) p. 107.

withstand the war. An overriding assumption was that the military would be supporting civilian-led reconstruction. With civilian agencies not involved in the planning process and the civilian-led DOD organization of ORHA still in Kuwait, this assumption was not based on operational realities. Rather than support civilians, the military was called upon to lead the reconstruction efforts. Beyond the poor planning assumptions, this plan also suffered from a lack of additional resources for the post-conflict mission.

Despite all of these different and related efforts, there was no comprehensive, executable post-conflict state-building plan for Iraq. Major Isaiah Wilson, Army historian, stated during spring 2003, “there was no Phase IV plan [for occupying Iraq] ... no single plan as of May 1, 2004 that described an executable approach to achieving the stated strategic endstate for the war.”⁹⁶ On the strategic level, there was no campaign plan. This lack of a campaign plan naturally affected the operational level. An Army intelligence officer noted, “For the first year of the war ... there was no campaign plan issued to military personnel by CJTF-7 to deal with reconstruction of Iraq and to deal with the growing insurgency.”⁹⁷ Limited political and strategic guidance existed; however, an executable military plan – transferable to the operational level – did not exist. “It [the U.S. war planning for Iraq] was a campaign plan for a few battles, not a plan to prevail and secure victory.”⁹⁸

Ultimately, there was no strategic outlook for post-conflict state-building in Iraq. The planning processes revealed that post-conflict state-building – the operations to stabilize and reconstruct Iraq immediately following major combat operations – were not prioritized nor conceptualized within the warfighting process.⁹⁹

Bifurcation of conflict and post-conflict planning and strategy

Major combat and post-conflict planning were separate tasks within the military, at times overlapping and held within the same sub-organizations; however, the overarching strategic and the operational considerations were not aligned.

⁹⁶ Ricks (2006) p. 110.

⁹⁷ Ricks (2006) p. 226.

⁹⁸ Ricks (2006) p. 115.

⁹⁹ See: Ricks (2006) p. 226, 228, and 306.

On a more theoretical level regarding the goal of operations in Iraq, there was a sharp disjuncture and conflict between Phase III major combat operations and Phase IV post-conflict state-building operations. Phase III operations emphasized rapid, light operations that would overpower the Iraqi military and state. The intent of most operations in this segment of the overall war was not to completely destroy institutions of government. However, destruction ultimately occurred. Phase III operations destroyed the weak institutions of the Iraqi state.¹⁰⁰ Phase IV operations, however, assumed a functioning Iraqi state and government. Services would be running, government institutions would be operational. Destruction of the state – the actual result of the Phase III operations – was not assumed.¹⁰¹ For example, by destroying the command and control networks of the Iraqi military, these critical information networks were not available for Phase IV operations. Moreover, these networks would need to be reconstructed as part of longer-term Phase IV state-building efforts.

The planning for transition from Phase III to Phase IV was overly linear and sequential. While discrete timeframes, mission sets, and goals may be required for the purposes of planning, the artificial distinctions further confused planning. There was an underlying assumption that one phase would end and the next would cleanly begin. Garner's orders to stay out of Iraq for 60 days – until major combat operations concluded – embodied this point.¹⁰² Further, the planning assumptions presented a timeframe with the following assumptions:

- major combat operations: 60 – 90 days
- humanitarian assistance: 60 – 90 days
- stabilization and reconstruction: after two above phases; undetermined length

In practice, the first two phases lasted less than 30 days, not an estimated 120 – 180 days. Major combat operations officially lasted about 40 days, although Baghdad fell within 20

¹⁰⁰ This statement is informed by conversations with Toby Dodge. Toby Dodge (2007) interview, May 1, 2007. Dodge is a leading British scholar on Iraq. Before the invasion, Iraq has a barely functioning, but nonetheless existent state and requisite institutions. The major combat operations destroyed these institutions, not necessarily in a physical manner. The institutions of the state were so weak and dependent on senior leadership that the institutions essentially crumbled into terms of personnel and – in places – due to looting and physical damage.

¹⁰¹ See: Gordon & Trainor (2006) p. 146.

¹⁰² Gordon & Trainor (2006) p. 463.

days of the invasion. With such an artificial distinction between major combat and post-conflict, the plans were not operationalized and the troops were not prepared to transition into the next challenge – the post-conflict state-building, the Phase IV-A, B, and C. The phasing doctrine is designed for a conventional victory and a clear end of hostilities and beginning of the post-conflict operations. That did not happen in Iraq and is likely not to happen in the future. A bifurcated look at planning is not reflective of the reality.¹⁰³

Regarding the different sub-phases within Phase IV, there was confusion over who had responsibility in which area. According to CENTCOM plans, Phase IV-A would be led by the CFLCC troops that also conducted Phase III major combat operations. As discussed, Phase IV-B would involve a transfer of power to a coalition joint task force headed by another American military unit. Theoretically, this follows the plan where the military command carrying out the major combat operations would stay in theatre for the initial stabilization and transfer responsibility to another command for Phase IV-B and eventually Phase IV-C. CENTCOM, functioning as the geographic combatant command responsible for the overall effort, would provide the overall strategic direction for these transitions between the sub-phasing of Phase IV planning and operations.

CFLCC believed that it had responsibility for Phase IV-A.¹⁰⁴ Lieutenant General Mikolashek – 3rd Army – was designated as the CFLCC lead and Colonel Kevin Benson – Director of CENTCOM C5 (Policy, Planning, and Strategy) – would be the head planner. CFLCC was better equipped in terms of personnel and better positioned as it was in country to conduct the initial Phase IV-A operations.

In initial planning, JTF-IV thought that it would have overall coordination responsibility for all sub-phases of Phase IV. While it still thought that it would carry out Phase IV-A, CFLCC assumed that the transition – at least for overall coordination of the planning – would include a transfer of authority to JTF-IV for Phase IV-B and IV-C. As JTF-IV developed, it became clear that they would have no role in any of the post-conflict operations – planning or otherwise. It is debatable if there was ever a move to Phase IV-B in terms of security conditions throughout Iraq. However, the U.S. government did establish a transitional governing authority and – at least according to that measure – transitioned to Phase IV-B and

¹⁰³ Ricks (2006) p. 137.

¹⁰⁴ Agoglia (2007) interview.

ultimately to Phase IV-C with the establishment of an interim government on June 28, 2004. The bifurcation and compartmentalization within the military is most clear in the transfer from Phase IV-A to Phase IV-B, the transition from CFLCC to CJTF-7. As stated above, there was no military campaign plan for reconstruction – one fundamental element of Phase IV-B – developed by CJTF-7 leadership for over year later. As a coordinator of planning and operations in Iraq, CENTCOM deserves some blame for this absence of an overarching campaign plan. However, it would also be incumbent on the incoming command – Army V Corps as part of CJTF-7 – to be interested in developing that plan with CENTCOM and other inter-agency actors.¹⁰⁵ Further exacerbating the problem, Sanchez – commander of CJTF-7 – never saw stabilization and reconstruction as the core function of CJTF-7's mission.¹⁰⁶

These strategic level problems translated into operational level problems. Gaps between the CENTCOM headquarters and the division and corps level planning delayed and ultimately hampered post-conflict planning. Division and corps commanders were often waiting for instruction from higher headquarters for post-conflict planning. Related to Army V Corps' lack of a campaign plan for reconstruction, CENTCOM strategic-level instructions and guidance were limited to non-existent. A 3rd Infantry Division after-action report documented:

3ID (M) transitioned into Phase IV SASO [Stability and Support Operations] with no plan from higher headquarters. There was no guidance for restoring order in Baghdad, creating an interim government, hiring government and essential services employees, and ensuring the judicial system was operational. In retrospect, perhaps Division plans should have been instructed to identify and address these issues earlier, given the likelihood that higher [sic] would not provide such information.¹⁰⁷

Structurally, post-conflict planning was subordinated. ORHA was subordinated under CFLCC, which led to its neglect and eventual irrelevance. Under NSPD 24, ORHA was ordered to report to the Secretary of Defense. The first logical move was for the Secretary of Defense to order ORHA to report to CENTCOM, the geographic combatant command responsible. However, General Franks' order to subordinate ORHA under CFLCC, the command within CENTCOM responsible for the Iraq invasion, caused ORHA to be placed in a position where it would be neglected and relegated in importance. In one respect, one could

¹⁰⁵ See: Ricks (2006) p. 80.

¹⁰⁶ Based on: Agoglia (2007) interview; Polk (2007) interview; Maxwell (2007) interview, and Bodine (2007) interview.

¹⁰⁷ Ricks (2006) p. 150-151.

argue that there would be closer coordination if combat operations and post-conflict planning were located in the same specific command. However, the reality was quite different, as post-conflict planning was subordinated and relegated in importance compared to major combat operations.¹⁰⁸

Taken within an historical comparison, this subordination would be as if General Eisenhower – the Supreme Allied Commander of Europe – subordinated General Clay and post-conflict planning under General Bradley, the commander of the major combat operations. Instead of having Clay and Bradley report equally to Eisenhower, Clay would be reporting to Bradley who reported solely to Eisenhower.¹⁰⁹ In Iraq, instead of having McKiernan and Garner reporting to Franks, Garner reported to McKiernan who reported solely to Franks. This structural subordination led to obvious resource, time, and personnel constraints. McKiernan, the commander of major combat operations and the actual invasion plan, cannot be expected to be giving equal focus to the post-conflict plan in the final weeks just before the invasion began. CENTCOM remained largely at the strategic level while CFLCC and McKiernan ran operational plans that led to tactical-level plans and operations by CFLCC units. Another unit – possibly ORHA if it was more well-resourced and staffed – could have provided the same operational level planning for post-conflict operations, removing that responsibility from “warfighter” CFLCC units.

On a more low-level planning assumption, a fundamental assumption by ORHA was that the U.S. military would invade Iraq and begin to take over and hold cities, starting with Basra in the south.¹¹⁰ However, U.S. invasion plans had the U.S. military going straight to Baghdad, essentially passing over Basra and the rest of the south. ORHA did not obtain access to the classified war plans until days before the invasion and was therefore unaware of the “straight to Baghdad” approach. This huge misunderstanding was emblematic of larger problems. On an even more basic level, conflict and post-conflict planning was so bifurcated that ORHA did not have any knowledge of the possible beginning date (or range of dates) for the invasion.¹¹¹ In early March, Garner and ORHA team were still in Washington. With ORHA

¹⁰⁸ Polk (2007) interview.

¹⁰⁹ Colonel (ret.) Paul Hughes (2007) interview, July 25, 2007. Hughes was part of the ORHA strategic planning unit. Also, see: Jean Edward Smith (1990) *Lucius D. Clay, An American Life*, New York: Henry Holt and Company, 1990), 223-225.

¹¹⁰ Donald R. Drechsler (2005) “Reconstructing the Interagency Process after Iraq,” *Journal of Strategic Studies* 28:1, February 2005, p. 19-22.

¹¹¹ Woodward (2006) p. 133, 138.

and CENTCOM assumptions completely misaligned, the post-conflict strategy did not reflect – and was not informed by – the invasion and offensive operations strategy and planning. While some of these problems can be attributed to a highly classified, close-held war plan, many of the problems arise because of a bifurcated outlook on conflict and post-conflict reflected in the institutions designed to plan for these separate, yet closely related parts of warfighting.

A bifurcation in resourcing the war effort was also apparent. The “Operational Availability” study conducted by the Joint Staff reflected the bifurcation of major combat operation and post-conflict operations – and the subordination of the latter. The study reaffirmed Secretary Rumsfeld’s transformation agenda of a light, quick force to win military conflicts. However, the study completely neglected the question of post-conflict operations.¹¹² This neglect of the Phase IV troop levels was not just theoretical. CENTCOM planners expected an extra net division to be rotated into Iraq for Phase IV operations; however, plans were changed in April and the troop rotations led to no net increase in troop strength for post-conflict operations.¹¹³

Bifurcated planning leads many to the conclusion that the “the other” – *the other* command, *the other* agency, *the other* planner – is handling the post-conflict piece. Bifurcation is not solved by coordination. Plenty of coordinating bodies existed in Iraq planning. Coordination assumes robust plans for all phases that have well-defined transitions. The bifurcated planning for Iraq speaks to the subordination of the post-conflict mission and the lack of a comprehensive strategy – including comprehensive planning – for a campaign plan that includes post-conflict state-building.

Institutional focus regarding combat and post-conflict operations

The overriding institutional focus throughout the Defense Department was on the offensive military operations involved in the invasion plan. Franks’ focus throughout the lead-up to the war centered on this invasion plan, not considering CENTCOM’s role in post-conflict operations.¹¹⁴

¹¹² Gordon & Trainor (2006) p. 52-53.

¹¹³ Agolia (2007) interview.

¹¹⁴ Woodward (2006) p. 97.

Franks and his CENTCOM staff had been preparing for over 16 months – since initial instructions in November 2001 – for the major combat operations. In August 2002, CENTCOM planners received initial instructions to begin planning for military operations in post-conflict Iraq. Civilian elements of post-conflict plans, which were within the purview of the Defense Department, did not receive any planning or policy consideration until January 2003. Initial post-conflict military planning was not developed until summer 2002. Two months before the Iraq war began, President Bush received his first post-conflict operations briefing.¹¹⁵ Secretary Rumsfeld acknowledged this institutional bias, telling Garner that the Defense Department has not focused on the post-war operations as much as needed during the lead-up to invasion.¹¹⁶ As Garner and his ORHA staff deployed to Kuwait, the reality on the ground reflected the institutional focus in Washington: the major combat operations subordinated all other tasks, including post-conflict state-building. Consequently, there was no preparation for the post-conflict element. There were no civil affairs plans for the 3rd Infantry Division (ID) – a core part of CFLCC – after the fall of Baghdad. Colonel Alan King, head of civil affairs for the 3rd ID, was tasked to develop a civil affairs plan in 24 hours after realizing on April 8 – one day before the fall of Baghdad – that no such plan existed at higher headquarters.¹¹⁷

The existence of ORHA – and even JTF-IV – also reflected an institutional bias within the Defense Department. Ad hoc institutions were established to carry out critical missions – coordinating planning for and operationalizing post-conflict transition plans. ORHA was established two months before the start of combat operations and amassed 151 personnel before deploying. JTF-IV was established three months before invasion and had 58 personnel. The ad hoc, reactionary, eleventh hour creation of these organizations reflects the institutional bias toward major combat operations.

Garner’s intended mission was short-term. He lacked the personnel, resources, and mandate for a longer-term planning-based mission. As an ORHA planner recalled, “General Garner said ‘we don’t do policy.’”¹¹⁸ As Feith stated, the goal of ORHA was to operationalize existing plans. Garner was a coordinator. However, the policy and plans did not exist for him to coordinate. Garner and ORHA were forced into a role that they were not resourced

¹¹⁵ Woodward (2006) p. 107

¹¹⁶ Woodward (2006) p. 149-150.

¹¹⁷ Ricks (2006) p. 150.

¹¹⁸ Polk (2007) interview.

for nor had sufficient time to complete. As JTF-IV faded away and ORHA attempted to fill a “post-conflict” gap, there was a realization that no one institution – and no one person – had responsibility for post-conflict Iraq. Theoretically, CENTCOM had in-theatre responsibility for the entire operation. However, like its subordinate command CFLCC, CENTCOM was pre-occupied with the major combat operations. Realizing this lack of unity of effort and a lack of the post-conflict phase, Secretary Rumsfeld said, “we need a campaign plan [for stabilization and reconstruction].” In April 2003, that sentiment was too little, too late.

Logistical and bureaucratic obstacles

ORHA encountered logistical and bureaucratic obstacles from its inception. As a new entity, it had a mandate from Secretary Rumsfeld, but it lacked the resources and institutional gravitas to enact this mandate. Obtaining resources as simple as office space, computers, and internet connections were difficult. “There was no place to do planning, no people, no mission plan, no documents, nothing to go from,” according to an ORHA planner. ORHA’s deployment to Kuwait only complicated matters. There was no space in the CFLCC headquarters to support ORHA. Thus, ORHA moved into a complex of Hilton Hotel villas. The physical separation limited cooperation with the military planners and limited access to classified planning.¹¹⁹

The planning process for the invasion plan contributed to a further subordination of the post-war planning. The planning was extremely close-hold and compartmentalized, not allowing for an opportunity for the offensive operations of the invasion plan to inform the Phase IV stabilization and reconstruction-based operations, and vice versa.¹²⁰ These problems were present in Washington as ORHA struggled to find cooperative partners there. However, it was further exacerbated in theatre as the access to classified plans was limited based on different headquarters and the priority given to major combat operations, particularly as the war began.

A bureaucratic obstacle encountered throughout the military planning process was the lack of importance placed on doctrine. The military’s doctrine – include one command that works exclusively on it, the Training and Doctrine Command (TRADOC) – sets out planning

¹¹⁹ Colonel (ret.) Kim Olson (2007) interview, July 17, 2007.

¹²⁰ Ricks (2006) p. 73.

processes, standard operating procedures, and guidance on post-conflict operations. The argument that the military does not know what it takes to do state-building – or stabilization and reconstruction – is false. The military has doctrine that comprehensively examines the processes and procedures involved in post-conflict state-building. The key question, however, is the importance placed on the doctrine and its institutional influence. In fact, the importance is minimal and the influence even lower. General David Fastabend, an Army officer who worked on doctrine throughout his career, asked another Army General how, despite the available doctrine, he had not been prepared for post-conflict operations. The Army General replied, “I read all that stuff [doctrine]. Read it many times, and thought about it. But I can remember quite clearly, I was on a street corner in Baghdad, smoking a cigar, watching some guys carry a sofa by – and it never occurred to me that I was going to be the guy to go get that sofa back.”¹²¹ The lessons of doctrine were not transferred into the actual post-conflict planning and operations.

Garner and ORHA reported directly to the Secretary of Defense. While this relationship created an environment for direct strategic level coordination with the Secretary and overall Defense Department, the operational level coordination and coherence was limited as there was not a reporting relationship or unity of command with CENTCOM. In many ways, ORHA suffered the “czar” complex – high-level status and access, but no resources, no people, and no direct reporting relationships with implementing actors. While ORHA was responsible for coordinating post-conflict plans, who was *operationally* responsible for post-conflict operations in Iraq? Would who execute ORHA’s strategic vision? The simple answer is CENTCOM, more specifically CFLCC and what would be CJTF-7. However, did CENTCOM, CFLCC, and CJTF-7 internalize this as a mission? In military language, did CENTCOM consider itself a *supporting* actor for ORHA’s mission? No.

Organizational culture and institutional divisions within DOD

As the largest organization involved in the Iraq war, the Defense Department had a range of opinions and perspectives within its many sub-institutions and organizations regarding post-conflict operations. One principal debate was founded on a basic question: Is this our job? Are post-conflict state-building operations the responsibility of the U.S. military? The debate

¹²¹ Ricks (2006) p. 151-152.

surrounding this basic question has become quite polemical. However, the different responses to this question provide insights into the divides in organizational culture related to post-conflict operations.

Rifts within the Defense Department were present from the beginning of the conceptual planning for Iraq. A broad, yet significant division existed between OSD (largely civilian) and the uniformed military. At first (and continuing throughout the planning), there were disputes over the strategic interest in invading Iraq and the number of troops.¹²² Two perspectives demonstrate the difference. As CENTCOM head in the late 1990s, Anthony Zinni was preparing for 385,000 troops to be involved in post-war Iraq operations in 1003-98. In the lead-up to invasion in 2003, Ken Adelman – a former senior civilian DOD official and someone with direct connections to then current DOD civilian leadership – predicted that demolishing Hussein's military power and liberating Iraq would be a “cakewalk.”¹²³ Neither perspective embraced state-building as the preferred set of operations; however, one – Zinni’s – planned for the reality of post-conflict operations.

In a February 14, 2003 speech, Secretary Rumsfeld provided his insights – and by extension, the views of the civilian OSD leadership – on “nation building.” In a speech titled “Beyond Nation Building,” Secretary Rumsfeld said, “Afghanistan belongs to the Afghans. *The objective is not to engage in what some call nation building.* Rather it's to try to help the Afghans so that they can build their own nation.”¹²⁴ While Secretary Rumsfeld said many of the right things about cooperating with local partners and not imposing external solutions, there is no indication that the Secretary of Defense was prepared to fully engage the U.S. military as an active partner and indispensable initial actor in post-conflict state-building in either Afghanistan or Iraq. Secretary Rumsfeld glossed over the preparations, stating that DOD now has a Postwar Planning Office and “General Franks in an interagency process has been working hard on this for many months” – all of this despite the fact that the Postwar Planning Office was established less than a month before the speech and Franks had devoted minimal, if any, attention to interagency collaboration.¹²⁵

¹²² Ricks (2006) p. 33.

¹²³ Ken Adelman (2002) “Cakewalk in Iraq” *Washington Post*, February 12, 2002, A27.

¹²⁴ Secretary of Defense Donald Rumsfeld (2003), “Beyond Nation Building,” February 14, 2003, 11th Annual Salute to Freedom, Intrepid Sea-Air-Space Museum, New York City <http://www.defenselink.mil/speeches/speech.aspx?speechid=337>, p. 3.

¹²⁵ Rumsfeld (2003) p. 4.

Secretary Rumsfeld's views represent the "transformation" agenda, or "revolution in military affairs." In sum, a light, quick, agile force would be able to exploit technology to reduce casualties, the length of engagements, and produce military victories more rapidly and effectively. Afghanistan was the first testing ground for Secretary Rumsfeld's "transformation" agenda, Iraq would be the next. There have been many critiques of transformation's focus on rapid, decisive operations, including Colonel H.R. McMaster's 2003 monograph, "Crack in the Foundation."¹²⁶ The challenge of most concern in this instance is the fact that the transformation agenda did not consider the complexity and requirements of post-conflict state-building. In many respects, Secretary Rumsfeld viewed the military as the supporting – not the supported – actor. In an April 2, 2003 memo to senior DOD leaders, Secretary Rumsfeld ordered the leaders to support Garner and ORHA "as required."¹²⁷ A bit of a shot in the dark, ORHA had not received sufficient support since its inception and now the military would be supporting this post-conflict institution that barely had a strategic plan.

Insofar as it did consider post-conflict state-building, the civilian military leaders did not envision a large number of troops in an occupation-style operation. Ken Adelman's op-ed one year earlier in 2002 – "A Cakewalk in Iraq" – reflected the transformation agenda and committed the same errors as Rumsfeld would the subsequent year. All of the focus was placed on major combat operations, not what comes after. As major combat operations concluded within three weeks in April 2003, Adelman praised his "cakewalk" prediction, but pointed also to the post-conflict phase of Iraq. Adelman stated, "Much remains to do in Iraq to help build the first freely elected and legitimate Arab government." However, Adelman provided no indication of how this monumental task would be achieved, certainly not what the military's role would be.

Within the uniformed military, the Army bore the largest responsibility for post-conflict state-building. Within this mammoth institution, there are certainly multiple perspectives on post-conflict state-building, or stabilization and reconstruction operations. In one respect, there is a Vietnam-era perception – which shaped the mindset of leaders from Franks to Shinseki. The thinking "never again" would the Army try to reconstruct a country as it

¹²⁶ H.R. McMaster (2003) "Crack in the Foundation: Defense Transformation and the Underlying Assumption of Dominant Knowledge in Future War," Carlisle, PA: Army War College – Center for Strategic Leadership, Volume S03-03, November 2003, <http://www.carlisle.army.mil/usacsl/Publications/S03-03.pdf> .

¹²⁷ Woodward (2006) p. 156.

attempted in Vietnam influenced the mindset of many in the senior ranks. However, other Army leaders were also largely shaped by their experiences in the Balkans in the 1990s. There was a sentiment of avoiding another Bosnia.¹²⁸ Yet, whether or not Army leadership viewed these operations as important or not, there was an understanding that the military might be called upon to conduct “unconventional,” non-kinetic operations, such as stabilization and reconstruction.

Within military doctrine, post-conflict state-building is conceptualized within the warfighting process.¹²⁹ As has been discussed, Phase IV operations are the post-conflict element to military planning. However, for reasons outside of doctrine, the Phase IV operations have been neglected and marginalized as a priority. One common refrain heard across the military – civilian and uniformed – is that the military’s responsibility centers on providing security in the post-conflict phase. As illustrated in the neglect of Phase IV-A planning and operations in Iraq, however, providing security is one part of a larger mission set for the military in these immediate post-conflict operations. Phase IV-A responsibilities included beginning both governance (e.g., electing or appointing leaders) and administration (e.g., getting public services running again). Regardless of whether or not there are civilian partners for these Phase IV operations, the role of the Army in these post-conflict operations is highly contested. While the CENTCOM campaign plans noted a strong military presence (however short a timeframe), there is some resistance in the military participating at all in these operations. To be sure, Shinseki reflected a common view in the Army that did not want the Army involved in any potentially protracted post-conflict operations.

Several factors influenced CENTCOM’s approach on an organizational culture level. At best, there was an uneven level of priority placed on post-conflict planning; at worst, it was neglected. Initially, post-conflict planning responsibility was given to British Major General Whitley. Further, as the transition from CFLCC to CJTF-7 occurred, the transition was anything but smooth and well-designed. CFLCC – based on light forces with the 3rd Infantry Division – was replaced by Army V Corps – a heavy force that was not ideally suited for the spectrum of operations it would face in the permissive and non-permissive environments of post-conflict state-building.

¹²⁸ Woodward (2006) p. 91.

¹²⁹ See: Chapter 2.

Resource

Although Garner and ORHA provided budget estimates for post-conflict Iraq, Secretary Rumsfeld and other senior officials did not provide budget support or the assurance thereof for post-conflict operations. Garner initially estimated post-conflict operations to cost \$1 billion per annum for three years.¹³⁰ In a discussion with Garner on the budget for post-conflict operations for Iraq, Rumsfeld asserted, “Well, if you think we’re spending our money on that [post-conflict operations], your wrong. ... We’re not doing that. They’re going to spend their money rebuilding their country.”¹³¹ Hundreds of billions of dollars later, neither Garner’s nor Secretary Rumsfeld’s assessment proved accurate.

Priority of resources

Like the planning, the priority of resources within the military was directed toward major combat operations, to the neglect of the post-conflict operations. Beyond financial resources, the military defined its mission in kinetic, offensive terms during the “immediate post-conflict” – or post-major combat operations – period in Iraq. Through the transition to Iraqi sovereignty in June 2004, the military remained focused on kinetic operations, often by necessity, but also because that was the war that they were prepared to fight. In some respects, this mission perspective was understandable. In April 2004, there was full-scale war in Iraq.

The more realistic perspective on operations in Iraq within the April 2003 to June 2004 timeframe was a pendulum of operations between active warfare and stabilization and reconstruction operations. Despite this varied nature, the military focused resources on the “active war” operations. The view was largely reflected in CJTF-7, led by Sanchez. Marine Colonel Toolan described his four post-conflict missions: control major supply routes, develop Iraqi security forces, eliminate insurgent sanctuaries, and create jobs. With limited resources for multiple tasks, Toolan was not able to get to the creation of jobs. In this competition for resources and time, state-building goals were continually subordinated. This reality should be considered alongside the decision not to send additional troops for post-conflict operations. CENTCOM planners anticipated a net increase of one division; however,

¹³⁰ Ricks (2006) p. 154.

¹³¹ Woodward (2006) p. 146.

that division was cancelled, leaving the military planners short-handed for post-conflict operations.

With the many iterations and proliferation of guidance for major combat operations, there was a dearth of guidance for the post-conflict efforts. As military units were spread throughout the country and were the only available U.S. government personnel to enact immediate post-conflict state-building operations, there was no formal guidance from CENTCOM or Washington. As stated above, Colonel King was told to create a civil affairs plan in 24 hours for the 3rd ID. Asking for the corps-level reconstruction planning, he was told that one did not exist.¹³²

At the NDU Rock Drill on Feb 21-22, there was considerable uncertainty regarding the funding available for Phase IV operations. “It seems likely that we will begin military action before we know whether sufficient Phase IV funds will be available. If fewer funds are available than required, we risk leaving behind a great unstable mess with potential to become a haven for terrorists.”¹³³ Would the military be willing to begin major combat operations if there was uncertainty about the level of funding available to complete major combat operations?

Length of commitment

In three weeks time, Baghdad fell as a result of U.S.-led major combat operations. In a little over a month, President Bush declared the end of major combat operations on May 1, 2003. However, what was the length of commitment of the U.S. government – specifically, the military – for state-building operations?

During initial planning for war in January 2002, CENTCOM estimated that Phases II and III would last 110 to 135 days.¹³⁴ As the plans developed, the major combat operations (Phases II and III) were estimated to last 60 to 90 days.¹³⁵ In August 2002, Phase IV post-conflict planning – at least the military-led component – was initially estimated at 90 days. Although

¹³² Ricks (2006) p. 150.

¹³³ Woodward (2006) p. 125.

¹³⁴ Central Command (2002-B) “Timeline,” slide 1. Declassified on June 16, 2005; available at George Washington University – National Security Archive; labeled as “Tab B” at <http://www.gwu.edu/~nsarchiv/NSAEBB/NSAEBB214/index.htm> .

¹³⁵ See: Central Command (2002-L); also based on interviews.

eventually discarded, some planning documents suggested that the military would hand over responsibilities to a U.S. Embassy in Baghdad 90 days after major combat operations were completed, what would end up being early August 2003.

ORHA's length of commitment provides insights into the Defense Department's conception of the post-conflict period. While ORHA represented but one part of the larger Defense Department's post-conflict effort, its experience embodies many of the challenges of DOD post-conflict planning and operations.

When he signed up to head ORHA in mid-January, Garner had a contract through mid-June. Garner did not envision ORHA's mission as lasting longer than through the summer – in other words, through the length of his contract. In a press conference on March 11, 2003, Garner described the length of commitment to post-conflict state-building in Iraq.

Question: We've been told that in Afghanistan there is no time set when the troops might come out; they'll be there for a long, long time. I know the answer is "as long as it takes," but are we talking months, years, decades [for post-conflict operations in Iraq]?

Senior Defense Official [General Garner]: I'm talking -- I'll probably come back to hate this answer, but I'm talking months.¹³⁶

It is fair to say that Garner could have been speaking for only his limited mission of his limited organization. However, Garner and ORHA represented the sum-total of civilian planning by the DOD for post-conflict Iraq. If ORHA was not considering the longer-term mission, who was? Garner did have an understanding that there would be a follow-on post-conflict state-building U.S. presence – what would be the CPA. However, this press conference exchange indicated the very short-term length of commitment – and consequent limited perspective – on post-conflict state-building in Iraq. Garner viewed ORHA's timeframe as three months.¹³⁷

Beyond the limited nature of Garner's contract, ORHA did not look past what the U.S. government was doing in Iraq after a few months. ORHA was *the* DOD institution responsible for coordinating and operationalizing the civilian component of post-conflict plans. By conceptualizing ORHA's responsibility in terms of months – 60 to 90 days, in fact

¹³⁶ Department of Defense (2003) "Backgrounder on Reconstruction and Humanitarian Assistance in Post-War," March 11, 2003, <http://www.defenselink.mil/transcripts/transcript.aspx?transcriptid=2037>; see: Ricks (2006) p. 104.

¹³⁷ Diamond (2005) p. 32.

– there was a failure to recognize the responsibilities of post-conflict state-building. It would be fair to not plan out every step for the next five to ten years. However, the absence of plans – let alone transition plans to whatever U.S. government civilian organization after ORHA – was not reasonable. Also, it is worth repeating that blame focused on ORHA is only partly valid. ORHA’s mandate was to operationalize existing plans and Garner had a limited mandate in terms of timeframe. In many respects, ORHA was the “fall guy” of post-conflict planning in the Defense Department. At the same time, the absence of plans – let alone transition plans to whatever U.S. government civilian organization after ORHA – is difficult to defend.

As its name states, ORHA viewed its mandate largely in terms of humanitarian assistance, the provision of which it planned to last 60 to 90 days after the major combat operations. At that point, there would be a transition to focus on reconstruction and political transition. This conceptualization of timeframes collapsed immediately upon the commencement of war. Before the war, Franks instructed Garner that ORHA should not be in Iraq until 60 to 90 days after major combat operations.¹³⁸ The 60 to 90 day timeframe for major combat operations shrunk to about 20 days.¹³⁹ Further, the anticipated humanitarian assistance operations – estimated to last 60 to 90 days – were not needed. The political transition in the immediate post-conflict period was estimated to begin about 120 to 180 days after the commencement of major combat operations. Instead it was closer to 20 days. Roughly 20 days after the start of war, political transition plans needed to be implemented. The extremely compressed timeframe and the change of mission focus stifled ORHA. As ORHA struggled to even enter the country, the post-conflict environment demanded a different set of operations than the wider U.S. government – as represented by ORHA – was prepared to conduct. Presented another way with concrete dates:

- March 21 – war began
- April 9 – Baghdad fell
- April 11 – Garner visited Basra
- April 21 – Garner arrived in Baghdad

¹³⁸ Woodward (2006) p. 116.

¹³⁹ Franks (2004) p. 366

This extreme time compression in post-conflict operations exposed the lack of planning for political transition and overall state-building operations in the immediate post-conflict period.

During its initial planning in August 2002, the length of commitment by CENTCOM for post-conflict operations was broken down according to Phase IV-A, B, and C. Phase IV-A – the “stabilization” phase – was estimated to last 2-3 months; Phase IV-B – the “recovery” phase – 18-24 months; and Phase IV-C – the “transition” phase – 12-18 months.¹⁴⁰ From this perspective, the length of commitment by CENTCOM is reasonable. However, the guidance on post-conflict operations and anticipated troop levels indicated a less robust role. An anecdote provides some context for the length of commitment by the military. Tom Ricks described how Major Jim Gavrilis “co-opted the existing structure” and conducted effective post-conflict operations in Ar Rutbah, western Iraq.¹⁴¹ However, what Ricks did not focus on was that Gavrilis began these post-conflict operations on April 9 and departed by April 23. It is possible that the Phase IV-A operations were completed within those two weeks, well ahead of the 2-3 month time estimate. However, the most critical element of this anecdote is the lack of a transition to Phase IV-B, whether by the military or civilians. Regardless, the length of commitment did not extend to the transition and, as Ricks pointed out, “By midsummer, the atmosphere in those towns in the province, from Ar Rutbah east to Fallujah, would be far more hostile.”¹⁴²

Disconnect between goals and resources

The challenge of funding post-conflict operations was largely overlooked.¹⁴³ The institutions setting the strategic direction and goals of the post-conflict planning were not the same entities with access to the resources to enact these plans. Moreover, there were fundamental disconnects that created divisions between these camps.

There was a mismatch between strategic vision and actual resources and authority on the ground in Iraq. Civilian control of the post-conflict operations initially resided with ORHA and quickly transitioned to the CPA. The capacity in the military – and the U.S. government – for post-conflict operations resided in CFLCC (April to mid-June) and then CJTF-7 (mid-

¹⁴⁰ Central Command (2002-L) slide 6.

¹⁴¹ Ricks (2006) 153.

¹⁴² Ricks (2006) 154.

¹⁴³ Woodward (2006) p. 145.

June onwards), based on its sheer number of troops and ability to function in non-permissive post-conflict environments. However, CFLCC and CJTF-7 did not have the authority for post-conflict state-building. Conceptually, CJTF-7 viewed itself as a supporting command, supporting the work of what would be CPA. In practice, Sanchez and Bremer “shared” Baghdad. However, Sanchez largely had free reign over the rest of Iraq as CPA had little to no capacity in the regions, particularly at the outset. The military in Iraq possessed much more capacity and reach than CPA to implement post-conflict state-building strategies. Thus, a divide is present between goals and resources, or strategic guidance and capacity to implement.

As a result of this disconnect, the military began – however reluctant – to set the strategic direction for post-conflict state-building in Iraq. In the absence of strategic direction, or when the institution issuing that direction was weak, the military set the de facto strategic priorities because of its operational level dominance. In Iraq, there was little guidance initially and a weak institution – ORHA – attempting to provide guidance in the immediate post-conflict period. The CPA did provide more stature to the civilian leadership of post-conflict operations; however, it was late in providing guidance and did not have a broad reach as an institution. As a result, the CJTF-7’s actions at the operational level shaped the United States’ post-conflict goals and overall strategy.

The ad hoc construction of ORHA and JTF-IV led to a major disconnect between setting strategy and executing a vision through resources allocated. Neither institution had institutional strength. In fact, the organizations were just beginning to build up a limited institutional capacity in the weeks that led up to war. Further, neither ORHA nor JTF-IV had direct links to other DOD sub-institutions to task them to execute post-conflict policies. If ORHA was to “operationalize existing policies,” it was essential that it had the ability to task executing agencies and have some influence in moving resources to different actors based on ORHA priorities and strategic planning. That did not exist and there was a severe disconnect between ORHA’s broad, aggressive mission and its lack of influence in resource allocation with regard to post-conflict state-building.

Personnel resources

Related to the disconnect between goals and resources, one of the most controversial debates on post-conflict state-building was troop levels. Did the resources (the troop levels) support the goals (the post-conflict state-building policies)? Did the U.S. government match objectives with force levels – military and civilian?¹⁴⁴

The troop level debate came to a head with the late February 2003 testimonies by Army Chief of Staff Lieutenant General Eric Shinseki and Deputy Secretary of Defense Paul Wolfowitz.¹⁴⁵ The radically different perspectives by Shinseki and Wolfowitz on the required troop levels were symbolic of the debate that took place within the military since the initial planning for the invasion of Iraq began in late 2001. In many respects, this debate reflected the “transformation agenda” supported by Secretary Rumsfeld. In short, Secretary Rumsfeld believed that a small force would be capable of conducting the post-conflict mission, benefiting from technological superiority similar to major combat operations. Shinseki, however, believed that significantly larger troop levels would be needed in post-conflict operations. Yet, as the situation unfolded, Secretary Rumsfeld personally intervened and prevented the deployment of additional troops to support the post-conflict operations, denying CENTCOM the promised net increase of one additional division.¹⁴⁶

Related to the number of troops was the type of troops. The ground forces that invaded Baghdad were armored and mechanized infantry units, trained for combat against other military forces. The formal handover from CFLCC to CJTF-7 on June 12, 2003 did not change this situation. CJTF-7, led by Sanchez and the Army V Corps, remained structured for major combat operations.

¹⁴⁴ Woodward (2006) p. 53.

¹⁴⁵ House of Representatives – Budget Committee (2003) “Department of Defense Budget Priorities for Fiscal Year 2004,” Serial No. 108-6, February 27, 2003, Washington, D.C.: U.S. Government Printing Office, p. 8. Wolfowitz said, “Some of the higher-end predictions that we have been hearing recently, such as the notion that it will take several hundred thousand U.S. troops to provide stability in post-Saddam Iraq, are wildly off the mark. First, it is hard to conceive that it would take more forces to provide stability in a post-Saddam Iraq than it would take to conduct the war itself and to secure the surrender of Saddam’s security forces and his army—hard to imagine;” also, see: Ricks (2006) p. 96-97.

¹⁴⁶ Agolia (2007) interview.

On the civilian side, ORHA experienced severe personnel issues that impeded its ability to participate effectively in the policy planning and execution processes. A radically compressed timeline also contributed to the personnel problems. Quickly reviewing:

- January 9 – Garner called by Feith;¹⁴⁷
- January 20 – Garner officially appointed;
- March 9-16 – Garner and ORHA deploy to Kuwait;
- April 21 – Garner arrived in Baghdad;¹⁴⁸
- April 24 – Rumsfeld called Garner and said that Bremer is coming shortly;¹⁴⁹
- May 12 – Bremer arrived in Baghdad;
- June 15 – Garner left Baghdad.

By mid-February – one month before invasion, ORHA has 15 to 20 total staff.¹⁵⁰ As it prepared to deploy in early March, ORHA had 151 staff, roughly half of the recommended staff level of 300 personnel.¹⁵¹ These staff levels were insufficient for either planning or execution. Beyond numbers, other personnel issues have been well-documented. Senior civilian Defense Department leaders and the Office of the Vice President sidelined State Department support.¹⁵² Further, civilian department personnel that came to work for ORHA were not detailed or seconded; they were regarded as Defense Department personnel. Although this distinction may appear semantic, by not being detailed or seconded, there was little to no reach back to the home institution. The officials at ORHA were Defense Department employees and had no support network back at their home department or agency.¹⁵³

Personnel issues also contributed to the difficulties faced in starting up JTF-IV. Hawkins, JTF-IV's head, amassed a team quickly through JFCOM, although the quality of its members was uneven at best. After quickly deploying, JTF-IV had to negotiate with CENTCOM as to how it would fit into the larger CENTCOM structure. Friction arose with CFLCC regarding the organizational arrangements and reporting responsibilities between CFLCC and JTF-

¹⁴⁷ Gordon & Trainor (2006) p. 149.

¹⁴⁸ Gordon & Trainor (2006) p. 465.

¹⁴⁹ Ricks (2006) p. 55.

¹⁵⁰ Polk (2007) interview.

¹⁵¹ Bremer (2006) p. 24 & 26

¹⁵² For example, see: Packer (2005) p. 124-125.

¹⁵³ Woodward (2006) p. 150; Bodine (2007) interview.

IV.¹⁵⁴ As documented above, Hawkins and JTF-IV should have reported to CENTCOM, not CFLCC. As a Brigadier General from the Army Corps of Engineers with relatively little clout, Hawkins lacked the institutional weight to leverage a better position for JTF-IV. By placing JTF-IV under the command of CFLCC, CENTCOM institutionally subordinated post-conflict operations to the major combat operations. Even within CFLCC, there was already overlap as British Major General Whitley was supposed to be leading planning that was very similar to JTF-IV's mission.¹⁵⁵ By February 15, 2003, McKiernan had two options about how to use JTF IV: build a 3 star headquarters around it, or embed it within a 3 star CFLCC headquarters. With JTF-IV only a fraction of the size and functioning capacity of CFLCC, McKiernan discarded both options – he indirectly disbanded JTF-IV by not giving them any mission responsibilities.

The immediate transition period – April to June 2003 – exposed gaps in planning for proper personnel in this immediate post-conflict environment. “No military headquarters or staff was selected in advance to secure postwar Iraq.”¹⁵⁶ CFLCC transferred authority to CJTF-7 on June 13, 2003, about two months after Baghdad fell. There would have been no fundamental problem with this delay had CFLCC embraced a Phase IV-A mission in those two months of transition and “grayness” between conflict and post-conflict. However, this was not the case. Moreover, CJTF-7 was not prepared for either Phase IV-A, B, or C. CJTF-7 only had 495 personnel in headquarters when 1400 were requested for the headquarters staff.¹⁵⁷ In many respects, Sanchez's V Corps was the last option, both noting their lack of suitability for the mission and their lack of preparedness in planning for the mission.¹⁵⁸

Another dimension of this transition was the difference in leadership at CENTCOM and the country command level between CFLCC and CJTF-7. At CENTCOM, it has been noted that Franks did not consider or care about the post-conflict piece. He was not involved in the post-conflict planning and then was largely absent in the May to June 2003 time period.¹⁵⁹ The transition to Abizaid was largely welcomed, but it did not occur until July 2003, although Abizaid was a CENTCOM senior deputy before becoming head of CENTCOM. Abizaid

¹⁵⁴ Agolia (2007) interview.

¹⁵⁵ Gordon & Trainor (2006) p. 144-145.

¹⁵⁶ Ricks (2006) p. 502

¹⁵⁷ Ricks (2006) p. 174

¹⁵⁸ Agolia (2007) interview.

¹⁵⁹ Ricks (2006) p. 156.

demonstrated a more sophisticated understanding of post-conflict responsibilities.¹⁶⁰ At the country command level, the arrival of Sanchez that same summer was a blow to the state-building efforts. Sanchez was considered a war-fighter, someone who would be described in the military as “anti-nation-building.” Additionally, Sanchez lacked institutional weight as he was quickly promoted to Lieutenant General after being one of the youngest Major Generals.

Personnel issues did not solely create the difficulties in the immediate post-conflict response in Iraq by the U.S. government; however, they contributed to the disorganization and chaos, exposing a lack of preparedness.

Policy

What is the goal?

Defining the goal for U.S. operations – military and civilian – in Iraq was quite complex. Within the U.S. military, there is a range of goals articulated throughout the planning for military operations in Iraq. Garner provided one way to frame the goals for post-conflict Iraq when he asked three questions related to U.S. post-conflict strategic aims:

Do you want to take everything back to what it was pre-first Gulf War?
Do you want to take it back to what it was before this year?
Or do you want to build it all new?¹⁶¹

Garner’s questions focus on a fundamental question: what is the end state? Does one support a “decapitation thesis,” similar to the ideas proposed by Chalabi? If so, the basic assumption is to return Iraq to pre-war levels with a different strong leader. Limited post-conflict operations – but no state-building – would be required. Does one support one particular civilian Defense Department vision of Iraq as a democratic beacon for the Middle East? If so, the basic assumption must be a long-term U.S. presence with significant U.S. resources to establish a post-conflict state-building agenda that provides the institutions for a democratic form of government. How does the condition of the Iraqi state affect the policymakers’ views regarding what is required in post-conflict state-

¹⁶⁰ Ricks (2006) p. 183.

¹⁶¹ Woodward (2006) p. 146.

building? Defining the end state reveals the assumptions, strategic considerations, and key priorities for the overall operation.

The primary – some might argue, only – focus of the military was major combat operations. The goal was for the military mission – the offensive, conventional operations. Success was not defined by metrics of security, political development, or economic reconstruction. The goal was defined in negative terms – regime change.¹⁶² Rather than defining what needed to be restored or built, the goal was the removal of a regime. How to support this rapid transition was not a priority. The post-conflict piece was acknowledged and goals were stated; however, nearly all resources were devoted to the major combat operations. During the initial OSD deliberations on post-conflict Iraq, Secretary Rumsfeld dictated the goal of post-conflict Iraq not in terms of an Iraqi end state, but rather a timeline for U.S. troop withdrawal.¹⁶³

Within the Defense Department, some considered Iraq as the next proving ground for Secretary Rumsfeld’s “transformation” agenda. By all accounts, the major combat operations were an unequivocal success. Transformation worked. A lighter, small, more agile force destroyed the enemy in weeks. The military won battles on the operational level due to its overpowering military force and strong planning on the operational level.

However, the operational level major combat operations successes did not translate directly into a larger strategic vision. The Defense Department neglected the post-conflict in terms of policy prioritization.¹⁶⁴ Despite many months of planning, the military was losing in Iraq on a strategic level.¹⁶⁵ Goals for Iraq – including the post-conflict period – were well established by August 2002. However, there was a lack of strategic thought regarding post-war efforts as well as what implementation would like look like.¹⁶⁶ The chasm between strategic documents and operational-level documents was vast. The strategic did not inform the operational – the latter did not include insights from the former regarding the post-conflict goals.

¹⁶² Ricks (2006) p. 135

¹⁶³ Woodward (2006) p. 91.

¹⁶⁴ Gordon & Trainor (2006) p. xxxiii.

¹⁶⁵ Ricks (2006) p. 127, 129, and 131-132.

¹⁶⁶ Ricks (2006) p. 184-185.

On April 2, 2003, Secretary Rumsfeld sent a one-page memo to senior DOD officials instructing them to support Garner “as required.” Secretary Rumsfeld defined Garner and ORHA’s mission as “to help create the conditions for transition to Iraqi self-rule and the withdrawal of coalition forces upon completion of their military objectives.”¹⁶⁷ “Creating the conditions for transition” is much different than supporting ORHA in its efforts to establish these conditions. Further, Rumsfeld was centered on troop withdrawal, not establishing metrics for a successful post-conflict state-building operation.

In the lead-up to the invasion of Iraq, as the title of ORHA indicates, humanitarian assistance was a central pillar of USG post-conflict operations in Iraq. As Garner prepared for ORHA’s post-conflict mission, his priorities and concerns were refugees, burning oil fields, epidemics due to sanitation collapse, and starvation. Additionally, WMD influenced the key strategic goals. Larger state-building objectives – from security and rule of law to political and economic reconstruction, were not key concerns.¹⁶⁸ It is important to distinguish between humanitarian assistance and reconstruction. Humanitarian assistance implies a focus on addressing needs from a disaster, not a long-term strategic focus that builds the capacity of a state. Reconstruction – or state-building – denotes a focus on establishing an end state, a governing capacity with a state.

Within the uniformed military, there was a complexity of thought on conceptualizing the strategic aims for Iraq. In initial military briefings on December 28, 2001, General Franks defined the end state to President Bush as “the establishment of a representative form of government, a country capable of defending its territorial borders and maintaining its internal security, without any WMD.”¹⁶⁹ In fact, this statement is fairly robust, acknowledging a post-conflict role that includes security and the establishment of governing institutions. Yet, this vision of post-conflict Iraq contrasts sharply with Franks’ April 16, 2003 “freedom message.”¹⁷⁰

As planning continued, other notions of the end state were presented. CENTCOM conveyed a narrowly defined mission for *Cobra II* – the classified U.S. war plan for the ground component – “to force the collapse of the Iraqi regime and deny it the use of WMD to threaten

¹⁶⁷ Woodward (2006) p. 156.

¹⁶⁸ Woodward (2006) p. 107

¹⁶⁹ Franks (2004) p. 351.

¹⁷⁰ Bremer (2006) p. 39.

its neighbors and U.S. interests in the region. ... The end-state for this operation is regime change.”¹⁷¹ What would follow the regime change? And how? The goal was clearly defined as regime collapse or destruction, at odds with any Phase IV operations that would rely on a quick transfer of authority to a functioning state. Army Reserve Major Michael Eisenstadt stated, “We designed success in negative terms – getting rid of the regime, instead of establishing a democratic regime. ... When President Bush landed on that carrier with the ‘Mission Accomplished’ banner, it was right: The mission, as defined for the military as getting rid of the regime, had indeed been accomplished.”¹⁷² This view characterizes the decapitation thesis, which can be conceived of as regime change without state-building.¹⁷³ However, this definition of the goal in negative terms neglects any recognition of the strategic goals accomplished through Phase IV operations and state-building as conceptualized within the larger warfighting process. The strategy is bifurcated, which leads to the plans being separated, ultimately subordinating state-building. As indicated above, however, the goal for military operations – at certain points and from certain perspectives – did include post-conflict state-building.

Another point of contention in post-conflict planning centered on the distinction between a transitional government (by end of May; very short-term) and a provisional government (6-24 months). Garner viewed his responsibilities within the “transitional government” phase. He expected to be in Iraq no longer than August, as did McKiernan. Within the four or five months from the beginning of the invasion, a transitional government would be an optimistic, but potentially achievable goal. A “man of stature,” to whom Garner often referred to ORHA staff, would be in charge of establishing a provisional government. The original conception of U.S. operations in Iraq after August 2003 was quite limited. How did the mission creep occur? Or was it a lack of understanding of the goal? Was there any consideration of the post-conflict state-building responsibilities? Evaluating the stated aim of “regime change,” there was mission creep, largely due to the fact that there was a lack of understanding of the post-conflict goals. However, the mission “crept” to a more robust understanding of post-conflict state-building from a “decapitation thesis” that focused on regime change as the only goal.

¹⁷¹ Ricks (2006) p. 116.

¹⁷² Ricks (2006) p. 135.

¹⁷³ Gordon & Trainor (2006) p. 22.

There was no strategic end state that informed military planning from the strategic level through to the operational and tactical level. There were strategic plans with end states defined. There were operational and tactical plans. However, the conceptualization of military planning did not allow for the strategic goals to be translated to the operational and tactical level. Before the U.S. engaged in military operations in Iraq, there was not an adequate understanding and planning for the end state.¹⁷⁴

Expectations of the post-conflict state-building tasks

However, while strategic-level thinking for post-conflict state-building did occur before the war and in the initial weeks of the war, the assumptions of this strategic guidance created plans that were overly optimistic in terms of:

- level of security (i.e. permissive environment, length of U.S. troop presence)
- state capacity (i.e. infrastructure, military, bureaucracy);
- political capacity (i.e. interim governing authority, governing structures); and
- U.S. civilian and international participation (i.e. financial assistance, capacity).

These poor planning assumptions – and the lack of planning for alternative scenarios – led to a situation where the U.S. was confronted with a complex post-conflict state-building environment without the requisite financial resources, personnel, or strategic direction.

Level of security – The fundamental assumption for any post-conflict operations was a permissive environment. This assumption was based in large part on Operation Provide Comfort in Kurdistan in 1991. However, there were immense differences between a more defensive-oriented humanitarian assistance operation in a semi-autonomous region compared to an aggressive combat operation designed to topple a government.

As his troops took Baghdad, McKiernan attempted to establish martial law; however, the Pentagon rescinded this order. The fundamental assumption by those senior officials in the Pentagon was that a stable security environment would quickly emerge and the U.S. military did not want to be labeled as an occupier. Wolfowitz stated, “I am reasonably certain that

¹⁷⁴ Ricks (2006) p. 362.

they will greet us as liberators, and that will help us keep requirements down.”¹⁷⁵ Beyond the political rhetoric of liberator versus occupier, there are different levels of post-conflict responsibility and tasks between these two words. Wolfowitz reflected a position that believed that the U.S. – including the military – had limited objectives after the invasion and that reconstructing a functioning state – or whatever U.S. contribution to that effect – would be a short-term task. This liberator concept reflected the decapitation thesis where the state would remain intact and be able to function after the head – Saddam Hussein and his Baath Party-led government – was removed and replaced by a different Iraqi government. Occupation became an overly politicized term that suggested malevolent American interests. Moreover, occupation, a term that has specific legal, political, moral, and philosophical responsibilities and obligations, required the U.S. government to provide longer-term support to the Iraqi state.¹⁷⁶ The U.S. military was not willing to take on occupier status, fundamentally shifting the conception of its responsibilities and goals in post-conflict Iraq.

State capacity – Through the initial conceptualization of overall mission goals, the two primary post-conflict tasks were related to WMD and humanitarian assistance. The actual governance and administration of Iraq as an occupied state was not considered. ORHA plans assumed that government ministries would either be functioning or would take little time return to a proper functioning level. However, this assumption appeared to be in direct contradiction with the ORHA planning that assumed that there would be a humanitarian crisis. If a humanitarian crisis is assumed, how well could government ministries be functioning? Yet, as ORHA planned, there was a mentality that “everything will be fine.”¹⁷⁷ Within CENTCOM, *Eclipse II* made similar assumptions about Iraqi state capacity. The planners assumed that Iraqi civilian authorities would continue to run local and regional essential services. U.S. forces anticipated a functioning government within 30 to 60 days of the completion of major combat operations.¹⁷⁸ In the most ideal of circumstances, this estimate would be wildly optimistic. However, the U.S. military found a radically different environment. There was a near-complete collapse of the Iraqi state. “The Iraqi state, its

¹⁷⁵ Ricks (2006), p. 98.

¹⁷⁶ See: Senate Foreign Relations Committee (2003b) “Iraq: Reconstruction,” S. Hrg. 108-53, March 11, 2003, Washington, D.C.: U.S. Government Printing Office, p. 33. Sandra Mitchell, Vice President of Government Relations of the International Rescue Committee notes several points within the Fourth Geneva Convention, which the U.S. is a signatory, in her testimony regarding occupational responsibilities. They include Articles 51, 53, and 71-76 of the Fourth Geneva Convention – Protocol I.

¹⁷⁷ Bodine (2007) interview.

¹⁷⁸ Gordon & Trainor (2006) p. 459.

ministries, their civil servants, police force and army ceased to exist in a meaningful way in the aftermath of regime change.”¹⁷⁹ If any post-conflict planning occurred, the assumption was that the operations would be a “patch job, not an overhaul.”¹⁸⁰

Political capacity – The fundamental assumption with political capacity of the Iraqi state saw a quick transfer of authority to an Iraqi civilian leadership, operating in a stable post-conflict environment. ORHA planning initially assumed that there would be a transitional government and interim constitution by August 2002. One policy debate throughout the U.S. government centered on whether “external” exiled or “internal” Iraqi leader would emerge. Regardless, there was an assumption that one of these groups – if not both – could take leadership roles.

However, as post-conflict operations began to take form, these assumptions fell flat. The political transition plans began to fail in mid-April as Garner and Khalilzad surveyed the country and its political leadership in preparation for a “big tent” political gathering in Baghdad. There was a slow realization on the ground that these post-conflict operations would require an occupation, not a rapid handover. Garner and Khalilzad began to realize that the “external” exiled Iraqi leaders – particularly Chalabi – lacked legitimacy. The “internal” leaders both did not exist in great numbers and would take a longer time to emerge.

U.S. civilian and international participation – Despite the policy dominance of the Defense Department during pre-war planning, many in the military assumed that civilian departments would be a crucial – if not lead – actor in post-conflict Iraq. “Franks told his commanders that his assumption was that Colin Powell’s State Department would have the lead for rebuilding of Iraq’s political institutions and infrastructure.”¹⁸¹ According to declassified war plans, the “stabilization phase” would last two to three months, and then a “reconstruction” phase would last 18-24 months. Looking back on the Phase IV operations, Franks said, “Phase IV was actually going about as I expected – not as I had hoped, but as I had expected.”¹⁸² *Eclipse II*, despite being completed in mid-April 2003, still had faulty assumptions based on international support for U.S.-led efforts in Iraq. *Eclipse II* assumed

¹⁷⁹ Dodge (2007) p. 87.

¹⁸⁰ Gordon & Trainor (2006) p. 468.

¹⁸¹ Gordon & Trainor (2006) p. 68.

¹⁸² Ricks (2006) p. 411.

that the U.S. would receive “significant support from other nations, international organization, and nongovernmental organizations.”¹⁸³

General Zinni warned Marine commanders, “Don’t count on it when somebody tells you ‘Well, the State Department’s got that,’ or ‘OSD’s planning for that.’ Don’t believe them. You’re going to get stuck with it. So, have a plan. This is the *Desert Crossing* philosophy: You’re going to end up being the ‘stuckee’ on this.”¹⁸⁴ Yet, the military did not uniformly accept this philosophy. The military did not want to be the “stuckee” of post-conflict state-building operations. Many within the military wondered why the State Department was not following in behind the invasion; others – often in higher positions – either thought that “OSD’s planning for that” or that state-building – or stabilization and reconstruction – was not its mission and that someone else would take care of it. Franks said, “you pay attention to the day after and I’ll pay attention to the day of.”¹⁸⁵

While Zinni reflected a reluctant acceptance of state-building responsibility, there was an overriding understanding within the uniformed military of conceptualizing state-building within the warfighting process. Within doctrine, there is an expectation of state-building tasks. “Military operations alone cannot defeat an insurgency.”¹⁸⁶ Yet, this conception of state-building tasks as part of the overall strategy did not always lead to operational planning and execution.

The role of democracy

Democracy promotion informed the thinking and philosophies of many senior administration officials, including senior DOD officials. Wolfowitz argued, “I think democracy is a universal value. ... And I think letting people rule themselves happens to be something that serves Americans and America’s interests.”¹⁸⁷ In an August 2002 strategy document produced by senior Bush administration officials, the Iraqi end state was described as “a

¹⁸³ Ricks (2006) p. 110.

¹⁸⁴ Ricks (2006) p. 71.

¹⁸⁵ Ricks (2006) p. 79.

¹⁸⁶ H.R. McMaster (2006) interview, November 30, 2006. McMaster was the Director of CENTCOM’s Commander’s Advisory Group, May 2003-May 2004. From June 2004 until June 2006, McMaster served as the Colonel of the 3rd Armored Cavalry Regiment.

¹⁸⁷ Ricks (2006) p. 17.

society based on moderation, pluralism, and democracy.”¹⁸⁸ Franks’ first briefing to President Bush included an end state goal as “representative government,” an indirect reference to at least a form of democracy promotion.

Despite these rhetorical commitments, the overarching goal of democracy did not factor into war planning. How were democracy goals translated from the strategic level to the operational level? It is quite possible that democracy was one of the larger political motivations for the decision to invade Iraq; however, there were little to no resources devoted to this effort in the immediate post-conflict period by the military. Throughout the military, “democracy” functioned as an aspirational goal for the Iraqi state; however, there was difficulty in seeing how this long-term political aspiration translated into the short to medium-term planning for Iraq.

¹⁸⁸ Gordon & Trainor (2006) p. 72.

State Department / Coalition Provisional Authority

We were clearly involved in a long-term project of nation-building here, like it or not.¹⁸⁹
- Ambassador Paul Bremer

Ambassador L. Paul Bremer III was officially named Presidential Envoy to Iraq on May 6, 2003, less than one month after the fall of Baghdad. Although Garner knew of this decision by April 24, the rapid, uncertain transition from ORHA to the Coalition Provisional Authority (CPA) occurred from mid-April to mid-June. CPA officially replaced ORHA on June 16, although Gen. Garner had departed on June 1.¹⁹⁰

The transition from ORHA to CPA was not smooth and certainly was not well-defined. Federal district court Judge T.S. Ellis III stated,

The CPA's origins are difficult to pin down, as there is no formal document – whether statute, United Nations Security Council resolution, or other organic document – that plainly establishes the CPA or provides for its formation.¹⁹¹

There is speculation that a national security presidential directive was issued in May 2003; however, that document either exists and was not released or simply does not exist. The weeks – possibly days – of this transition in mid-May signified one of the most (if not the most) critical transition in the conception of the post-conflict mission by the U.S. government. There was a fundamental shift in mission from ORHA to CPA. ORHA had a very limited, short-term mandate (90 day timeframe), operating in a coordinating role and authorized to orchestrate a rapid transition and handover. While Garner knew that somebody would replace him as the post-conflict operations moved from supporting a “transitional” to “provisional” government, the institutional arrangement was not clear.¹⁹² One critical part of this transition from ORHA to CPA was the realization that post-conflict Iraq was not a functioning state and a government – led by exiles or internal Iraqis – did not exist to execute a handover. Thus, CPA arrived – or more accurately, came into existence. The CPA's mandate was that of an occupational authority.

¹⁸⁹ Bremer (2006) p. 112.

¹⁹⁰ Halchin (2005) p. 3.

¹⁹¹ United States of America vs. Custer Battles LLC (2004) *Case No. 1:04cv199 – Memorandum Opinion*, United States District Court for Eastern District of Virginia – Alexandria Division, <http://www.taf.org/custerbattlesellisopinion0705.pdf>

¹⁹² According to interviews of people working in ORHA and CPA at the time, the organizational arrangements and names were not clear for a couple weeks.

If any civilian organization outside of the White House and Defense Department had influence on post-conflict planning and operations in Iraq, it was the State Department. Despite its marginalization, limited initial role, and outright removal from the policy process at times, the State Department's role is worth considering. Evaluating the State Department as an institutional entity within post-conflict planning and operations for Iraq, however, only provides part of the picture for civilian components to the post-conflict planning and operations. ORHA – a military entity led and dominated by retired and current military officials – remains in the “Defense Department” section of this chapter. The Coalition Provisional Authority – a civilian-led entity reporting to the President through the Secretary of Defense – is included in this “State Department” section.¹⁹³ In the time period covered in this thesis, the State Department as an institution had a limited role, despite the fact that senior State Department officials were seconded to the Defense Department for ORHA or worked for the CPA.

Structural

Planning processes

The most widely mentioned pre-war planning outside of the Defense Department is the Future of Iraq Project (FOIP). Developed as a concept in fall 2001 and approved by Secretary Powell on February 4, 2002, FOIP was designed to bring together U.S. government, Iraqis, and other experts to discuss what would be necessary to construct an Iraqi state after the fall of Saddam Hussein. The initial FOIP meeting took place in April and by June 2002 Congress decided to provide \$5 million in funding to the project.¹⁹⁴ Seventeen working groups were formed and the first meeting was held in July 2002. These working groups covered the gambit from policing to armed forces, infrastructure to economic development.

¹⁹³ As noted in the introduction, there are several ways in which this chapter could be organized. The goal of the present chapter format is to assess all relevant actors in an organized fashion that does not compromise the methodology. Including the CPA with the State Department sub-section is incongruous in one respect as CPA reports to the Secretary of Defense. However, in order to fully assess the CPA, it is being grouped with the State Department, two entities that had a role in post-conflict state-building, particularly after the immediate post-conflict period. Although some methodological problems could be noted with this structure, it is important to adequately consider the State Department and the CPA. This sub-section provides the vehicle for this part of the analysis.

¹⁹⁴ Senate Foreign Relations Committee (2002b) “Next Steps in Iraq,” S. Hrg. 107-798, September 25-26, 2002, Washington, D.C.: U.S. Government Printing Office p. 74-75.

The most common criticism of FOIP was that it was not an operational plan for the post-war period.¹⁹⁵ Among others, Bremer dismissed the work of FOIP. Reviewing the FOIP working group reports, the recommendations are indeed not operational plans. However, the exercise was intended more for the strategic level of planning. Rather than defining how Iraq would transition to more democratic institutions, FOIP reports set out strategic goals and listed priorities.¹⁹⁶ Thus, it never endeavored to be *the* post-war planning document for the State Department; however, it could have become the basis for a more detailed plan.

Focusing too much on the FOIP, however, distracts one from the larger political environment in which the State Department was operating. The State Department was cut out of the policy-making process in the lead-up to invading Iraq. Interestingly though, this marginalized role was not much different than what CENTCOM would find in the 1999 exercise *Desert Crossing*. In that exercise, the State Department did not have a mandate for planning the occupation.¹⁹⁷

ORHA did not conduct robust strategic – and certainly not operational – level plans for the post-war period. It should be stated again: ORHA did not have this goal in its original mission set. Arriving in theatre, Bremer expected some form of a planning document for post-war Iraq; however, there was none. Aside from an overlap between Garner and Bremer for one month, there was neither a comprehensive transition plan nor a broader strategic plan for post-conflict Iraq. No long-term strategic planning occurred until May 2003.¹⁹⁸ As one CPA planner said, “we were continuing to build a plan in flight.”¹⁹⁹

In May, a couple of ORHA planners who stayed on to work with CPA developed a nine page strategic document, not a plan but a statement of purpose for the U.S. presence in Iraq. The document, titled “Vision for Iraqi Empowerment,” was given to Bremer in mid-May.²⁰⁰ This document formed the basis for Bremer’s 57-page strategic plan that he presented to Congress in July 2003.

¹⁹⁵ Bremer quotes Ryan Crocker as saying, this is “not a post-war plan.” Bremer (2006) p. 25.

¹⁹⁶ Gordon & Trainor (2006) p. 158.

¹⁹⁷ Gordon & Trainor (2006) p. 27.

¹⁹⁸ Bremer (2006) p. 79.

¹⁹⁹ Polk (2007) interview.

²⁰⁰ Polk (2007) interview.

Bremer described the plan as a “fast-slow” approach.²⁰¹ An overall trend in this planning was the ascendance of the prioritization of governance. Conceptualizing state-building as a political process, governance was a key element to the planning processes.²⁰²

Institutional focus

State Department was not focused on major combat operations. There is a question as to whether or not the State Department even considering post-conflict operations, or possibly occupation. Institutionally, the State Department was preparing for post-war Iraq. However, senior leadership and particular elements within the State Department mobilized in the final months before the invasion of Iraq.²⁰³ One example of the senior leadership discussions was Secretary of State Colin Powell’s discussion with President Bush on August 5, 2002. This conversation is part of Powell’s “Pottery Barn” – you break it, you buy it – approach. “You are going to be the proud owner of twenty-five million people. You will own all their hopes, aspirations, and problems.”²⁰⁴

Under Secretary of State for Policy Marc Grossman presented the State Department’s analysis of the post-conflict environment in Iraq during February 2003 Senate Foreign Relations Committee testimony. Although the hearings were remembered for the lack of detail that he and Defense counterpart Feith provided, Grossman’s conceptual understanding of post-conflict Iraq operations is worth noting. Grossman outlined three post-conflict stages:

Conceptually, there are three stages:

- (1) Stabilization, where an interim coalition military administration will focus on security, stability and order; laying the groundwork for stage 2.
- (2) Transition, where authority is progressively given to Iraqi institutions as part of the development of a democratic Iraq.
- (3) Transformation, after Iraqis have drafted, debated and approved a new, democratic constitution and held free and fair elections, the only way for any future Iraqi government to be truly legitimate.²⁰⁵

But how did the State Department conceptualize its role within this three stage process?

Broadly speaking, the State Department viewed itself as a supporting institution. However, some elements of the Defense Department viewed the State Department as the lead, or the

²⁰¹ Bremer (2006) p. 79.

²⁰² Scott Carpenter (2007) interview, July 10, 2007. Carpenter was a member of CPA’s governance team and a senior advisor to Ambassador Bremer.

²⁰³ Carpenter (2007) interview.

²⁰⁴ Ricks (2006) p. 48.

²⁰⁵ Senate Foreign Relations Committee (2003a) p. 11-15.

supported institution for post-conflict state-building. The State Department lacked the capacity, mandate, or resources for that form of leadership in post-conflict state-building.

The arrival of the CPA signified a shift in the civilian planning for post-conflict state-building in Iraq. The CPA – as the lead organization for post-conflict state-building – was more than a coordinator; the CPA was now also tasked with implementing (often with the support of the military) the post-conflict state-building strategy. CPA largely began in the strategic level, but also included the operational level as the CPA was responsible for re-establishing ministries and overseeing what would be a \$21 billion U.S. assistance package.

Rebuilding versus building

One issue to consider within and across institutions is the perspective on whether post-conflict operations in Iraq were rebuilding / reconstructing or building / constructing. The fundamental assumption here affects the amount of resources, time commitment, personnel, and all major planning and staffing considerations.

As Bremer and CPA arrive, there is a realization that the mission was to build, rather than rebuild. This conceptualization contrasts sharply with that of the February 2002 NDU Rock Drill, which conceptualized more rebuilding than building, implying a shorter timeframe to complete post-conflict operations. In addition, the decapitation thesis is predicated upon a rebuilding approach, assuming that the government and its institutions would be able to continue to function after the removal of the head. Upon his arrival, Bremer was shocked at how “broken” Iraq was.²⁰⁶ Thus, he began to conceptualize the post-conflict operations as building, not rebuilding, because Iraqi institutions were not there to be rebuilt. Further, Bremer’s arrival signaled a shift to whom the U.S. government would look for political leadership in Iraq. Rather than the “government in exile” strategy, Bremer began a long, slow, painful process to “build” political processes with more “internal” Iraq leaders.²⁰⁷

²⁰⁶ Bremer (2006) p. 18.

²⁰⁷ Polk (2007) interview.

Logistical and bureaucratic obstacles

The CPA suffered institutionally from a lack of resources, which constrained its ability to function. Upon arrival, CPA staffers had two computers to share and no phones, meaning no communication with Washington.²⁰⁸ The physical lack of equipment delayed CPA's progress.²⁰⁹ In addition, as security began to deteriorate, the lack of armored vehicles began to restrict CPA officials' movement.²¹⁰

Human resources and personnel issues created another set of institutional barriers for CPA. There was no clear handover from ORHA to CPA.²¹¹ More than being awkward, the lack of a clear transition sacrificed critical days and weeks and delayed development of planning and operations. In the end, about 20 of the 200 ORHA personnel stayed on to work with CPA. However, senior leadership, such as senior deputies to Garner, did not remain.²¹²

Another factor related to human resources was the lag time in deploying civilian personnel. First, there is a small number of Foreign Service Officers; 5,900 in 2003. Further, there is a miniscule "training float" – the amount of officers in training or other programs that would allow for a rapid deployment in emergency circumstances – in the State Department. Whereas the uniformed military has a training float of about five to ten percent of personnel, the State Department's float is less than one percent. In addition, the number of Foreign Service Officers already deployed around the world impedes full and quick access to the 5,900 total. Over 63% - or 3,743 officers – were already serving abroad.

The CPA also suffered institutionally for the first six months of its operations until a personnel realignment in November 2003 established a senior deputy for operations and a senior deputy for policy. From May to November, however, the nascent CPA institutions were weak. There were no supporting mechanisms for governance goals until three to four months into CPA's establishment in Iraq. Further, these institutions lacked any institutional memory as the tours for CPA officials were often extremely short, as short as 90 days in Iraq.

²⁰⁸ Matt Fuller (2007) interview, July 1, 2007. Fuller was a staff assistant to Ambassador Bremer and then staff assistant to CPA deputy Ambassador Richard Jones. Also, see: Bremer (2006) p. 23.

²⁰⁹ Diamond (2005) p. 289.

²¹⁰ Diamond (2005) p. 193.

²¹¹ Bremer (2006) p. 15.

²¹² Adams (2007) interview.

“This mission was under resourced from the start”²¹³ CPA was hampered by its initial lack of funding as well as the “business as usual” approach for funding requests. The funding constraints and delays ultimately delayed implementation of CPA plans.²¹⁴ Further, Bremer regarded Washington – and particular people within the Defense Department’s Comptroller’s Office – as the “8,000 mile screwdriver”²¹⁵ The micromanagement from Washington stifled the use of the funding available and, consequently, implementing programs and operations. However, the dollar level of funding was notable - \$21 billion in supplementals by September. Lack of immediate resources available for use was one issue; being able to spend the resources, however, was the larger issue.

Resource

The numbers

In April 2003, Andrew Natsios, the Administrator for the U.S. Agency for International Development, estimated that the U.S. contribution to reconstruction costs in post-conflict Iraq would be \$1.7 billion.²¹⁶

By April 2003, Congress passed Emergency Wartime Supplemental Appropriations Act of 2003 for \$2.5 billion. In November 2003, Congress added \$18.4 billion to this Iraq Relief and Reconstruction Fund. Although billions of dollars were spent through the Development Fund for Iraq (the UN Oil-For-Food funds), only two percent - \$366 million – of the U.S.- allocated funds for Iraq had been spent by the end of the CPA in June 2004, 15 months after the fall of Baghdad.²¹⁷ This inability to spend money directly affected CPA’s ability to enact its strategic plan.

A July 2003 Center for Strategic and International Studies (CSIS) report concluded that the CPA should be receiving more money and that the money should be more flexible.²¹⁸ The CSIS report stated, “In addition to broadening the financial coalition to include a wider range

²¹³ Diamond (2005) p. 195.

²¹⁴ Bremer (2006) p. 113.

²¹⁵ Bremer (2006) p. 82.

²¹⁶ Ricks (2006) p. 109.

²¹⁷ Rajiv Chandrasekaran (2004) “U.S. Funds for Iraq are Largely Unspent,” *Washington Post*, July 4, 2004, A01.

²¹⁸ John Hamre, Frederick Barton, Bathsheba Crocker, Johanna Mendelson-Forman, and Robert Orr (2003) “Iraq’s Post-Conflict Reconstruction: A Field Review and Recommendations – July 17, 2003,” Iraq Reconstruction Assessment Mission, June 27 – July 7, 2003, <http://www.csis.org/media/csis/pubs/iraqtrip.pdf> .

of international actors, this means the President and Congress will need to budget and fully fund reconstruction costs through 2004. The CPA must be given rapid and flexible funding. 'Business as usual' is not an option for operations in Iraq."²¹⁹

Goals of assistance

The goals of the CPA were articulated in many strategy documents in the three to four months after Bremer's arrival in May. In a July 11, 2003 version of "A Vision for Iraq," the CPA vision statement identified the goal for Iraq as:

A free Iraq governed by a representative government chosen through democratic elections. At the core of this new Iraq is the development of a democratic, accountable, and self-governing civil society respectful of human rights and freedom of expression. The future prosperity of Iraq's citizens depends on the use of Iraqi resources to foster the development and establishment of a market-based economy for and by them.²²⁰

Further, the end state was identified as:

The ultimate goal is a durable peace for a unified and stable, democratic Iraq that: provides effective and representative government for the Iraqi people; is underpinned by new and protected freedoms and a growing market economy; is able to defend itself but no longer poses a threat to its neighbors or international security.²²¹

The goals expressed by Bremer and the CPA portray a transformational agenda, one based on "a growing market economy" and a government that is "respectful of human rights and freedom of expression." Bremer wrote later, "We have to bridge the gap between dysfunctional economy and one where the private sector propels it."²²² In short, CPA's goals were aggressively optimistic, focusing on long-term, generational goals, rather than the transactional goals of immediate post-conflict state-building.²²³

Length of commitment

Original plans stated that "State Department would send four disaster assistance teams, which would work in Iraq for ninety days."²²⁴ Special Envoy to the Iraqi opposition Zalmay

²¹⁹ Hamre et al (2003) p. ii-iii.

²²⁰ Coalition Provisional Authority (2003c) "A Vision for Iraq – July 11, 2003," Baghdad, Iraq, July 11, 2003, p. 8. Copy of this unclassified document given to author.

²²¹ Coalition Provisional Authority (2003c) p. 8.

²²² Bremer (2006) p. 125.

²²³ Diamond (2005) p. 42.

²²⁴ Gordon & Trainor (2006) p. 153.

Khalilzad promised a quick transition to an Iraqi government.²²⁵ Although there were differing views within the administration and on the operational levels, a general consensus was that the U.S. government would administer (read occupy) Iraq for one year.²²⁶ The fundamental point in question, however, was the relationship between this administrative U.S. presence and the Iraqi transitional government. Would the Iraqi transitional government be a figure-head presence or would this transitional government hold real political and administrative power? Further, when and how would this transitional government be formed?

The April–May time period – and coinciding arrival of Bremer – signaled a shift in the U.S. length of commitment in Iraq.²²⁷ Rather than conceptualizing a post-conflict mission in a 90 day time-span, U.S. officials began to see the longer-term nature of this post-conflict state-building effort. Bremer said, “We were clearly involved in a long-term project of nation-building here, like it or not.”²²⁸ The need for a longer-term presence is demonstrated by the fact that the CPA did not even have its first meeting with Ministers until September 2003.²²⁹ Bremer and the CPA saw their role as a medium-term presence – one to two years – that would transfer over to a U.S. Embassy that would coordinate longer-term assistance.

In the July 4 CPA strategic planning document “A Vision to Empower Iraqis,” the CPA stated:

While initially, the CPA has and will have a dominant role in the first stages of establishing the transformation of Iraq, we should all be clear that shortly we will have a significant partner in the Governing Council (GC) of the Interim Administration that will represent the voice of the Iraqi people to the CPA. Together the CPA and the GC will forge a strong partnership that will guide the nation forward in its transformation.²³⁰

In July 2003, the CPA saw its role as transitional. However, the term “partnership” would denote that the CPA intended to remain in Iraq, not provide a quick handover of authority to the Governing Council of the Interim Administration.

²²⁵ Bremer (2006) p. 83.

²²⁶ Gordon & Trainor (2006) p. 108.

²²⁷ Diamond (2005) p. 33 & 37.

²²⁸ Bremer (2006) p. 112. See: Bremer (2006) p. 19.

²²⁹ Bremer (2006) p. 158.

²³⁰ Coalition Provisional Authority (2003b) “A Vision to Empower Iraqis – Draft,” July 4, 2003, http://www.dod.mil/pubs/foi/reading_room/A_Vision_to_Empower_Iraqis.pdf, p. 3.

Disconnect between resources and goals

Funding resources were a constant concern for ORHA. Garner raised his funding concerns with Rice, but received no solid feedback.²³¹ The uncertainty and confusion of funding remained as Bremer took control of CPA. The CPA lacked the institutional capabilities to enact its ambitious mandate. The CPA had an occupation mandate under a proconsul model that lacked the staffing, institutional power, and authority to enact this occupational – or post-conflict state-building – mission.²³² In some respects, CPA was initially an unfunded mandate; however, Congress relatively quickly provided the resources needed.

The strategic planning was developed for CPA; however, the plans lacked the capacity to spend the resources for effective implementation. “Planning absent resources is futile.”²³³ Financial resources contributed to this resource gap, but the human resource capacity was also insufficient. Bremer did not have full control and authority in practice over all personnel working for and in support of the CPA. Bremer recalled a story where the Marines would not even authorize lawyers that he requested to come to Iraq. More broadly, the divides between the CPA and the military were evident. In the immediate post-conflict period, the military is the most able institution to provide personnel for *any* mission. However, there was a clear divide between the goals (and institutions responsible for achieving those goals) and where the resources were located. The relationship between CPA and military headquarters was initially limited. Even more so, the relationship between CPA and local military commanders was very limited, non-existent in many circumstances. Who provided guidance to the military commanders in the field regarding post-conflict state-building responsibilities? Multiple sources recalled a FRAGO – a military order sent to field commanders – regarding post-conflict state-building responsibilities early in the campaign; however, there was a lack of formal guidance.

In effect, there was a fundamental disconnect between the responsibilities and authorities with CPA and CJTF-7. CJTF-7 could guide goals due to its monopoly on resources, both financial and personnel. CPA had responsibilities, but lacked authority and capacity. CPA had no vision for provincial reconstruction teams (PRTs) – originally called Governance

²³¹ Woodward (2006) p. 138.

²³² Ricks (2006) p. 205.

²³³ Bodine (2007) interview.

Support Teams – until July; resources were deployed in September.²³⁴ Thus, in this critical transition period of the initial months after major combat operations, the only resources in the field were those of the military. CPA had authority in theory (although none over U.S. military elements in Iraq ever), yet it was not able to direct military resources for non-combat, non-offensive based operations – post-conflict state-building. With the CPA – CJTF-7 relationship somewhere between strained and combative, this coordination and interaction between the organization with the post-conflict state-building mandate (CPA) and the organization with the post-conflict state-building resources (CJTF-7), particularly in the immediate post-conflict period, was weak at best.

Personnel resources

Former ORHA senior official Ambassador Barbara Bodine said, “Ambassador Bremer was handed a fundamentally broken organization, utterly dysfunctional.”²³⁵ CPA was slow to get personnel, but it ramped up to 3,000 personnel by mid-July.²³⁶ Despite this relatively large number, there was a constant “lack of bodies.” CPA’s staffing, however, also reflected a shift in personnel, now including more State Department – former and current – officials in the CPA leadership compared to ORHA. Bremer and his deputies were retired State Department officials and many senior leaders – such as the Ministry liaisons – were active State Department officers. However, this influx of State Department personnel should not be overstated. Of the 954 Americans working in CPA in July 2003, 34 were currently serving State Department officials. Three percent of Americans working for CPA were State Department personnel, indicating the limited institutional capacity to deploy personnel for state-building operations.²³⁷

Although some key personnel remained in the ORHA to CPA transition, only 20 of the 200 ORHA staff remained after the first 30 days of CPA. Some staff remained in the strategic planning offices, but a 10 percent overall retention rate signified a major shift – and re-start – in the transition from ORHA to CPA.²³⁸

²³⁴ Bremer (2006) p. 125.

²³⁵ Bodine (2007) interview.

²³⁶ Bremer (2006) p. 108, 114, and 125.

²³⁷ Senate Foreign Relations Committee (2003g) “Iraq: Status and Projects for Reconstruction – Resources,” S. Hrg. 108-255, July 29, 2003, Washington, D.C.: U.S. Government Printing Office, p. 86.

²³⁸ Colonel (ret.) Robert Polk and Dayton Maxwell were two ORHA strategic planning officials who remained to support CPA.

Staffing and hiring mechanisms were ad hoc at best, destructive at worst. Bremer remarked that staff would show up and nobody in CPA would know why they were there or who had given them orders to arrive. The “3161” program brought in appointed personnel, although they were not typical political appointees. 3161 hires possessed a particular skill (e.g., language, stabilization and reconstruction experience) that made them eligible for hire. The Iraq Reconstruction and Development Council (IRDC) was another mechanism through which to hire CPA officials. IRDC hires were Iraqi-Americans who worked for the CPA. Multiple sources also noted “unauthorized volunteers” who arrived without a particular mandate or orders, but inserted themselves into the CPA architecture. More traditional political appointees also joined CPA. Although some criticize the political appointees, particularly Rajiv Chandrasekaran, Bremer provided a defense of the “top 100” political appointees and the skills that they brought to CPA during a February 2007 Congressional hearing.²³⁹

One of the biggest issues with CPA personnel was a lack of institutional memory. Short, three to six month tours did not create any institutional knowledge. The short tours created a lack of continuity for internal CPA operations as well as external interactions with Iraqi counterparts. Bremer acknowledged this shortcoming in February 2007 Congressional testimony, stating “We had tremendous staff turnover. It wasn’t just that we didn’t have enough people. People came for 60 days or 90 days. So there was very little continuity in an extremely intense work environment of 16, 18 hours a day with people being shot at. It was very hard to acquire continuity.”²⁴⁰ Marginalized from the initial pre-war planning, the State Department lacked the bureaucratic mechanisms to properly staff the CPA operation. Staffing the CPA mission was an extraordinary undertaking, considering that the State Department had a total of 5,900 generalist officers in 2003 and was not accustomed to staffing immediate post-conflict missions.²⁴¹ The ad hoc staffing and consequent lack of continuity in personnel created major logistical barriers to achieving state-building goals. In short, the State Department – and arguably the entire inter-agency, including the military – lacked the capacity to staff the civilian elements of post-conflict state-building.

²³⁹ House of Representatives – Committee on Government Oversight and Reform (2007) “The Impact of CPA Decisionmaking on Iraq Reconstruction,” Serial No. 110-10, February 6, 2007, Washington, D.C.: U.S. Government Printing Office, p. 59-60, 62-70.

²⁴⁰ House of Representatives – Committee on Government Oversight and Reform (2007) p. 197.

²⁴¹ As of June 30, 2003, the Department of State had 5,900 Foreign Service Officer Generalists, over 60% (3,743) of whom were posted overseas. Department of State (2007) “Department of State Workforce – Full-Time Permanent Employees,” Bureau of Human Resources, July 24, 2007.

Policy

What is the goal?

Looking back at the ORHA policy vision, the discussion of CPA's goals can be framed within the same context as Garner's statement:

Do you want to take everything back to what it was pre-first Gulf War?
Do you want to take it back to what it was before this year?
Or do you want to build it all new?²⁴²

As Bremer's arrival signaled a shift in U.S. policy and commitment to post-conflict state-building in Iraq, the goals became more idealistic, more progress-oriented than the ORHA goals. Bremer's concept of the post-conflict goal for Iraq went well beyond regime change and moved into a transformed "new Iraq."²⁴³ If picking from Garner's three options, Bremer fell into the last option – "build it all new." Bremer said, "we did not go half-way around the world in order to bring Iraq back to a Saddam-era state."²⁴⁴ Bremer acknowledged that a full free market transition was out of the CPA's scope, but he still pushed an aggressive reform agenda that looked beyond the basic reconstitution of state capacity.²⁴⁵

Within CPA – and the State Department participation within CPA – there was a tension between returning Iraq to its status quo / ex ante position (transactional) and developing a "new Iraq" (transformational). This transactional – transformational divide is apparent throughout the larger network of actors as well, including but not limited to the military. Some policymakers in the State Department were looking for a more piecemeal, transactional approach to Iraq that returned a status quo and baseline standard of security and state functions to Iraq. Others, including Bremer, viewed the approach in a more transformational manner. It was not about returning Iraq to an old state of affairs, but rather setting a new course for the country through post-conflict state-building.

Bremer arrived in May 2003 and began an awkward transition from ORHA to CPA in May and June. A working draft "Vision for Iraqi Empowerment" on June 1, 2003 provides initial

²⁴² Woodward (2006) p. 146.

²⁴³ Bremer (2006) p. 53.

²⁴⁴ Bremer (2007) interview.

²⁴⁵ See: Bremer (2006) p. 115-116 and 136.

insights into how Bremer and CPA defined the goal. Largely basing their authority on UN Security Council resolution 1483, CPA defined their “core mission” as:

Through the primacy of the peace process, the CPA creates the necessary conditions for a durable peace by assisting the Iraqi people in their transformation from a war-hardened power structure to one of civil society with just and fair representation.²⁴⁶

The “strategic end-state” was defined as:

A durable peace for and by the Iraqi people. It begins with a unified and stable Iraq with its territorial integrity respected. It continues with the Iraqis, in all their rich complexion, joining with new freedoms and increased prosperity to create a broad-based government that renounces WMD development and use and no longer supports terrorism or threatens its neighbors.²⁴⁷

These political statements of intent provide some insights: “the peace process” and “a durable peace” allude to the idea that many thought the major combat operations had concluded; “civil society with just and fair representation” and “broad-based government” establish democratic principles; and “renounces WMD development” illustrates that the preoccupation with WMD was still a principal concern in June 2003.

A particularly insightful part of this working draft was a guiding principle termed “The Concept of Transitions and Transformation.” This principle stated:

The implementing vision of the CPA includes a dual track of aiding the people with new immediate capacities of change and of helping the people help themselves to affect longer term developments. Transition, then, speaks to the phases of the mission as it evolves and describes what the CPA as an external actor does to aid in this development. This is a transient term and marks only the transition points of progress. Transformation is a concept that speaks to the larger process of moving from war to peace and describes how the Iraqis will do this for themselves. For example, the Iraqis themselves must transform their society to reflect new ideals conducive to the strategic endstate. Transformation, then, remains the chief aim precisely because it derives from the people, by the people, and serves as the best guarantee for a lasting and durable peace.²⁴⁸

Bremer – and the CPA – conceptualized the role and larger goals of the CPA as both transitional and transformational. Transitional – or transactional – goals were the short-term, day-to-day goals, whereas the transformational goals were aspirational, longer-term goals.

²⁴⁶ Coalition Provisional Authority (2003a) “Vision for Iraqi Empowerment – Working Draft, Version 2,” Baghdad, Iraq, June 1, 2003, p. 4. Copy of this unclassified document given to author.

²⁴⁷ Coalition Provisional Authority (2003a) p. 4.

²⁴⁸ Coalition Provisional Authority (2003a) p. 4.

However, in most public statements, the transformational goals dominated. This tension between transitional and transformational goals can be seen throughout the policy planning process.

This strategic planning process continued, ultimately producing “A Vision to Empower Iraqis,” a 57-page report presented to all members of Congress in July 2003.²⁴⁹ In the July 4 draft of “A Vision to Empower Iraqis, the CPA wrote:

The value of setting realistic, interim targets toward an end state is that expectations can be more effectively managed. If a post-conflict reconstruction program will indeed take years to achieve, then the “Next State” which can be achieved over a shorter time period en route to an End State may be important to define. A planning process can focus on achieving certain important milestones along the way to an End State. Political transformation will naturally take the leading role. Stages of this transformation, some of which have already been alluded to are as follows:

- Establishing a Governance Council to begin to take management responsibility in the ministries and a process leading to a new constitution;
- National consensus on a constitution; and
- National elections to elect a national government.²⁵⁰

Bremer and the CPA were focused on the political elements of transition, including the establishment of key institutions of governance. The operational environment would change over the tenure of the CPA; however, the CPA increasingly presented its mission as improving the political institutions of governance. Within the constraints of this discussion, a full account of the November 15 Agreements is not possible. However, it is important to note that the November 15 Agreement significantly truncated the timeline to achieve these goals of state-building – of building political institutions of governance. The goals remained constant – the goal of developing governance capacity, particularly through the building of political institutions – despite a compressed timeline.

Managing expectations

CPA quickly identified the importance of managing expectations;

Expectations are a serious matter. Iraqis, legislators, press, taxpayers, home offices, think tanks and international citizens all develop expectations of the future. ...The value of setting

²⁴⁹ Bremer (2006) p. 115 & 120.

²⁵⁰ Coalition Provisional Authority (2003b) p. 5-6.

realistic, interim targets toward an end state is that expectations can be more effectively managed.²⁵¹

Managing expectations in Washington was a critical component of CPA operations. Bremer noted a division between the “sovereignty now” camp and the more extended presence that Bremer supported.²⁵² The “sovereignty now” camp – represented by officials who wanted a quick handover in authority to an interim administration – conceptualized the U.S. commitment as an interim authority, filling a three to four month vacuum of authority in post-conflict Iraq. Although it appears unthinkable at present, there were expectations that a handover – including some form of election of an interim authority and an interim constitution – could be prepared by August 2003.²⁵³ The arrival of Bremer and the strategic planning of the CPA extended the timeframe of the political transition. In addition, the arrival of the CPA signaled an extended American occupational presence in Iraq, a major shift from pre-war planning and the ORHA mandate.

The role of democracy promotion

The role of democracy promotion in Iraq hinged on the transitional versus transformational divide. The democratic-based values and principles informed CPA strategic planning documents and goals. A March 21, 2003 NSC briefing listed nine goals for Iraq, stating, “Iraq is seen to be moving towards democratic institutions and serves as a model for the region.” The first part of “moving towards democratic institutions” is a goal that would be reflected in ORHA and CPA documents; the more aspirational, transformational second part of Iraq serving as a model for the region appears to be more political rhetoric.

Democracy promotion is not anathema to the post-conflict state-building mission; however it is also not necessarily its central component.²⁵⁴ As Bremer rightly pointed out, democratic reform cannot be imposed.²⁵⁵ However, the CPA’s stated goals in its strategic planning found a role for some external influence in determining the shape and direction of goals, particularly as they related to democracy promotion.

²⁵¹ Coalition Provisional Authority (2003b) p. 5.

²⁵² Bremer (2006) p. 167.

²⁵³ Bremer (2006) p. 121.

²⁵⁴ Diamond (2005) p. 279.

²⁵⁵ Bremer (2006) p. 116.

Democracy promotion and how it was implemented relates largely to the “transitions vs. transformation” principle in the CPA strategic plan. Democracy promotion was found in both elements, but in different ways. In “transitions,” democracy promotion was in an influencing principle. Authorities claimed to select interim administrations that were representative of the population, but not necessarily directly elected. The role of democracy promotion, however, factors more largely into the longer-term, more transformational agenda of CPA, goals that might only begin to be realized while CPA was still in country. Reflecting on his experience with CPA, Larry Diamond wrote,

*We cannot get to Jefferson and Madison without going through Thomas Hobbes. You can't build a democratic state unless you first have a state, and the essential condition for a state is that it must have an effective monopoly over the means of violence. Until the state can establish this capacity, a transitional authority must maintain law and order.*²⁵⁶

In this regard, democracy promotion is more of a longer-term consideration, not something that takes a prominent role in the short-term strategic planning.

If the core element of post-conflict state-building is political, then the political is influenced by a set of ideological considerations, both in the short and long-term. Democracy promotion informs both the short and long-term goals, but democracy promotion can become more possible in the longer-term through the establishment of democratic governance structures and processes. From another perspective, state-building is legitimacy building. As governance structures build legitimacy, there is a focus on democracy promotion. One possible challenge – or caveat – to Diamond is that without a legitimate state, one cannot impose order. Democratic elements in the short-term have the prospect for establishing that legitimate state, thus allowing order to be imposed more effectively.

Conclusions

Was there a capacity within the CPA – and more broadly civilian agencies – to carry out and implement a post-conflict state-building operation? CPA and other civilian efforts were hampered by a late start. However, even in an ideal world with a long lead-time for preparation, there remain institutional and structural impediments that limit the role of the civilian agencies, as was found with the CPA in Iraq. The State Department – and/or a

²⁵⁶ Diamond (2005) p. 305. Also, see: Diamond (2005) p. 15, 23, and 226. Emphasis added in italics.

civilian-led organization like the CPA – can be the coordinator or facilitator; however, this civilian entity – like the CPA – lacked the personnel, authorities, mandate, and capacity to leverage resources in order to implement a state-building plan.

Congress

Let me conclude by saying that I support regime change and a democratic transition in Iraq. That's easy. The Iraqi people have suffered too long, and our security and interests will never be assured with Saddam Hussein in power. The tough questions are when, how, with whom, and at what cost.²⁵⁷

- Senator Charles Hagel, July 31, 2002

We must avoid any tendency to view military operations in Iraq as separate from reconstruction of Iraq.²⁵⁸

- Senator Richard Lugar, February 11, 2003

The Senate Foreign Relations Committee (SFRC) provides a microcosm of the larger institutional debates present in Congress. Beyond the SFRC, other bodies in the Senate (Armed Services Committee; Appropriations Committee; Joint Economic Committee) and the House (International Relations Committee; Armed Services Committee; Appropriations Committee) discussed Iraq policy and influenced overall policies toward Iraq coming from Congress.

The SFRC is the “foreign policy elite” of the Senate and the larger Congress; thus, it may not be representative of – or proportional to – the diversity of views in Congress. However, it does provide insights into the different perspectives of people engaging directly in the Congressional leadership of foreign policy.

A series of hearings provide insight into Congressional – or at least, SFRC – considerations on U.S. foreign policy toward Iraq, including post-conflict state-building, in the lead-up to war:

- March 1, 2001: “United States Policy toward Iraq”
- July 31 – August 1, 2002: “Hearings to Examine Threats, Responses, and Regional Considerations Surrounding Iraq”
- September 25 – 26, 2002: “Next Steps in Iraq”
- February 11, 2003: “The Future of Iraq”
- March 11, 2003: “Iraq: Reconstruction”

²⁵⁷ Senate Foreign Relations Committee (2002a) “Hearings to Examine Threats, Responses, and Regional Considerations Surrounding Iraq,” S. Hrg. 107-658, July 31-August 1, 2002, Washington, D.C.: U.S. Government Printing Office, p. 45.

²⁵⁸ Senate Foreign Relations Committee (2003a) p. 1

These hearings – along with hearings in the immediate post-conflict period (March – September 2003) – are the subject of this sub-section on Congress. Short summaries here frame the discussion. Only three months into the Bush Administration, the March 2001 SFRC subcommittee hearing was a sparsely attended meeting that focused on an assessment of the 1990s sanctions regime and containment policy against Saddam Hussein. The hearing also discussed implementation of the 1998 Iraq Liberation Act, which made regime change in Iraq official U.S. policy, but did not automatically permit U.S. troops to be used in support of this mission.²⁵⁹

Nearly a year after September 11, the SFRC began a set of full committee hearings on July 31 and August 1, 2002 to initiate a national dialogue on U.S. policy toward Iraq. Over two days, SFRC hosted four panels to discuss:

- First, what is the threat from Iraq?
- Second, depending on our assessment of the threat—or depending on one’s assessment of the threat, what is the appropriate response?
- Third, how do Iraq’s neighbors, other countries in the region, and our allies see the, ‘Iraqi problem’?
- Fourth, and maybe most important, if we participate in Saddam’s departure, what are our responsibilities the day after?²⁶⁰

While not discussed in much depth or detail, “the day after” – the post-conflict state-building – was on the agenda at an early stage in the Congressional deliberations. However, at this point in the national debate, the focus was on assessing the threat from Iraq and determining whether or not the United States should go to war with the Iraq.

After the August Congressional recess and before the 2002 mid-term elections, the SFRC held a late September 2002 hearing on “Next Steps in Iraq.” Secretary of State Colin Powell used this opportunity to outline the threat and considerations for going to war with Iraq. Post-conflict operations factored into the discussion, but only in the question and answer session and without much – if any – detail. Powell stated:

And we also recognize that if it becomes necessary to see the regime changed in Iraq, then a great obligation is placed upon those of us who will be changing that regime for the future of

²⁵⁹ Senate Foreign Relations Committee – Near East and South Asia Subcommittee (2001)

²⁶⁰ Senate Foreign Relations Committee (2002a) p. 2.

Iraq and for the future of the Iraqi people. And I can assure you that *this issue is receiving the highest attention within the State Department, the Defense Department, and all the other institutions of government.*²⁶¹

However, the focus of the hearing remained on assessing the threat from Iraq, the diplomatic strategy at the United Nations, and whether or not Congress should give war authorization powers to the President. Again, the focus remained on whether or not the U.S. should go to war with Iraq, not how the post-conflict operations would be conducted.

By February 11, 2003, the debate on Iraq had shifted from *whether or not* the U.S. would go to war with Iraq, but *how* the U.S. would conduct the war. Under Secretary of State for Policy Marc Grossman and Under Secretary of Defense for Policy Douglas Feith testified on post-conflict operations, the first briefing to the SFRC on post-conflict operations. Just one month before the start of the war, Grossman shaped the discussion as a “consultation,” not a full briefing as the plans were still “works in progress.”²⁶² Grossman described the humanitarian assistance planning as “very detailed” and provided a conceptualization of post-conflict operations as being three stages: stabilization, transition, and transformation:

Conceptually, getting to this future of Iraq there could be three stages: *first stabilization*, where an interim coalition military administration will focus on security, stability, and order, laying the groundwork for what I might call *stage two, which would be transition*, where authority is progressively given to Iraqi institutions as part of the development of a democratic Iraq. And *finally, transformation*, after Iraqis have drafted, debated, approved a new democratic constitution and held free and fair elections, which I think you would agree is the way for any future Iraqi Government to be truly legitimate.²⁶³

Feith briefed the SFRC on the newly-established Post-War Planning Office (what he acknowledged would become ORHA) and the command and control reporting relationships in the post-conflict environment.²⁶⁴ Senators repeatedly expressed their strong disappointment with the apparent lack of a post-conflict plan and Feith and Grossman’s continual answers that the post-conflict operations were too uncertain to be commented upon at that time. Within the SFRC hearings, this hearing was a major turning point: there was a realization that post-conflict planning was not complete. Senator Biden said, “We are 3

²⁶¹ Senate Foreign Relations Committee (2002b) p. 117. Emphasis added in italics.

²⁶² Senate Foreign Relations Committee (2003a) p. 8.

²⁶³ Senate Foreign Relations Committee (2003a) p. 10-11. Emphasis added in italics.

²⁶⁴ Senate Foreign Relations Committee (2003a) p. 16-19.

weeks away from war or 5 weeks away from war possibly, you do not know the answer to yet [to who would be the interim governing authority]. You have not made a decision yet.”²⁶⁵

Days from war, the SFRC convened a hearing on “Iraq: Reconstruction,” which included numerous outside experts, but no government officials. War was a certainty at this point; the question for this hearing was how the post-conflict operations would be conducted, their duration, cost, and whether the U.S. could get other countries involved.²⁶⁶

These five hearings established a foundation for the pre-war deliberations within Congress, particularly the SFRC, regarding post-conflict considerations for Iraq. Beyond these five seminal hearings, insights from other hearings – both from the SFRC and elsewhere; both before and after the onset of war – inform the subsequent analysis.

Structural

Institutional focus

The institutional focus of Congress in the lead-up to the 2003 Iraq war was multi-faceted. There were discussions on the post-conflict element of war; however, Congress was focusing its debate on whether or not a threat existed, whether or not the US should go to war with Iraq, and if there was a decision to go to war with Iraq, what the strategy should be. In short, post-conflict operations – or as they often refer to it, “the day after” – were on the agenda, but they were not first-order concerns.

The March 2001 hearing – months before September 11 and two years before the invasion of Iraq – captured the debate within Congress in the lead-up to war with Iraq. After September 11, the “what is the threat?” portion of the debates included more focus on Saddam Hussein’s possession and possible use of weapons of mass destruction as well as his possible connections to terrorist networks. Republican Senator Sam Brownback opened the March 2001 hearing by arguing that Saddam Hussein was stronger than ten years ago, that the sanctions regime had not worked, and that the U.S. government should re-evaluate its foreign policy toward Iraq. Brownback stated,

²⁶⁵ Senate Foreign Relations Committee (2003a) p. 28.

²⁶⁶ Senate Foreign Relations Committee (2003b)

I believe that any tradeoff for weakening sanctions must be a more robust U.S. policy toward Iraq. The Republican platform in 2000 called for the full implementation of the Iraq Liberation Act and support for the Iraqi opposition. I, along with many of my colleagues, have long supported that policy, and hope the administration will work toward it. The threat that Iraq poses to its own people and to the decent nations of this world will remain for as long as Saddam Hussein is in power. ... To my mind, *there is only one answer to solving this problem, and the answer is, Saddam Hussein, and getting him out of power.*²⁶⁷

Democratic Senator Paul Wellstone questioned whether or not the U.S. government would provide adequate support to an Iraqi opposition, but also raised one key issue on a post-conflict environment, “Now, if the current Government of Iraq should implode, we should be ready to move ahead with a generous assistance package to help Iraq develop a vibrant and democratic society”²⁶⁸ One panelist, former Senator Robert Kerrey reminded the Senate of its responsibility to uphold the Iraq Liberation Act, signed October 31, 1998, which shifted policy from one of containment “to supporting military force to replace the military dictatorship of Saddam Hussein with a democratically elected government.”²⁶⁹ There is only passing mention in this hearing of any post-conflict environment or operations – state-building or otherwise. Anthony Cordesman, a strategic studies expert at the Center for Strategic and International Studies, said,

And let me note, there has to be an aftermath to military action. We have found out the hard way that unless you have an almost unified opposition arise, you have a massive exercise in nation-building, so when you begin with the military dimension you had better be prepared to go on with all of the economic and other aid required, something we have not done in Bosnia, and something we certainly have not done in Kosovo, and if we are going to set a precedent, so be it, but it will be the first one.²⁷⁰

As Mort Halperin stated, “I think that the differences that we have in this panel and in general in the country about Iraq policy is not about how dangerous Saddam Hussein is, it is not about the threat that he poses, it is not about the importance of containing him, but it is about what we should do about that.”²⁷¹ Senator Wellstone did not directly reference post-conflict operations, but he targeted the question of U.S. troop strength needed to conduct these operations, stating, “*You go from containment to replacement*, and it would be Iraqi

²⁶⁷ Senate Foreign Relations Committee – Near East and South Asia Subcommittee (2001) p. 6. Emphasis added in italics.

²⁶⁸ Senate Foreign Relations Committee – Near East and South Asia Subcommittee (2001) p. 11.

²⁶⁹ Senate Foreign Relations Committee – Near East and South Asia Subcommittee (2001) p. 14

²⁷⁰ Senate Foreign Relations Committee – Near East and South Asia Subcommittee (2001) p. 44

²⁷¹ Senate Foreign Relations Committee – Near East and South Asia Subcommittee (2001) p. 27

opposition forces, but it would also necessitate major involvement by us militarily, and we should do that?”²⁷²

Although loosely mentioned in hearings during summer and fall 2002, the discussion of post-conflict operations remains largely broad and theoretical until the February 11, 2003 testimony by Grossman and Feith. In the hearing’s opening statement, Senator Lugar said, “We want to work with the Administration to formulate a clear post-conflict plan. Such a plan must be embedded in a broader vision of how political liberalization and economic development can be fostered in the aftermath of military conflict.” The institutional focus of the SFRC – from the summer 2002 hearings through the weeks just before war – included post-conflict operations.

Members of the SFRC – particularly Senators Lugar and Biden – repeatedly discussed the importance of post-conflict operations throughout their “national dialogue” hearings. At the outset of these hearings in July 2002, Biden said,

President Bush has stated his determination to remove Saddam from power, a view many in Congress share. If that course is pursued, in my view, it matters profoundly how we do it and what we do after we succeed. ...

The least explored, in my view, but in many ways the most critical question relates to our responsibilities, if any, for the day after Saddam is taken down, if taken down by the use of the U.S. military. This is not a theoretical exercise. In Afghanistan, the war was prosecuted exceptionally well, in my view, but the follow through commitment to Afghanistan security and reconstruction has, in my judgment, fallen short. It would be a tragedy if we removed a tyrant in Iraq, only to leave chaos in its wake. The long suffering Iraqi people need to know a regime change would benefit them. So do Iraq’s neighbors. We need a better understanding of what it would take to secure Iraq and rebuild it economically and politically. Answering these questions could improve the prospects for military success by demonstrating to Iraqis that we are committed to staying for the long haul.²⁷³

In this regard, Senator Biden conceptualized post-conflict operations within the larger warfighting process. In a September 10, 2002 letter to President Bush, Lugar and Biden made a third and final point about considering post-conflict planning and goals for Iraq:

We must be candid with the American people that Iraq represents a long term commitment by the United States. We urge you to formulate and express a vision for a democratic, unified,

²⁷² Senate Foreign Relations Committee – Near East and South Asia Subcommittee (2001) p. 42. Emphasis added in italics.

²⁷³ Senate Foreign Relations Committee (2002a), p. 1 & 3.

post-Saddam Iraq, living in peace with its neighbors. The American people must know the military, financial and human capital the United States would be prepared to commit to help realize that vision.²⁷⁴

The February 2003 hearing was not the first time that members of Congress requested more information on post-conflict planning. Representative Ike Skelton, a prominent hawk and senior Democrat on the House Armed Services Committee, requested “detailed advanced occupation planning” in a letter to President Bush after a September 4, 2002 meeting.²⁷⁵ A March 18, 2003 letter outlined similar concerns, as Skelton feared “a ragged ending to a war as we deal with the aftermath.”²⁷⁶ In July 2003 testimony, head of the Office of Management and Budget Josh Bolten said that the ten working groups set up in October 2002 for post-conflict operations in Iraq briefed Congressional staff in the fall and Congress “made valuable contributions.”²⁷⁷ Based on the February 2003 SFRC hearings by Grossman and Feith, the consultation on post-conflict plans was minimal at best. As Grossman characterized the February hearing as a “consultation” on post-conflict planning – indicating that no definite plans had been developed – Bolten’s reference is likely to have referred to Congressional consultations on either the goals of the working group and/or the strategic-level planning documents of these groups.

The SFRC continued its follow-up on Iraq and post-conflict operations after major combat operations had concluded. Hearings through May, June, July, and September evaluated post-conflict strategy for Iraq and raised questions for ongoing operations.²⁷⁸ In a July 2003 hearing, Senator Lugar said:

²⁷⁴ Senate Foreign Relations Committee (2002b), p. 16-17. For further thoughts on post-conflict operations by Senator Biden, see: Biden opening statement in Senate Foreign Relations Committee (2002b) p. 1-2. Biden further stated, “Nation-building ain’t a dirty word, but that is what we are talking about, nation-building.” Senate Foreign Relations Committee (2002b) p. 43.

²⁷⁵ Ricks (2006) p. 59.

²⁷⁶ Ricks (2006) p. 108.

²⁷⁷ Senate Foreign Relations Committee (2003g) p. 12.

²⁷⁸ See: Senate Foreign Relations Committee (2003c); Senate Foreign Relations Committee (2003d) “Iraq Stabilization and Reconstruction: International Contributions and Resources,” S. Hrg. 108-165, June 4, 2003, Washington, D.C.: U.S. Government Printing Office; Senate Foreign Relations Committee (2003e) “Beyond Iraq: Repercussions of Iraq Stabilization and Reconstruction Policies,” S. Hrg. 108-167, June 12, 2003, Washington, D.C.: U.S. Government Printing Office; Senate Foreign Relations Committee (2003f) “Iraq: Status and Projects for Reconstruction – Next Steps,” S. Hrg. 108-219, July 23, 2003, Washington, D.C.: U.S. Government Printing Office; Senate Foreign Relations Committee (2003g); Senate Foreign Relations Committee (2003h) “Iraq: Next Steps – How to Internationalize Iraq and Organize the U.S. Government to Administer Reconstruction Efforts,” S. Hrg. 108-293, September 23, 2003, Washington, D.C.: U.S. Government Printing Office; Senate Foreign Relations Committee (2003i) “Iraq: Next Steps –How Can Democratic Institutions Succeed in Iraq and the Middle East?” S. Hrg. 108-282, September 24, 2003, Washington, D.C.: U.S. Government Printing Office; Senate Foreign Relations Committee (2003j) “Iraq: Next Steps – What Will

I believe that most high-ranking officials and members of Congress understand the stakes, as well. Yet because of some combination of bureaucratic inertia, political caution, and unrealistic expectations left over from before the war, we do not appear to be confident about our course in Iraq.²⁷⁹

These summer and fall 2002 hearings raised many key questions on post-conflict operations and represented one of Congress' two key roles in foreign policy: oversight. The SFRC exercised its oversight functions thoroughly, holding nine public hearings in 2003. However, pre-war briefings in 2002 and 2003 provided little insight into the executive branch's post-conflict plans. The SFRC – and Congress more broadly – functioned in a reactive manner, raising the issue of the strategic implications of war with Iraq, but not demanding briefings on the post-conflict planning required as part of the warfighting process. Post-conflict state-building was raised as a key issue, but it was not a first order issue of importance in the lead-up to war.

Logistical and bureaucratic obstacles

Supplemental spending bills – the specific bills to be described below – paid for post-conflict operations. Lugar stated:

In April, Congress provided extraordinary flexibility to the President in administering resources devoted to Iraq reconstruction. Bureaucratic disagreements and the resulting delays in funding projects in Iraq during the first few months after major combat slowed progress on reconstruction and reduced the confidence of the Iraqi people in our intentions and abilities.²⁸⁰

Supplementals inherently are ad hoc, “one-off” budget mechanisms that do not provide a long-term horizon. Further, with the initial supplementals, the lag time in getting the funds authorized, appropriated, and disbursed delays actual operations in post-conflict state-building. In short, the immediate post-conflict priorities are delayed and neglected. Lugar summarized the funding procedures, stating:

Congress also has been a co-conspirator with the Administration in failing to advance a predictable multi-year budget for operations in Iraq that would demonstrate American vision and commitment, attract allied support, and clarify the scope of our mission to the American

an Iraq 5-Year Plan Look Like?” S. Hrg. 108-276, September 24, 2003, Washington, D.C.: U.S. Government Printing Office.

²⁷⁹ Senate Foreign Relations Committee (2003g) p. 2.

²⁸⁰ Senate Foreign Relations Committee (2003h) p. 3.

public. Many members of Congress have called for short-term cost estimates from the Administration, but few seem willing to offer the White House a true partnership in constructing a four- or five-year budget plan that would provide a sober accounting of the needs in Iraq and the means to fund them.²⁸¹

Further, there were issues with the disbursement of funds. The “Hamre Report” – a CSIS report on post-conflict operations in Iraq – criticized funding mechanisms for operating on a “business as usual” framework, not recognizing the exceptional needs for a post-conflict environment. Congressional spending mechanisms were not on a “war footing,” placing constraints on spending for post-conflict activities. Yet, the need for post-conflict funding was not a surprise. In February 2003, Feith acknowledged the need for a supplemental for post-conflict operations. Feith said, “It is clear that the overall Iraq reconstruction and relief budget would require a fiscal year 2003 supplemental appropriation. Timing of a supplemental is important. Delays would hinder relief and reconstruction programs.”²⁸² Yet, no planning for this supplemental process – or coordination with Congress – existed before the war.

The SFRC hearing process was characterized by a lack of concrete information on post-conflict plans. In September 2002, Lugar questioned,

Do we have any idea, any plan for how to bring about peace in Iraq, the territorial integrity, peace with the neighbors, to get the weapons of mass destruction? Now, maybe somebody in the administration does. Maybe even as we speak there are people who will come and say, we have thought of those things. We have not told you about them and they are highly classified. That would be reassuring.²⁸³

At the next SFRC hearing – over four months later – the information confusion continues.

Senator Chafee: When will you share those plans with us?

Mr. Feith: Well, we are in the process today and we will be happy to talk further, both publicly or in closed session. Some obviously involve classified information, but some do not. The process of—this is the first hearing you have had on the subject and we are here and we will be happy to pursue the conversation with you.²⁸⁴

After Garner assumed his duties at the Post-War Planning Office, he did not testify in front of the SFRC during its March 11, 2003 hearing as he had already deployed to Kuwait.

²⁸¹ Senate Foreign Relations Committee (2003g) p. 3.

²⁸² Senate Foreign Relations Committee (2003a) p. 19.

²⁸³ Senate Foreign Relations Committee (2002b) p. 73

²⁸⁴ Senate Foreign Relations Committee (2003a) p. 38.

Beyond these logistical and bureaucratic obstacles, there were also politically-oriented logistical obstacles. The August 2002 recess created a noticeable gap in attention of the SFRC between its August 1, 2002 hearings and the next hearing on September 25, 2002. The November 2002 mid-term elections added another political obstacle to Congressional work on Iraq, including post-conflict policy. Despite the change in control of the Senate from Democrat to Republican, leadership of the SFRC remained relatively constant due to the strong bipartisanship relationship between Lugar and Biden. However, another lag existed, demonstrated again in the time between hearings, this time from September 26, 2002 to February 11, 2003. In retrospect, this gap – over four months – is a monumental and critical length of time in the planning for Iraq, including the post-conflict plans.

Resource

Numbers

Post-conflict state-building operations were not considered part of the warfighting process as demonstrated by the resourcing of the war plan and lack of consideration of paying for the post-conflict operations. Two supplemental appropriations – fiscal year 2003 and fiscal year 2003 – paid for the immediate post-conflict state-building operations. The first supplemental for FY03, signed on April 16, 2003 – P.L. 108-11, *Emergency Wartime Supplemental Appropriations Act* – provided \$2.475 billion for post-conflict operations through September 30, 2003. A second supplement for FY04 signed on November 6, 2003 – P.L. 108-106, *Emergency Supplemental Appropriations Act for Defense and for the Reconstruction of Iraq and Afghanistan, 2004* – signed on November 6, 2003, provided \$18.4 billion for further post-conflict state-building operations through September 30, 2004.

In a report submitted to Congress by the Office of Management and Budget, four key goals were listed for the immediate post-conflict operations:

In this initial report on U.S. strategy for relief and reconstruction in Iraq, U.S. policy goals for the recovery of Iraq remain to:

- Establish a secure environment for the Iraqi people and the conduct of relief and recovery activities;
- Achieve measurable improvement in the lives of the Iraqi people;
- Maximize contributions from other countries and organizations;

- Prepare the Iraqis for self-government.²⁸⁵

While the amounts of reconstruction funds were substantial, the disbursement rate was slow. Of the \$2.5 billion in FY03 funds, \$2.4 billion was obligated and \$1.4 billion disbursed by July 2004, the end of the CPA. Of the \$18.4 billion in FY04 funds, \$6 billion had been obligated and \$500 million disbursed by July 2004. In sum, of the nearly \$21 billion in reconstruction funds, less than \$2 billion – less than 10 percent – of the funds were disbursed by the end of the CPA.²⁸⁶

What contributed to this lack of spending? A lack of a defined plan on how to spend the money, a lack of capacity to implement programs, and a non-permissive – in parts of the country – security environment all played their part. The funds, although delayed by Congress and not part of the normal budget process, were made available. Eighteen months after the beginning of the war, the equivalent of the first supplemental - \$2.5 billion – had not been disbursed for reconstruction in Iraq.

Length of commitment

Since they initiated the debate on Iraq, the SFRC – nearly across the board – was concerned about the long-term commitment needed following major combat operations. In July 2002, Senator Hagel stated,

An American military operation in Iraq could require a commitment in Iraq that could last for years and extend well beyond the day of Saddam's departure. The American people need to understand the political, economic, and military magnitude and risks that would be inevitable if we invaded Iraq.²⁸⁷

Senator Lugar agreed, stating, "Now, absent some analysis of what the politics are, and who is there, then we really do have a rather long occupation."²⁸⁸ As war became more imminent, Senator Biden conceptualized the post-major combat operations commitment as a long-term

²⁸⁵ Senate Foreign Relations Committee (2003a) p. 77.

²⁸⁶ Senate Foreign Relations Committee (2004) "Iraq – Post Transition," S. Hrg. 108-729, July 22, 2004, Washington, D.C.: U.S. Government Printing Office, p. 18.

²⁸⁷ Senate Foreign Relations Committee (2002a) p. 45.

²⁸⁸ Senate Foreign Relations Committee (2002a) p. 90.

commitment, measured in years. “I do not think we are talking about post-conflict policy in terms of weeks. I think we are talking about the decade after.”²⁸⁹

On the eve of invasion, Senator Feingold challenged the planning assumption of the military planners, stating:

At a staff briefing last week, administration officials indicated that they hoped our troops and reconstruction teams would be able to get out of Iraq within one year of a military intervention, leaving behind a country with a democratic political system and a transformed economy. Can any of you think of any examples from recent history to give us confidence that such a timetable is feasible?²⁹⁰

After war began, SFRC continued to look at the long-term perspective of occupation and post-conflict state-building in Iraq. Senator Cornyn stated, “We can harbor no illusions about the reconstruction of Iraq. The current occupation will not and perhaps should not be brief.”²⁹¹ By September 2003, six months after the invasion began, the SFRC held a hearing with Ambassador Bremer to assess “Iraq: Next Steps – What Will an Iraq 5-Year Plan Look Like?”²⁹²

Along with the apparent commitment to a long-term reconstruction plan, there were also calls within the SFRC to internationalize the effort and share the burden of reconstruction. From the initial hearings in July 2002, Senator Biden inquired about ally support and how this affects our calculation for war planning.²⁹³

Within the frame of this long-term commitment, there was also a conception that the “international community” would share the burden with the U.S. government for post-conflict operations. Senator Lugar held a hearing in September 2003, titled “Iraq: Next Steps – How to Internationalize Iraq and Organize the U.S. Government to Administer Reconstruction Efforts.” Lugar’s reasons for increased international involvement, included: adding troops with more “nation-building skills, including police and civil affairs experts;”

²⁸⁹ Senate Foreign Relations Committee (2003a) p. 5.

²⁹⁰ Senate Foreign Relations Committee (2003b) p. 64.

²⁹¹ Senate Foreign Relations Committee – Subcommittee on Near Eastern and South Asian Affairs and Judiciary Committee – Subcommittee on the Constitution, Civil Rights and Property Rights (2003) “Constitutionalism, Human Rights, and the Rule of Law in Iraq,” S. Hrg. 108-217, June 25, 2003, Washington, D.C.: U.S. Government Printing Office, p. 2.

²⁹² Senate Foreign Relations Committee (2003j)

²⁹³ Senate Foreign Relations Committee (2002a) p. 3.

paying for the cost of reconstruction; and increasing the legitimacy of an occupation and state-building mission.²⁹⁴ Yet, as Congressional hearings exposed, these international contributions were not certain. On February 27, Congressman Spratt and Under Secretary Wolfowitz exchanged comments on international contributions:

Spratt: Is anybody contributing money to us this time? Or do we expect to get any mitigation from—in the way of money from our coalition allies?

Wolfowitz: I expect we will get a lot of mitigation, but it'll be easier after the fact than before the fact, unlike the last time.²⁹⁵

This sentiment was echoed by Senator Voinovich on February 11, saying that reconstruction would “require not only the long-term commitment of the United States, but our partners in the U.N. and other allies.”²⁹⁶ After the invasion began, Senator Allen immediately questioned, “Are we now exploring the option of including willing allies more actively in mitigating the cost to the United States taxpayers in this effort of constituting a new government and bringing the basics to Iraq?”²⁹⁷ Senator Biden as well added, “We should go to NATO, we should go to the UN, we should go to our Arab allies, and we should go to the EU and say that we genuinely want their help, that they have just as, if not more, at stake as we do.”²⁹⁸ Looking past the political difficulties of involving allies in a post-war effort when they did not support the war effort, the post-conflict operations are subordinated – including attracting international participation – until after the major combat operations concluded.

Within all of these plans for reconstruction, there is constant questioning about how long the U.S. and its coalition partners would stay. Senator Biden summarized this “conundrum,” stating:

Well, that's the conundrum the President is going to have here. All the folks in the region say, 'Don't come and go. Don't come and get out.' And they say, 'And by the way, don't stay.' 'Don't come and leave it a mess, but don't come and stay.' ... Anybody think we can come

²⁹⁴ Senate Foreign Relations Committee (2003h) p. 3. See: Senate Foreign Relations Committee (2003g) p. 2: “A major untapped resource with the potential for changing the dynamics on the ground in Iraq is the international community. The United States needs to build a new coalition to win the peace. Involving other nations in Iraq will help reassure the Iraqi people that the results of our nation-building efforts are legitimate. At the same time, international involvement will reduce the burdens on the U.S. taxpayer and help maintain the American people's political support.”

²⁹⁵ Senate Foreign Relations Committee (2003g) p. 59.

²⁹⁶ Senate Foreign Relations Committee (2003a) p. 55.

²⁹⁷ Senate Foreign Relations Committee (2003c) p. 52.

²⁹⁸ Senate Foreign Relations Committee (2003g) p. 9.

put Humpty Dumpty back together and get out of there in months? Anybody? Anybody think we can do it in 1 to 2 years? Anybody think we're in the 3-to-5 year range?²⁹⁹

And that is the conundrum: what amount of time is afforded to the U.S. government and coalition – both due to external and internal pressures – for post-conflict state-building? How long does post-conflict state-building take? In the end, what are the goals of the post-conflict state-building?

Priority and goals of the resources

Like most government efforts, the threat posed by Iraq and the possible war – the major combat operations – were the focus on Congressional interest. With that said, the post-conflict operations – whether called “nation-building” by many SFRC members, or later called “stabilization and reconstruction” in the post-war hearings – were considered from the beginning of debate. The focus of debate and SFRC hearings only turned intensively to post-conflict operations with the February 11, 2003 hearings. In July 2003, Senator Lugar noted one possible reason for the lack of thorough debate and consideration of post-conflict operations:

Congress, as an institution, has not fully lived up to its own responsibilities in foreign affairs. We lament that nation-building in Iraq has not progressed as quickly as hoped, but many members of Congress considered that term to be pejorative just a few months ago.³⁰⁰

On a resource angle, Congress financed stabilization and reconstruction, totaling \$21 billion in reconstruction funds through FY 04 (September 30, 2004). These funds represented “the most intensive infusion of postwar reconstruction assistance since the end of World War II.”³⁰¹ While resources were large (larger than what could initially be spent, in fact), the planning processes did not allow for full implementation. Lugar questioned in February 2003:

I hope that I am in error with regard to that, but the thought that we have set up an office in the Department of Defense just 3 weeks ago pulling together interdepartmental people is *clearly not on the same pace that all of you have pointed out with regard to our military movements into the area*. To the extent that report is any correlation at all, it becomes

²⁹⁹ Senate Foreign Relations Committee (2002a) p. 226.

³⁰⁰ Senate Foreign Relations Committee (2003f) p. 3.

³⁰¹ Diamond (2005) p. 77.

apparent that whatever is occurring in terms of the planning for what happens after military action, this is way, way behind the curve. ...

So my first hope is that we can help in the coordination in our own government by indicating to the administration, as I do publicly, that what we have heard is not good enough. We are simply way, way behind and this will require accelerated intellectual work and planning.³⁰²

Senator Lugar identified an apparent post-conflict preparation shortcoming; however, one month before the war commenced, there was little to shift the priority of resources – financial, time, planning, and otherwise – to allow for this “accelerated intellectual work and planning.”

Congress also provided another perspective on prioritizing goals and resources for post-conflict operations. With limited budgets and predicted national budget deficits, spending on any priorities limits what can be done on other domestic priorities. As Senator Voinovich noted, “We need to let them [Americans] know that if we go forward with this [war with Iraq], it is going to be a sacrifice and there are things in this country that we are not going to be able to do because of our commitment there [in Iraq].”³⁰³

Disconnects between resources and goals

There were more resources provided by Congress than the executive branch could spend in Iraq. Less than 10 percent of the \$21 billion reconstruction supplementals was spent by the end of the CPA’s tenure in Iraq. However, there were apparent disconnects between resources devoted during pre-war planning and the goals for the warfighting process in Iraq. First, the funds for post-conflict planning provided to the State Department – as reported in Congressional testimony – were authorized on March 21, 2002 for \$5 million to the Future of Iraq project.³⁰⁴ Later dismissed by many as insignificant or as only providing vision statements, the Future of Iraq project constituted one effort that the SFRC looked upon as post-conflict planning. Yet, the program received \$5 million, a relatively meager amount compared to planning resources in the Defense Department.

Second, if post-conflict state-building – or other forms of post-conflict operations – are one of the stated goals of the U.S. government, Congress was unable to get any estimates – apart

³⁰² Senate Foreign Relations Committee (2003a) p. 84. Emphasis added in italics.

³⁰³ Senate Foreign Relations Committee (2003a) p. 56.

³⁰⁴ Senate Foreign Relations Committee (2003b) p. 74-75.

from their own Congressional Budget Office estimates – for the cost of post-war operations from the Defense Department.³⁰⁵ Without estimates for post-war operations, budgets cannot be established, funding cannot be determined, and supplementals cannot be prepared. Biden stated:

For almost a year, the Committee has tried to get reasonable estimates on what the operation is going to cost in Iraq – in terms of securing the country, administering it and rebuilding it. I hope that you can offer some answers today. And again, please don't waste our time and yours by saying the future is simply 'unknowable.'³⁰⁶

Both Feith (February 2003) and Wolfowitz (May 2003) declined to provide estimates for post-conflict operations' costs in SFRC hearings.³⁰⁷ As Biden stated, the argument was that these estimates relied on variables that were “unknowable.” From initial hearings in summer 2002, Biden said that “we are talking about tens of billions of dollars” for Iraq war costs.³⁰⁸

Although the resources for the immediate post-conflict period were available to the executive branch, there were a couple disconnects between possible sources of funding for the post-conflict operations and what was possible in the post-conflict environment. First, there was an idea that Iraq could pay for its own reconstruction.³⁰⁹ Further, there is an idea that the international community could pay for post-conflict reconstruction.³¹⁰ The first donors' conference, however, did not occur until October 2003. In that regard, the immediate post-conflict state-building continued to rely upon the U.S. government.

³⁰⁵ Congressional Budget Office (2002) “Estimated Costs of a Potential Conflict with Iraq,” Washington, D.C., September 30, 2002, <http://www.cbo.gov/ftpdocs/38xx/doc3822/09-30-Iraq.pdf> .

³⁰⁶ Senate Foreign Relations Committee (2003g), p. 11.

³⁰⁷ Senate Foreign Relations Committee (2003a) and Senate Foreign Relations Committee (2003c). Senator Chafee said, “There is a kind of a disconnect between the rhetoric we are hearing on all the rosy scenarios and a strong feeling of what might be another scenario and why are we not hearing some more about a worst-case and what are we prepared for in that instance?” Senate Foreign Relations Committee (2003a) p. 36.

³⁰⁸ Senate Foreign Relations Committee (2002a) p. 255.

³⁰⁹ See: Senate Foreign Relations Committee (2002a) p. 161. Senator Biden suggests that some believe Iraq could pay for its own reconstruction. In Senate Foreign Relations Committee (2003a) and Senate Foreign Relations Committee (2003c), Feith and Wolfowitz, respectively, make claims that Iraq could pay for much of the reconstruction costs.

³¹⁰ For one example, see: Senator Lugar's comments in Senate Foreign Relations Committee (2002b) p. 73.

Policy

What is the goal?

Returning again to General Garner's statement on ORHA goals:

Do you want to take everything back to what it was pre-first Gulf War?
Do you want to take it back to what it was before this year?
Or do you want to build it all new?³¹¹

Members of Congress – as a diverse body of 535 members – could be found supporting each of these three options, sometimes one person supporting more than one position. Said another way, is the goal transition or transformation in Iraq? Senator Biden said,

One of you said — I think it was you, general — *is it transition or transformation? What is the goal?* I think there is a fundamental debate that still exists in this administration, whether it is transition or it is transformation we are committing to. They are people who have not decided on transition or transformation. My sneaking suspicion is Cheney, Rumsfeld, and company, it is transition. State and the President's occasional comments talk transformation.³¹²

The SFRC, like Congress as a whole, represented these different views. SFRC hearings, however, point to a preference to the last option – “build it all new” – and the idea of transformation, not transition. Looking at specific hearings, the SFRC hosted two pre-war hearings – on February 11 and March 11 – titled “The Future of Iraq” and “Iraq: Reconstruction.” May and June 2003 hearings focused on “Stabilization and Reconstruction” as the SFRC hosted three hearings on the matter. By September 24, 2003, the SFRC hosted a hearing with Ambassador Bremer, titled, “Iraq: Next Steps – What Will an Iraq 5-Year Plan Look Like?” Within a few months after the invasion, the focus was squarely on long-term planning.

Transitional and more U.S. national security-centered goals guided many leaders' thoughts in Congress. Sustaining stability in the region (by removing a destabilizing force in Saddam Hussein and constructing a state in Iraq) and ensuring that the next regime does not have access to weapons of mass destruction highlighted the post-conflict interests of some

³¹¹ Woodward (2006) p. 146.

³¹² Senate Foreign Relations Committee (2003a) p. 86. Emphasis added in italics.

members of Congress. For some, the U.S. commitment ended after securing WMD and ensuring the next Iraqi government did not possess these weapons. For others, these WMD-related goals were one part of the larger puzzle of post-conflict Iraq.

Positing transition and transformation as a binary option is misleading, though. The SFRC – along with other committees in the Senate and House – did work to establish short-term, “stabilization and reconstruction” resources for the immediate post-conflict “transitional” period. However, a focus remained on the transformational even through these transitional discussions. On February 11, 2003, Lugar stated, “We are trying to create a changed State in Iraq that will be different.”³¹³ Further, he argued,

We want to work with the Administration to formulate a clear post-conflict plan. Such a plan must be embedded in a broader vision of how political liberalization and economic development can be fostered in the aftermath of military conflict.³¹⁴

Political liberalization and economic development are transformational goals in a post-conflict environment that does not have a functioning state. Lugar notes this focus on building a state in May 2003 testimony, stating, “The measure of success in Iraq that matters most is what kind of country and institutions we leave behind.”³¹⁵

However, there remained the prospect of transformation:

If we succeed in rebuilding Iraq, it may set off a positive chain of events that could usher in a new era of stability and progress in the Middle East. By contrast, failure could set back American interests for a generation, increasing anti-Americanism, multiplying the threats from tyrants and terrorists, and reducing our credibility.³¹⁶

Although similar sentiments were used as political rhetoric to convince Americans to support the Iraq war, this statement by Senator Lugar in a July 2003 hearing reflected the sentiment of many SFRC – and again, more broadly, Congress – members in terms of transforming the Middle East through the post-conflict state-building of Iraq.

³¹³ Senate Foreign Relations Committee (2003a) p. 25.

³¹⁴ Senate Foreign Relations Committee (2003a) p. 2.

³¹⁵ Senate Foreign Relations Committee (2003c) p. 1.

³¹⁶ Senate Foreign Relations Committee (2003g) p. 1.

Conception of the mission

Senator Biden said in December 2002, “Phase IV worries America.” While the what or who “America” *is* could be contested, Phase IV – the post-conflict phase of military operations – was of concern to SFRC leadership in the lead-up to invasion. In large part, the SFRC understood the importance of post-conflict state-building operations. Senator Lugar conceptualized state-building within the warfighting process, stating,

We must avoid any tendency to view military operations in Iraq as separate from reconstruction of Iraq. Success in Iraq requires that the Administration, the Congress and the American people think beyond current military preparations and move toward the enunciation of a clear post-conflict plan for Iraq and the region.³¹⁷

This military success, however, was only the first step in winning the war in Iraq. Victory is at risk unless we ensure that effective post-conflict stabilization and reconstruction efforts in Iraq succeed over the long-term.³¹⁸

Lugar’s comments – both before and after the invasion – reflect a sound understanding of how state-building could be framed within the warfighting process. Lugar’s comments do not necessarily reflect the popular thinking within the broader Congress, but his thinking influenced the SFRC through his leadership role as chairman (until January 2003) and then ranking member (starting in January 2003). The post-conflict component of the warfighting process was a point of focus for Lugar, stating in June 2003, “We should acknowledge that we are engaged in nation-building in Iraq.”³¹⁹

His Democratic counterpart, Senator Biden, conveyed similar thinking. Biden understood the occupational responsibilities of a post-conflict mission. In a July 2003 hearing, Biden stated,

Like it or not, we are now perceived as the government of Iraq by ordinary Iraqis and we will be judged by our ability to deliver the basic things that people all over the world expect of a government – security, services, and an economy that creates jobs. And in the case of Iraq, there is a huge expectations gap – Iraqis had unrealistic expectations about what the United States would deliver, but that is a reality we have to live with.³²⁰

This comment, however, also reveals the “expectations gap” and intellectual gap in the SFRC with respect to the immediate post-conflict “transitional” state-building period. Providing

³¹⁷ Senate Foreign Relations Committee (2003a) p. 1.

³¹⁸ Senate Foreign Relations Committee (2003c) p. 1.

³¹⁹ Senate Foreign Relations Committee (2003d) p. 2.

³²⁰ Senate Foreign Relations Committee (2003g) p. 8.

“security, services, and an economy that creates jobs” is very different from establishing liberal democratic values of open markets and democratic governance. In this above quote, Biden conveys an understanding of the immediate post-conflict state-building responsibilities – said another way, occupation. However, this statement is from a late July 2003 hearing, well into this transitional, occupational period.

The role of democracy promotion

Focusing on the post-conflict mission from a transformational perspective, democracy promotion factored into the outlook of the SFRC and the larger Congress. As Senator Hagel said, “We are all for virtue, democracy, good government, and all things right.”³²¹ However, democracy promotion was not placed on as high of a pedestal as might be expected from this transformational outlook.

Reflecting a broader SFRC view, Senator Lugar stated,

It’s still a stretch for many, historically, to try to think in terms of this representative democracy. On the other hand, it is important that the Iraqis know, that the world knows, that the American people know that that is our goal, that that’s the formulation, a different government in a difficult neighborhood.³²²

With this said, Lugar also did not believe that the U.S. would be overseeing a democracy-building operation similar to that found in Japan or Germany after World War II.³²³ In the first SFRC hearings on Iraq in summer 2002, Senator Hagel considered “nation-building” to be a required part of any Iraq regime change strategy. To Hagel, nation-building included providing “peacekeepers, economic help, and help in building a democracy.”³²⁴ In a similar fashion, just before invasion, Lugar stated, “We want to contribute to the creation of fundamental structures for the people of Iraq to enjoy democracy and economic growth.”³²⁵ Democracy promotion was part of the post-conflict state-building agenda.

However, this desire for democracy promotion was one part of a foreign policy calculus within the SFRC. There was an aspirational desire for democracy promotion, but also an

³²¹ Senate Foreign Relations Committee (2002a) p. 94.

³²² Senate Foreign Relations Committee (2002b) p. 133.

³²³ Senate Foreign Relations Committee (2002a) p. 90.

³²⁴ Senate Foreign Relations Committee (2002a) p. 44.

³²⁵ Senate Foreign Relations Committee (2003b) p. 2.

understanding of the national security implications of post-conflict Iraq. In the summer 2002 hearings, Senator Lugar framed the issue within larger U.S. strategic concerns in the Middle East:

What if we end up with a regime in Iraq that because of a sense of nationalism, or threats from Iran, decide to maintain weapons of mass destruction just like the same way India and Pakistan. Would we then just hope they are more friendly, and therefore unlikely to use it on us. That is a very, very queasy objective.³²⁶

In short, there would be regional ramifications for any post-conflict state-building plan. Establishing a democratic government in Iraq heightened the national security and strategic interests of the United States in the Middle East. Thus, the aspirational desire of democracy promotion – a real rhetorical and policy force in Congress – was tempered and balanced by the national security and strategic interests of the United States with respect to Iraq and the larger Middle East.

³²⁶ Senate Foreign Relations Committee (2002a) p. 115. Also, see: Senator Lugar's comments in Senate Foreign Relations Committee (2002a) p. 211-213.

Conclusion

Did Congress uphold its statutory responsibilities of oversight and funding?

The SFRC was part of establishing a national dialogue on Iraq policy in summer 2002. As Senator Biden said, these hearings were important to establish the “informed consent of the American people” for U.S. foreign policy toward Iraq.³²⁷ Post-conflict state-building was one of four elements discussed in these hearings. However, the emphasis was on the threat of Iraq and the major combat operations phase of warfighting. The SFRC’s February and March 2003 hearings represented an attempt at oversight for post-conflict operations. The horse had already left the stable and post-conflict plans – at whatever form – were either established or being established. At that late point, SFRC oversight raised a critical issue, but consequent action was not possible due to the imminent invasion.

In terms of funding, Congress provided ample post-conflict state-building funds, particularly considering that less than 10 percent of the \$21 billion in FY03 and FY04 supplementals were spent by the end of the CPA tenure. The Congressional Budget Office provided post-conflict budget estimates when the executive branch either did not have these estimates or did not share them with the legislative branch.

However, some blame can be placed at the foot of Congress. Congress – including the SFRC – was a reactive body, particularly with respect to post-conflict planning. Although the issue of post-conflict planning was raised as early as summer 2002, the SFRC only more fully realized in February 2003 the lack of preparation for post-conflict planning. That realization was too late for any substantive changes to be made.

Conceptually, members of the SFRC – particularly its leadership in Lugar and Biden – framed state-building within the warfighting process. However, there was a gap between this conceptualization and the balance between transition and transformation. Transformation – including ideas of democracy promotion – guided post-conflict thought, while the transitional, more short-term elements of the immediate post-conflict period were often overlooked by the SFRC.

³²⁷ Senate Foreign Relations Committee (2002b), p. 1.

Conclusion

Post-conflict state-building was conceptualized as part of the warfighting process since the initial briefings in 2001. However, that conceptualization remained abstract. There were post-conflict goals; there was some post-conflict planning; but there was no post-conflict plan. U.S. government institutions – specifically the Defense Department, State Department, and Congress – did not devote the resources to develop a plan for state-building in the immediate post-conflict period in Iraq. Consequently, post-conflict operations lacked strategic vision or the capacity to move from major combat operations to longer-term development. The transitional “post-conflict” period was neglected.

What happened after the offensive combat operations was not of immediate concern and, most importantly, not fully conceptualized as part of the overall warfighting strategy to achieve USG objectives. U.S. government institutions – separately and together – neglected planning for the immediate post-conflict period. Planning and execution of major combat operations were considered brilliant. Long-term development assistance planning was available, as were the resources for this longer-term development. However, the interstitial period – the immediate post-conflict period – was not conceptualized, planned for, nor resourced properly.

Post-conflict operations were relegated in terms of importance, priority, and resource. There was planning – although no plan – and there were even ample resources in the end. However, figuring out how to spend \$21 billion in post-conflict funds is not something that is easily accomplished on the fly. The military can do the post-conflict planning and set up different post-conflict headquarters. However, taking responsibility for the actual execution of the post-conflict plans and prioritizing those resources – as compared to kinetic-based major combat operations – was not considered part of the mission set. The Pentagon had three different organizations working on the post-conflict element, yet the post-conflict state-building planning and operations were not a priority.

There was considerable strategic level planning for Iraq, including some initial post-conflict planning. There were few – if any – plans for post-conflict operations on an operational level. The nexus between the strategic visions and the operational plans did not exist. Humanitarian assistance planning did exist. And there were statements regarding post-

conflict goals. However, that does not remove the need to plan for the transitional period in terms of (re)building a state, particularly the governing structures and processes. While governance is a long-term challenge, the initial plans must begin in the immediate post-conflict period.

Transformation – not transition – defined post-conflict state-building planning and strategic visions in the U.S. government. While transformation is a laudable long-term goal (e.g., democracy promotion), post-conflict state-building requires a transactional, transitional approach. Conceptually, some in the U.S. government understood the importance of transition in the larger state-building process. Under Secretary of State Grossman defined the three stages of post-conflict operations as stabilization, transition, and transformation.³²⁸ Yet, the structures, resources, and policy of U.S. government institutions reflected the tendency to look toward the long-term transformational goals to the detriment of the transitional nature of post-conflict state-building. Whether building or rebuilding a state, the post-conflict state-building process is incremental and transitional. It is not what is desired in the long-term, but what is possible in the short-term. In theory, the ORHA to CPA transfer reflected this transitional nature; however, in practice, ORHA did not fill the transitional space in the immediate post-conflict period and the CPA took several months to stand up and be a full player in the post-conflict state-building process. Transformation was an aspiration. During a Senate hearing just before the invasion of Iraq, a panelist appropriately described transformation and state-building in Iraq, stating, “Let me say very briefly, I do not believe we are going to transform Iraq. We may start that process. There is no chance in hell that we will finish it.”³²⁹

Was a golden moment lost in post-conflict state-building in Iraq? No. Momentum from the overwhelming success of the major combat operations was lost; however, a golden moment was not lost. The lack of preparation for the post-conflict period was revealed as the occupational authorities – CPA and CJTF-7 – did not develop a strategy until July 2003, three months after major combat operations were declared to have concluded. Resources did not begin to be disbursed for post-conflict operations until fall 2003. A golden moment in the month of April and possibly May could be overemphasized. Looting complicated reconstruction efforts and further exposed the lack of a state and functioning state institutions.

³²⁸ Senate Foreign Relations Committee (2003a) p. 11-15.

³²⁹ Senate Foreign Relations Committee (2003a) p. 90.

However, Iraq as a state was not destroyed by this looting; the deeper institutional damage was exposed through the looting. The “decapitation thesis” was proved wrong; there was no bureaucracy that survived the war that would run a functioning state.

If one extends the golden moment to a “golden period” – the immediate post-conflict period of the first few months – then a “golden period” might have been squandered. This “golden period” relates to the transformation versus transition debate. A golden period of post-conflict state-building in the immediate post-conflict period was not part of the overall warfighting process for the U.S. government. This transitional immediate post-conflict period was overlooked. Transformation was on the horizon; however, the transitional steps to get to the transformational end state were not prioritized, resourced, or staffed properly.

CONCLUSION: POST-CONFLICT STATE-BUILDING WITHIN A STRATEGIC CONTEXT

In U.S. foreign policy decision-making, is post-conflict state-building considered to be part of the warfighting process as represented by the institutional factors considered in this thesis?

In the Panama and Iraq case studies, post-conflict state-building was conceptually part of warfighting planning, but institutional factors limited the focus on both the planning and operations for this immediate post-conflict period.

As evaluated through the case studies on Panama and Iraq, institutional capacity to address post-conflict state-building in the U.S. government is almost solely located within the Defense Department. While doctrine exists that places post-conflict state-building within the warfighting process, the institutional capabilities of the U.S. government do not match this conceptual commitment. U.S. government personnel planning for and conducting operations during the transitional, uncertain periods in which post-conflict state-building takes place lack institutional capabilities to address the many demands of operations occurring between major combat operations and longer-term development.

State-building as part of warfighting – State-building is *conceptually* part of warfighting; however, state-building is *not institutionally* part of warfighting within U.S. foreign policy. Critical institutions within the U.S. foreign policy-making process are not prepared in terms of structure, resource, or policy to establish comprehensive strategies and plans for post-conflict state-building operations. Well before inter-agency coordination causes any failures, the institutions with critical “post-conflict” roles are not prepared for strategy development and planning.

While post-conflict state-building is conceptually part of warfighting, the broader understanding of post-conflict operations – particularly those in the immediate post-conflict period – is underdeveloped. In some cases, “post-conflict” concepts – particularly within the Defense Department – are overly broad, lack precision, or become “catch-all” terms that confuse rather than clarify. Does post-conflict state-building further cloud the conceptual arena? It is still an incomplete term. However, post-conflict state-building focuses on a critical timeframe and a limited set of operations within this transitional period. In terms of

timeframe, post-conflict state-building is in this gray, dynamic period that is defined by what it is not: not major combat operations, but also not yet a peaceful, stable environment.

The conditions vary as the situation and context is dynamic. In Panama, this time period was measured in days. Major combat operations were swiftly completed; while there was a hostage situation with Noriega, the general security threat level was low. However, there was no governance architecture, which contributed to an environment where looting decimated Panama. In Iraq, this “post-conflict” time period was better measured in weeks, possibly months. Major combat operations were officially completed by May 1, 2003, but there was a relative calm within a month of invasion. Yet, the transition was unstable and uncertain, following the chaos of major combat operations. Both “immediate post-conflict” periods were uncertain, transitional periods in which governance and administration were limited and the state was effectively not functioning. I do not consider these periods to be lost “golden moments.” However, the difficulty of the U.S. government to operate in this immediate post-conflict period is indicative of the larger institutional problems for U.S. foreign policy regarding state-building in the immediate post-conflict period. Awkward transitions are to be expected. However, awkward transitions that are not part of a larger strategy or planning process, as was the case in both Panama and Iraq, are indicative of larger institutional failings.

In this transitional post-conflict period, there is a transition from coercive to cooperative legitimacy. Kinetic, offensive-based major combat operations may continue to exist in some form, but they are not the primary means to achieve the ends of stability and a functioning state. In the immediate post-conflict period, long-term development assistance cannot be implemented just yet, but the goals are moving in that direction. Again, post-conflict state-building is defined by what it is not: not major combat operations, not long-term development assistance. Operations within the post-conflict state-building framework are designed to support the establishment of governance institutions and processes within the back-drop of an environment emerging from conflict.

State-Building: Transition and Transformation – Post-conflict state-building is a transitional process. Although the goals are transformational in nature – fundamentally altering the composition of a state – the process by which to reach this transformational end is

transitional. As such, the period immediately after major combat operations is a critical part of the transitional process toward state-building.

Transformation – not transition – defined post-conflict state-building planning and strategic visions in the U.S. government for Panama and Iraq, although particularly the latter. While transformation is a laudable long-term goal (e.g., forming a democratic government), post-conflict state-building requires a transactional, incremental approach. Conceptually, some in the U.S. government understood the importance of transition in the larger state-building process. Yet, the structures, resources, and policy of U.S. government institutions reflected the tendency to look toward the long-term transformational goals to the detriment of the transitional nature of post-conflict state-building. Whether building or rebuilding a state, the post-conflict state-building process is incremental and transitional. It is not what is desired in the long-term, but what is possible in the short-term.

In Panama and Iraq, the lag time between major combat operations and post-conflict state-building was measured in months. In both operations, the United States initiated the conflict and had control over the timing. Yet in both cases, the United States was not prepared to conduct post-conflict state-building operations. In Panama, it took nearly five months to develop *Panama Strategy*, the Military Support Group's post-conflict planning tool.

Personnel commitments for post-conflict operations in Panama reflected the low priority of post-conflict state-building. Despite much higher numbers of volunteers, the U.S. Army Reserve Civil Affairs Task Force supported the post-conflict operations with 25 volunteers, supplemented by 118 Reservists who arrived to staff the task force headquarters. Further, rather than supporting the transitional period with immediate assistance, Congress established a longer-term economic assistance package for Panama, not focusing on the immediate needs required in post-conflict state-building package. Transformation was the focus, not transition.

In Iraq, post-conflict plans at CENTCOM were completed a month after invasion. These critical months – the immediate post-conflict period – were not conceptualized or planned for as part of the overall warfighting process. In theory, the ORHA to CPA transfer reflected this transitional nature; however, in practice, ORHA never filled the transitional space in the immediate post-conflict period and the CPA took several months to stand up and be a full player in the post-conflict state-building process. Although estimates varied, many in the

Defense Department, State Department, and Congress understood that the post-conflict operations in Iraq would take years, not months or weeks. Transformation was on the horizon; however, the transitional steps to get to the transformational end state were not prioritized, resourced, or staffed properly.

The indispensability of the Defense Department – The Defense Department is the overwhelming force in post-conflict state-building, from doctrinal development to operational strength. In some cases and time periods, particularly the immediate post-conflict period, the Defense Department is the only viable actor. In both Panama and Iraq, the Defense Department was the single actor that was able to conduct post-conflict state-building operations. If the Defense Department does not consider post-conflict state-building to be part of its mission set, then there is a vacuum. The Military Support Group was the lone viable actor in Panama; JTF-IV and CJTF-7 – along with broader CENTCOM capabilities – were the vital operational actors in Iraq in the immediate post-conflict period.

This indispensable role of the Defense Department does not excuse the State Department, Congress, and other institutions from their critical roles. However, the case studies do demonstrate that the Defense Department plays a central role in the *immediate post-conflict* period, for kinetic-focused operations *and* non-kinetic governance-focused operations. There is no other institution that has the capacity to establish headquarters, develop comprehensive plans, and conduct operations in non-permissive post-conflict environments. In Panama, the military provided the Embassy with staff to support its operation. The Military Support Group was the only viable post-conflict entity. In Iraq, the Defense Department controlled nearly all resources during the immediate post-conflict period. Further, no other institution has the ability to operate in the transitional, uncertain post-conflict environment that hovers between varying levels of conflict and stability.

Disconnect between goals and resources – The resources and policy commitments set out by the high-level policymakers do not reflect their stated goals and objectives, leaving the mid-level implementers without the resources and authority to achieve the goals. In Panama and Iraq, there were major disconnects in the Defense Department between stated goals and the resources devoted to achieve post-conflict state-building goals. Defense Department operational plans were based on mission statements devoted to restoring law and order and installing a U.S.-recognized government. However, the plans did not have an extensive list

or understanding of the related mission-essential tasks for post-conflict state-building to achieve these limited goals.

Post-conflict state-building operations were not considered part of the warfighting process as demonstrated by the resourcing of the war plan and lack of consideration to pay for the post-conflict operations. There is an underlying assumption that the state-building tasks would either be easily achieved, that someone else could carry them out, or that at least someone else was responsible for the tasks. The disconnect between goals and resources relates directly to another theme found in Panama and Iraq planning – the bifurcation between major combat operations and post-conflict operations. While there are different operations for both categories, seeing these sets of operations as two distinct and separate campaigns leads to disconnects between goals and resources for the overall campaign.

Areas for further research

This thesis has raised more questions than it can answer. Here are *five* areas for future research.

Historical perspective – Post-conflict state-building is not a new phenomenon. There are new social, political, technological, cultural, and other broader global changes that alter warfighting, including post-conflict state-building. However, the United States has been participating in post-conflict state-building at least since the Reconstruction of the South in the 1860s. In its first “foreign” war, the United States conducted post-conflict state-building operations as part of the Spanish-American War in Cuba. One area for further research would be placing U.S. foreign policy regarding post-conflict state-building within a more historical context. An historical analysis of the institutional challenges related to U.S. foreign policy regarding post-conflict state-building would provide a context as to how unique (or not) present challenges are for U.S. foreign policy. Institutions within the U.S. government have changed, making some comparisons not fully appropriate. However, the predominance of the military in these operations is something that is likely a constant. And there is a mandate for this military involvement. In the *U.S. Code of Federal Regulations*, “The primary functions of the Army” include “to provide forces for the occupation of territories

abroad, including initial establishment of military government pending transfer of this authority.”¹

Conceptualizing the “post-conflict” – More work is needed to explore the concept “post-conflict.” There is no clear beginning and end. Although the end state – a stable, peaceful, functioning state apparatus – is fairly clear, the intermediate steps are less certain during this transitional time period in warfighting. What are the most important tasks and goals during these interstitial moments between major combat operations and longer-term development? Major combat operations are fairly well theorized; long-term state-building – or development – has many theories; however, the “post-conflict” is not well understood. Exploring the definition of post-conflict state-building, it is the “post-conflict” that is really the emphasis; what steps can be taken in the *post-conflict* timeframe to work towards state-building as a means and an end?

Counterinsurgency and state-building – Related to the discussion of other “post-conflict” terms, counterinsurgency is a widely popular term based on the current situation in Iraq. What is the relationship between counterinsurgency and state-building? Does one fit within the other? Is counter-insurgency more of a tactic or set of operations whereas state-building defines a broader process and end-state? What is the end-state of counterinsurgency? If there is a counterinsurgency campaign, there is always a state-building component. Otherwise, counterinsurgency would be strictly kinetic operations, which it is explicitly not. If there is a state-building campaign, there could *or could not* be a counterinsurgency element based on the operation.

Sub-institutional analysis – One shortcoming of this thesis is its broad institutional approach. While the broader institutional approach provides the opportunity for institutional comparisons, it also sacrifices the specificity of an analysis that explores sub-institutional actors. Just as the U.S. government is not a monolithic beast, neither is the Defense Department, State Department, or Congress. A sub-institutional analysis – a form of Model II analysis, but on a lower, more micro level – could elucidate institutional decisions or behaviors. The sub-institutional interactions might be the most complex within the Defense Department. In Congress, an important sub-institutional analysis could consider the funding

¹ *Code of Federal Regulations*, Title 32, Volume 2, Section 368.6

mechanisms and processes within Congress, including the different roles, responsibilities, and considerations between “authorizing” and “appropriating” committees.

Military planning processes – What are elements of the military planning processes that either encourage (or discourage) conceptualizing state-building within the warfighting process? Much of the post-conflict planning for Panama and Iraq was ad hoc; ad hoc plans developed by ad hoc organizations. As one ORHA planner described, post-conflict planning was like “building a plan in flight.”² Planning processes are important to post-conflict planning insofar as they affect the assumptions, resources, and priorities for post-conflict planning. And there have been changes in post-conflict planning processes. Military doctrine now frames warfighting within six phases – not four. The State Department is developing planning capacity through the Office for the Coordinator for Reconstruction and Stabilization (S/CRS). But is this S/CRS planning capacity any more robust than that of an ORHA or CPA-style organization? Does the six phase planning doctrine fundamentally alter the structures, resources, and policies related to post-conflict operations?

State-building as a strategic priority

Post-conflict state-building must be placed within the strategic framework of U.S. foreign policy decision-making. What national interests do a more sustained commitment to post-conflict state-building advance for the United States? Post-conflict state-building will not be part of every warfighting campaign. Conversely, there will be some military campaigns that will only have post-conflict state-building operations.

The foreign policy goals defined by the President guide every mission. Post-conflict state-building might not be part of every warfighting campaign. However, when a mission includes the end-state goal of transitioning power to a representative government (as it did in Panama and Iraq), there is a necessity for post-conflict state-building within the warfighting process.

Post-conflict state-building was not part of the strategic framework during U.S. campaigns in Panama and Iraq. Each institution involved in these campaigns had structural, resource, and

² Colonel (ret.) Robert Polk (2007) interview, June 27, 2007 and July 5, 2007. Polk was part of both the ORHA and CPA strategic planning units.

policy issues that contributed to the institutions' inability to conduct post-conflict state-building effectively. While there were operational failures, the failure began at the strategic level. These failures cannot be blamed on civilian – uniformed military divides or poor inter-agency coordination. The senior civilian foreign policy leadership – in the Defense Department, State Department, and Congress – neglected post-conflict state-building. Consequently, this lack of focus and priority on post-conflict state-building at the strategic level led to inadequate resources devoted to the mission set and structural impediments that inhibited the achievement of post-conflict state-building goals.

Whether it was the previous four phases or the current six phases, war planning doctrine is sufficient and captures the need for post-conflict state-building. The question is whether the military – and other institutions of the U.S. government – embrace post-conflict state-building responsibilities and establish institutions that are able to participate fully in these operations. In Iraq, the military shaped post-conflict operations into three categories – Phase IV- A, B, and C, reflecting the short, medium, and long-term elements of post-major combat operations. If the military is the indispensable actor in Phase IV-A operations – and likely at least a supporting actor into Phase IV-B and C – then it must elevate the importance of this planning and not leave it for comprehensive planning until after major combat operations.

With the dominance of the military in post-conflict operations, there is a possibility that operational objectives defined by the military drive the overall strategic goals. Military objectives should be a sub-set of a larger national security strategy. For Panama, overall strategic planning did not exist and attendant plans of other departments and agencies did not exist either. Thus, the military operational objectives drove overall U.S. foreign policy, resulting in a failure to achieve the overall strategic goals, largely because the strategic planning did not exist and the civilian capabilities to enact non-military components of the strategic planning were not part of the military planning process.

In Iraq, in the absence of strategic direction, the military set the de facto strategic goals because of its operational level dominance. While the military has the operational force, it is one part of the inter-agency architecture that works to shape overall strategic goals that are decided by the President. Strategic goals should be informed by operational realities, but the strategic direction must be set to guide overall operational planning.

What is the goal? While I have argued that state-building must be more fully considered within planning for warfighting, policymakers and planners must limit the goals of post-conflict state-building. Post-conflict state-building is only one part of the larger state-building process. Further, post-conflict state-building is only one part of the larger warfighting process.

What are the end state goals of U.S. participation in post-conflict state-building operations immediately following major combat operations? “We need therefore to take a hard look at what is and is not possible and understand where the limits on what outside aid can accomplish.”³ Goals must be aligned with resources and “what is and is not possible” to achieve. In Iraq, the CPA had an occupation mandate under a proconsul model that lacked the staffing, institutional power, and authority to enact this occupational – including post-conflict state-building – mission. “State-building, as opposed to state reform, was going to take a great deal longer than had been anticipated. ... With the collapse of Iraq’s governing institutions in April 2003, the political mission of reforming the state was transformed into an extended exercise in building a state.”⁴ As with any mission, the resources and duration are limited and, thus, the goals must be placed within these constraints. Clausewitz said, “War is not an act of senseless passion but is controlled by its political object, the value of this object must determine the sacrifices to be made for it in magnitude and also in duration.”⁵

Aspirational, transformational policy statements will continue to exist. These statements reflect values in U.S. foreign policy, particularly democracy promotion. However, post-conflict state-building can only set the transitional stage for the achievement of these long-term transformational goals. In Panama, National Security Presidential Directive 21, signed by President George H.W. Bush on September 1, 1989, defined the short-term and more transformational goals: “United States policy towards Panama continues to be to achieve the departure of General Noriega from power and *the establishment of a democratic government based on the will of the people as expressed in free elections.*”⁶ Yet, one senior official

³ Francis Fukuyama (2004) *State-building*, Ithaca: Cornell University Press, p. 100

⁴ Toby Dodge (2006) “Iraq: the contradictions of exogenous state-building in historical perspective,” *Third World Quarterly* 27:1, p. 196, 197.

⁵ Michael Howard and Peter Paret, eds. (1976) *Carl von Clausewitz: On War*, Princeton: Princeton University Press, p. 92.

⁶ The White House (1989) *National Security Presidential Directive 21: U.S. Policy Towards Panama Under Noriega After September 1, 1989*, September 1, 1989. Declassified on September 10, 1996; obtained through the George Washington National Security Archives. Emphasis added in italics.

accurately described post-conflict state-building goals – “to reassert control and authority.”⁷ Both are reconciled: post-conflict state-building goals (“to reassert control and authority”) fit within the larger transformational foreign policy goals (“the establishment of a democratic government”).

Nation-building is beyond the scope of the U.S. government’s capacity. And state-building is often an ambitious endeavor based on resource, capacity, and time constraints. “Neither we (the United States) nor the international community has either the responsibility or the means to do whatever it takes for as long as it takes to rebuild nations.”⁸ Post-conflict state-building – when it is defined as part of the warfighting process and limited in its goals – is an achievable goal within the capacity and resource limits of the U.S. government. There is a window – possibly 12-18 months – where an external actor can help to shape the long-term trajectory of a country through post-conflict state-building operations. Viewing this period within the lens of U.S. national security interests, what investments can the U.S. government make in its post-conflict state-building capacity to further its national security goals and create opportunities for countries to achieve their longer-term more transformational goals?

⁷ Senate Committee on Armed Services (1990) “1989 Events in Panama: Joint Hearings before the Committee on Armed Services and the Select Committee on Intelligence, United States Senate,” S. Hrg. 101-881, October 6 and 17; December 22, 1989, Washington, D.C.: U.S. Government Printing Office, p. 129.

⁸ Karin von Hippel (2000) “Democracy by Force: A Renewed Commitment to Nation Building,” *Washington Quarterly* 23:1, p. 9

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III. Interviews

Lieutenant General (ret.) Ron Adams (2007) interview, July 30, 2007. Adams was one of two deputies to Garner during ORHA.

Colonel John Agoglia (2007) interview, July 15, 2007. Agoglia headed CENTCOM J-5 (planning) during Iraq planning and execution and was a military liaison to CPA headquarters.

Ambassador (ret.) Barbara Bodine (2007) interview, June 28, 2007. Bodine was a senior ORHA official, responsible for central Iraq and Baghdad (one of three geographic regions in initial ORHA planning).

Ambassador L. Paul Bremer (2007) interview, July 3, 2007. Bremer headed CPA.

Scott Carpenter (2007) interview, July 10, 2007. Carpenter headed CPA's governance team and was a senior advisor to Bremer.

Dr. James Clad (2007) interview, July 20, 2007. Clad was an advisor to ORHA and CPA, April-June 2003.

Colonel (ret.) Joseph Collins (2007) interview, July 9, 2007. Collins was Deputy Assistant Secretary of Defense for Stability Operations, 2001-2004.

Dr. David Crist (2007) interview, August 3, 2007. Crist is an historian in the Office of the Chairman of the Joint Chiefs of Staff, conducting research on post-conflict operations in Iraq.

Dr. Toby Dodge (2007) interview, May 1, 2007. Dodge is a leading British scholar on Iraq.

Matt Fuller (2007) interview, July 1, 2007. Fuller was a staff assistant to Bremer and then staff assistant to Jones, one of two CPA deputies after the November 2003 reorganization.

Dr. John Hamre (2007) interview, July 19, 2007. Hamre, President of the Center for Strategic and International Studies, is a former Deputy Secretary of Defense and headed a team that reviewed initial CPA post-conflict operations in June and July 2003.

Colonel (ret.) Paul Hughes (2007) interview, July 25, 2007. Hughes was part of the ORHA strategic planning unit.

Ambassador Richard Jones (2007) interview, July 17, 2007. Jones was one of two deputies for Bremer during CPA, November 2003 – June 2004.

Ambassador Patrick Kennedy (2007) interview, August 9, 2007. Kennedy was Bremer's chief of staff during CPA.

Dayton Maxwell (2007) interview, July 16, 2007 and August 8, 2007. Maxwell, a USAID employee, was part of both the ORHA and CPA strategic planning units.

Colonel H.R. McMaster (2006) interview, November 30, 2006. McMaster was the Director of CENTCOM's Commander's Advisory Group, May 2003-May 2004. From June 2004 until June 2006, McMaster served as the Colonel of the 3rd Armored Cavalry Regiment.

Colonel (ret.) Kim Olson (2007) interview, July 17, 2007. Olson was Garner's chief of staff during ORHA.

Colonel (ret.) Robert Polk (2007) interview, June 27, 2007 and July 5, 2007. Polk was part of both the ORHA and CPA strategic planning units.

Colonel (ret.) Gordon Rudd (2007) interview, July 11, 2007. Rudd was ORHA's historian.

IV. Newspaper Articles

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