Reconstruction: An Agenda

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This essay discusses several issues involving the theory of post-conflict reconstruction, and suggests that the concepts of reconstruction and of economic development be carefully kept apart. It explores the question of what moral and legal obligations to reconstruction the occupiers incur. Using Iraq as a case study it presents two scenarios for reconstruction: a 'triage' approach which relies heavily on prioritization and recognition of inherent limitations, and a 'scattergun' approach, exemplified by current efforts in Iraq. The latter, the essay concludes, is ineffective as a tool for reconstruction. Reconstruction has its own intrinsic merits, but using it to win the 'hearts and minds' of a population in order to gain support for the occupiers is unlikely to succeed.

Keywords economic development; foreign aid; Iraq; legitimacy; occupation law; reconstruction

Introduction

This essay attempts to provide a framework for exploring post-war reconstruction by outlining key issues that have been raised or ought to be raised about the concept, and the ways it is approached. It presents select suggestions about fruitful treatments of these issues, but provides no definitive responses to the issues that must be faced. The main reason is that there are surprisingly few systematic studies of post-war reconstruction from which a conceptualization of the issues involved and a research strategy can be drawn.

Reconstruction or Economic Development?

Most scholars, public intellectuals, and those in the media who use the term 'reconstruction' equate it with economic development, at least by implication. Some use it even more broadly to refer to general development including democratization and the formation of civil society. I suggest that it is preferable to define reconstruction much more narrowly, as the restoration of the condition of the assets and infrastructure of an occupied nation or territory to the same or similar state in which they were found before the outbreak of hostilities. The difference between these two definitions is akin to the distinction between

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restoring a burned-out house to the condition it was in before the fire, versus turning a mud hut or old shack into a new building with modern features.

In the case of Iraq, in April 2003, the rarely-used, narrow definition was applied by Carl Conetta, co-director of the Project on Defense Alternatives, who defined it as: 'Repairing the residual damage to and accumulated disrepair of key infrastructure, industry, and services that resulted from 12 years of sanctions and the 1990–1991 Gulf war.' (Conetta 2003: 1). The other, much broader and open-ended definition of reconstruction has been employed more often. In the months leading up to the war, Zalmay Khalilzad, who later became US ambassador to Iraq, put forth his view of reconstruction:

> We believe that three sets of challenges will follow the liberation of Iraq. First will be political reconstruction. This will involve thorough reform of the Iraqi government. 'De-Ba'athifying' Iraq means removing those elements used by Saddam to enforce his tyranny on the Iraqi people. Officials found guilty of crimes against humanity will be prosecuted. The larger issue of the transition to justice will be settled by Iraqis themselves. Second, the economy will need to be reformed to put Iraq on the path to prosperity. The United States is committed to ensuring that the Iraqi people's oil patrimony will be used to meet their own economic and reconstruction needs. Third, with regard to security reconstruction, Iraq's international borders will be protected and respected. (Khalilzad 2002)

Following the ouster of Saddam, John B. Taylor, US Under-secretary of the Treasury for International Affairs, stated that with regard to reconstruction, the United States hoped to turn Iraq into a 'well-functioning market economy that is growing, creating jobs, and is promising a future' for the Iraqi people (Crocker 2004: 73).

Writing about the task of post-war reconstruction, several scholars have similarly opted for the broader, open-ended definition. The reconstruction effort's goal in Iraq, according to Bathsheba Crocker, a senior associate at the Center for Strategic and International Studies, was 'to transform a centralized economy into a market economy and to reconstruct a war-torn economy' (73). In their analysis of post-war reconstruction, Sultan Barakat and his associates, professors from the University of York's Post-war Reconstruction and Development Unit, define the five key areas of reconstruction as:

> Security (I feel secure in my home and in my daily activities); Governance and participation (I have a say in how Iraq is run); Economic opportunity (I have a means of income); Services (I have access to basic services, such as power, water and sanitation); and Social well-being (my family and I have access to health care and education). (Barakat *et al*. 2005: 845)

One of the goals of the occupation and reconstruction was, according to Marc Grossman, Under-secretary of State for Political Affairs, 'to begin the process of economic and political reconstruction, working to put Iraq on a path to become prosperous and free' (D'Agostino 2003: 6).

Stephen Krasner, the Director of Policy Planning at the State Department, and Carlos Pascual, head of the State Department Office of the Coordinator for Reconstruction and Stabilization (OCRS), wrote of the latter office, established in 2004, that its ultimate goal is to allow citizens of reconstructed nations to enjoy, 'peace, democracy, and market economies' (Krasner and Pascual 2005: 163). The OCRS website echoes: 'If we are going to ensure that countries are set on a sustainable path towards peace, democracy and a market economy, we need new, institutionalized foreign policy tools – tools that can influence the choices countries and people make about the nature of their economies, their political systems, their security, indeed, in some cases about the *very social fabric of a nation*' (OCRS 2006: §4 emphasis added). Furthermore, because failing or weak states are considered breeding grounds for terrorists, some have even called for a worldwide reconstruction and development of such states – dozens of them all told. In *Foreign Affairs,* former US Undersecretary of State Stuart Eizenstat and his colleagues write:

> The United States needs a new, comprehensive strategy to reverse this trend and turn back the tide of violence, humanitarian crises, and social upheaval that is sweeping across developing countries *from Afghanistan to Zimbabwe* – and that could engulf the rest of the world. An effective strategy will embrace a four-pronged approach focused on crisis prevention, rapid response, centralized US decision-making, and international cooperation. A plan of such scope must first recognize that the roots of the weak-state crisis, and any hope for a long-term solution, lie in development: fostering stable, accountable institutions in struggling nations – institutions that meet the needs of the people, empowering them to improve their lives through lawful, not desperate, means. Washington must realize that weak and failed countries present a security challenge that cannot be met through security means alone; the United States simply cannot police every nation where danger might lurk. Thus, state building is not an act of simple charity but a smart investment in the United States' own safety and stability. (Eizenstat *et al*. 2005: 135, emphasis added)

There is considerable merit in drawing a clear distinction between reconstruction and general economic development. First, such a distinction frames the discussion in common parlance. To avoid unnecessary gaps between social science terminology and public vernacular, preference should be given to using the terms as commonly understood unless there are compelling reasons to deviate from such usage and introduce specialized jargon. In the case at hand, the definitions used by the public clearly distinguish between the two processes. According to the *Oxford English Dictionary,* 'reconstruction' is defined as 'the rebuilding of an area devastated by war' and 'the restoration of economic stability to such an area'; whereas 'development' is defined as 'the economic advancement of a region or people, especially one currently under-developed' (OED 2006). Reconstruction occurred in Germany and Japan after the Second World War and is currently being attempted in Iraq and Afghanistan. Economic development has been achieved by nations acting on their own initiative, such as China, South Korea, Singapore and Taiwan, and sustained efforts are being made to so develop scores of other nations, especially in Africa.

Another merit of differentiating the terms is that reconstruction, in the narrow sense of the word, presumes or entails an end, at which reconstruction will be complete. At that point the foreign powers will have discharged their commitment to undo whatever harm their military intervention may have caused. Also, those on the receiving end will have a sense that a promise made to them has been honoured, and that henceforth they will be expected to fend for themselves. There is, of course, nothing to prevent foreign powers so inclined to set additional goals once reconstruction is completed or as it progresses, including labouring to gain other forms of development. Still, for reasons already indicated, it seems beneficial to be able to determine what reconstruction specifically entails as distinct from economic, social and political development.

In contrast, equating reconstruction with economic development leaves the end state of the endeavours vague and indefinite at best. Economic development is in truth never complete. Indeed, as Singapore's per capita GDP was rapidly approaching that of the United States, former Prime Minister Lee Kuan Yew rationalized deferring further democratization on the grounds that: 'Since it was dire poverty that made for such low priority given to human life, all other things became secondary.' (Kuhonta 1995: 3) In short, reconstruction and economic development are best not conflated.

What Do 'We' Owe?

There are those who hold that reconstruction is a moral obligation that occupying forces assume. For instance, the argument is made that because the US invaded Iraq it is obligated to reconstruct the country. The same is said about other nations in which the US has become involved, from Haiti to Afghanistan. Noah Feldman writes in his book, appropriately entitled *What We Owe Iraq*:

> The Coalition's security obligation extends forward beyond just ending the insurgency, however. By its presence, even after the occupation formally ended, the Coalition was under a duty to guarantee that the country would not revert to anarchy. That means an obligation for American or international troops to remain until they can be replaced by Iraqi security forces under the command of the democratic state. (Feldman 2004: 80)

Once we have involved ourselves in this situation, he reasons, 'The United States now has no *ethical* choice but to remain until an Iraqi security force, safely under the civilian control of the government of a legitimate, democratic state, can be brought into existence.' (81, emphasis added) In the face of a tenacious insurgency and the resulting damage to the nation, it is no longer enough for the US to have Saddam deposed: 'We owe it to Iraq to stay and try to make it work,' argues Bill Wineke (2005: §4). Since it was Saddam we overthrew, and not a foreign invader we repelled, Gerard Powers concludes that we assumed an obligation to engage in 'institutional therapy' of Iraq (Powers 2006).

More generally it has been argued that the Pottery Barn motto applies to occupied countries. That motto, which Bob Woodward records Colin Powell as invoking before the invasion of Iraq, and which John Kerry used in a presidential debate, is said to be, 'If you broke it, you own it' (Klein 2005: 12). But Pottery Barn has no such rule, and thus one can hardly rely on it as an analogue to suggest that such a moral obligation exists toward nations (Klein 2005). Moreover it can be said that the US and its allies did not 'break' Iraq or Afghanistan, but that they liberated them from extremely oppressive regimes. True, the US invasion may well have been propelled largely by more self-serving motives than the liberation of oppressed peoples. Also, several of the means used in Iraq, especially torture, are highly unethical. It follows that the US is obligated to compensate the specific victims of such abuses. Yet whatever the US's motives in invading the nations at issue, and the nature of some of its subsequent practices, the people of Iraq and Afghanistan were, in the final analysis, delivered from tyranny. Hence a case can be made that these people owe the US and its allies a vote of thanks – not a bill.

The situation is akin to someone who rescues a drowning person. Surely the lifeguard does not owe the person he saved a new swimming suit or even swimming lessons. One can hold that those of means 'owe' swimming lessons to everyone who needs them or to those of no means; but it does not follow that there is a moral duty to provide such lessons merely to a person who was saved. Thus, even if one accepts as morally binding an obligation to help develop the economy of poor nations, it does not follow that those nations that harboured terrorists or embraced authoritarian regimes for decades, have special claims over and beyond those of all other deprived nations.

One may argue that development ensures that the nation in question will not harbour terrorists or threaten its neighbours in the future. Such an argument, however, seems too crudely utilitarian, and rests, moreover, on a much-disputed proposition, namely that developed nations do not provide havens for terrorists. F. Gregory Gause III, a political science professor at the University of Vermont, casts serious doubt on this hypothesis. Writing in *Foreign Affairs,* Gause notes that 'the academic literature on the relationship between terrorism and other sociopolitical indicators, such as democracy, is surprisingly scant' (Gause 2005: 65). What data there are, however, 'certainly do not indicate that democracies are substantially less susceptible to terrorism than are other forms of govern-ment' (63). Other studies have reached similar conclusions. Not only is democracy not significantly correlated with reduced levels of terrorism, but economic condition and education may also fail to explain it. For instance, a study by Alan Krueger and Jitka Maleckova of the National Bureau of Economic Research concludes, 'The evidence we have assembled and reviewed suggests there is little direct connection between poverty, education and participation in terrorism and politically motivated violence.' (Krueger and Maleckova 2003: 29)

Arguments that hold that affluent nations owe less privileged nations help in economic development rest on rather different grounds. Most often cited among ethicists who hold that affluent nations owe foreign aid is the controversial

Princeton professor Peter Singer. He argues that there are duties we assume toward human beings whether or not they are members of our community: 'Our obligation to help a stranger is as great as our obligation to help a neighbour's child' (Singer 2004: 11). Communitarians (among whom I count myself) need not object to this assumption; at least for this neo-communitarian, basic human rights are indeed universal. Communal responsibilities are additional to, and not a substitute for, universal claims. For example, the observation that we have some obligations to all children, need not deny that we have some additional ones to our own children (see further, Etzione 2002). Furthermore, there are those who argue that if we can help others without imposing great burdens on ourselves, we ought to do so.[2] Accordingly all human beings have a fundamental right to the dignity which may be nurtured by economic development. Still others point out that our various religious traditions command us to be charitable. And still others consider socio-economic rights just as sacred as legal-political rights.

On the other hand, some have raised a whole series of ethical concerns about the negative effects of economic development aid. One concern is the emergence of 'dependency', in which whole classes of people expect to be aided for extended periods of time, and curtail their own efforts. Not only can foreign aid diminish the competitiveness of local economies, it is said that it can 'support governments hostile to social justice or structural reforms', and prop up corrupt or unworthy leaders (Goulet 1995: 153). As a result, writes Denis Goulet in his examination of the ethics of development, aid can function as a 'poisoned gift' to Third World nations (153). Still others hold that removal of Western barriers to exports of the products of poor nations should be preferred to on-going aid payments. Yet another, not insignificant, concern is with the intrinsic nature of economic development: that it is too materialistic, and may irreparably undermine the spiritual, moral and civic roots of traditional societies.

The ways we treat the most heinous criminals – serial killers, terrorists and child molesters – seem to me to provide an insight into what our moral intuition informs us about the subject at hand. Once these criminals are apprehended, civilized societies provide them with three meals a day, shelter and elementary medical care. Courts ensure that their living conditions are humane (for example, not excessively crowded). I cannot see a reason why we should grant any person less. In other words, every human being, by virtue of being human, is entitled to a basic minimum standard of living, which rises the more affluent the 'have' nations become.

We also have a moral obligation not to squander those resources available for economic aid. Whatever level these resources reach, even if all the 'have' nations were to dedicate 1.7 per cent or more of their GDP to foreign aid, there would still be numerous legitimate needs that remained unmet. Hence ensuring that these resources do not end up in the Swiss bank accounts of tyrants or wasted on poorly-conceived and poorly-managed projects is not merely a technical consideration, but also an ethical one.[3]

In toto, the ethical obligations of reconstruction (in the narrow sense) are far from fully established but nevertheless are much clearer than the obligations of

on-going development aid, about which there is much thoughtful and principled disagreement. Indeed, reconstruction obligations – unlike developmental ones – are ensconced in international law.

A Matter of Law

Obligations to provide for post-war reconstruction are laid out in the 1907 Hague Regulations and the 1949 Geneva Convention IV. Article 43 of the Hague Regulations states: 'The authority of the legitimate power having in fact passed into the hands of the occupant, the latter shall take all measures in his power to restore and ensure, as far as possible, public order and [civil life], while respecting, unless absolutely prevented, the laws in force in the country.'[4] Article 56 of Geneva IV states: 'To the fullest extent of the means available to it, the public Occupying Power has the duty of ensuring and maintaining, with the cooperation of national and local authorities, the medical and hospital establishments and services, public health and hygiene in the occupied territory'. Article 59 of the same document declares: 'If the whole or part of the population of an occupied territory is inadequately supplied, the Occupying Power shall agree to relief schemes on behalf of the said population, and shall facilitate them by all the means at its disposal.'[5]

Eyal Benvenisti, writing in the *International Law of Occupation*, interprets the Hague article as the need to restore the *status quo ante*, but probably no further (Benvenisti 1993: 11). David Scheffer offers further support for the notion of preserving the *status quo* and questions the legal imperative to rebuild past that point: 'Occupation law was not designed to transform society ... The funda-mental premise of occupation law has been to confine the occupying power to humanitarian objectives that essentially preserve the status quo, not to entitle the occupying power to transform the territory it holds (often illegally).' (Scheffer 2003: 851) Grant Harris concurs:

> The law of occupation was meant to balance the security needs of the occupant against desired protections for the civilian population of the territory in an overall framework meant to preserve the *status quo ante* until ultimate sovereignty of the territory could be decided. To this end, the primary responsibilities of an occupying power according to the international law of occupation are to (1) temporarily preserve basic public order without prejudicing a final outcome and (2) preserve local institutions and law. (Harris 2006: 8)

Gary Bass discusses the general question of *jus post bellum* and supports the notion that only the narrow definition of reconstruction is mandated after a conflict. Looking at the existing body of law that covers post-conflict legal responsibilities and obligations, he sees as arguable that there is a duty to provide political or long-term aid, but recognizes a duty to restore a country to its original status:

> Beyond the question of political reconstruction lies that of economic restoration: to what extent are the victors of a war obliged to assist in the restoration of a shattered economy and society to its pre-war status, or at least to aid in pulling it out of the rubble? It is easier to argue for economic restoration – some obligation to restore wartime damage – than for transformative political reconstruction. Wartime damage inflicts a collective harm on the citizens of a country, including upon citizens who did not consent to the war or who played a trivial role in the decision to go to war that does not merit the kind of suffering they endured as a consequence of policies adopted in foreign ministries and cabinet meetings. (Bass 2004: 406)

Bass further suggests that if we are to accept President Bush's original rationale for the invasions of Iraq and Afghanistan – just wars that are morally mandated – then it still places no obligation upon the US to commit to a long-term reconstruction of the occupied nations, and no moral imperative to lift these countries up to our level: 'In fact, the just war tradition originally only mandated a return to the *status quo ante*' (385 n.4)

The same is true about the fact that we owe all people a basic minimum which, it should be noted, does not imply that we owe them aid until they possess economic equality with us. Furthermore, there is a growing recognition that aid should be subject to certain conditions – that the receiving nations will use the resources in a legitimate and prudent manner. At the same time affluent nations (and international institutions that are financed largely by these nations), should be expected to help less affluent ones to reform their institutions (for example, to curb corruption) to a point that these nations will be able to benefit from foreign aid.

All said and done, there is a need for further deliberation about what the ethics of development entails, as there are rather disparate views on the issue. The moral (and legal) obligations of occupying forces, to the reconstruction of the nations the war damaged, are much less contested.

Triage vs. Scattergun Approach to Reconstruction

The reconstruction difficulties in Iraq point to an issue that arises in all other such endeavours. It concerns the ways in which the resources that are dedicated to reconstruction are allocated, especially whether their allocation adheres to an established set of priorities or whether those resources are dispersed widely. In Iraq the US and its allies set out not merely to rebuild the Iraqi infrastructure (itself a monumental task) but also to improve, modernize and Americanize numerous other elements of the Iraqi economy, polity and society. Hence the reconstruction effort has encompassed not only vital services such as water, irrigation canals, sewage and electricity, but also a huge array of other services and structures – from schools and playgrounds to clinics and banks. In addition, programmes were launched to retrain judges and civil servants, introduce prison reforms and build an Iraqi civil society. An on-going USAID (US Agency for International Development) initiative since September 2004 focuses on the

private sector. Among its goals are the establishment of an Iraqi stock exchange and of an Iraqi securities commission, the provision of 40,000 hours of training in 'international accounting standards, enabling businesses to secure loans and manage accounts', and the initiation of the process of joining the WTO (USAID 2006). The World Bank adds to the list of goals 'establishing a social safety net', and strengthening the government (Blustein 2005: A23). To top it all, according to former USAID director Andrew Natsios, reconstruction and restoration 'are not principally about building physical structures, but about building institutions, reforming policies, and transferring values' (Natsios 2006: 27).

The mission statement of the US Army Corp of Engineers Project and Contracting Office, which had discretion over the original $18.4 billion allocated to reconstruction, illustrates the scattergun approach and the wide range of activities and projects lumped under the term 'reconstruction': 'Employment for hundreds of thousands of Iraqis, resulting in economic security, occupational training, and professional mastery of new skills … Higher quality of life and enhanced internal security for Iraqis … The building of the Iraqi industries required to sustain and further improve the basic infrastructure services required for a modern nation.' (USACE, 2006a) In the 'Facilities and Transportation' sector of reconstruction the Army Corps lists:

- Security Construction of 151 border forts, 10 points of entry, 90 fire stations and 583 police stations
- Justice Construction of two prisons, five new courts and renovation of 15 courts
- Military Construction of 38 projects at five military bases
- Health Renovation of 20 hospitals, construction of 150 primary healthcare centres and construction of up to seven extended healthcare centres
- Education Renovation of up to 800 schools
- Public Buildings Renovation of five Ministry buildings and a university facility
- Transportation Construction of 420 km of village roads, 200 km of express-ways, five bridges, 107 railroad projects, five projects at Iraq's main port and seven projects at three airports
- Communications Construction of a national advanced first-responder emer-gency network, a wireless communications network for Iraqi Ministries in Baghdad and renovation of two communications buildings and 30 post offices
- Non-Construction Support equipment for prisons, health facilities and schools. (USACE, 2006b)

All this may seem very commendable until one takes into account that the resources available for reconstruction were – as they always are – limited, and that by scattering them so widely, few of the goals set were actually achieved. Moreover, vital services were neglected while resources were dedicated to initiate many projects that were worthy but less vital. 'Resources' in this case refers not merely to budgetary allocations but also to security personnel, army units, advisors, and reliable contractors and subcontractors and the attention

span of leaders and top administrators, all of which are as a rule in short supply in comparison to what is called for.

In Iraq the scattergun approach to reconstruction meant that 'this country is filled with projects that were never completed or were completed and have never been used', according to a US official (Smith 2005: A1). By 2006 more than 75 per cent of oil and gas reconstruction projects were unfinished; the same was true of 40 per cent of water and sanitation projects (Grier 2006). Three years after the invasion, even basic services remained well below Saddam's pre-war levels. In March 2006, total oil production stood precariously at 2 million barrels per day – well under Saddam's 2.6 million average in 2003, and far below the US goal for that date of 3 million (Walker 2006: 19). Electrical output stood fully 2,000 megawatts below the US goal of 6,000 (and 300 below what was generated in 2003), and in March 2006 Iraq produced 1.4 million cubic meters of water fewer than the planned 2.5 million per day, and 1.9 million fewer than in 2003 (19). Access to reliable sewers has also fallen off noticeably since the invasion. In July 2006, Baghdad's residents received, on average, 7.6 hours of electricity per day. Under Saddam, they enjoyed anywhere from 16 to 24 hours (O'Hanlon and Kamons 2006: 33). In many other cities around the country it is not unusual to expect a mere four hours a day of power.

To add but one example that speaks for scores that could be given: after two years and over $200 million dollars spent, the American construction company Parsons, Inc., abandoned its efforts to build 150 primary health centres. It was ordered by the Army Corps to build all the clinics simultaneously, and one year faster than its estimates dictated possible. Parsons exhausted the money allotted to it for the project – having finished just twenty and having left scores of unfinished buildings scattered throughout Iraq (Knickmeyer 2006; Bowen 2006). I am not arguing that nothing was accomplished. However the effect of this scattergun approach was that projects were started in numerous areas, but relatively little has been completed in the most important areas of reconstruction.

On top of failures in infrastructure reconstruction, planned market reforms in Iraq were not achieved and welfare paternalism continued. The Special Inspector General for Reconstruction in Iraq, Stuart Bowen, testified before Congress late in 2005:

> While Iraq is sitting on an abundance of crude oil, it is a net importer of refined fuels, due to a lack of refining capacity. This costs the nation more than $300 million a month. As well, the Iraqi Transitional Government policy is to subsidize fuel prices. According to the IMF, the government paid more than $7 billion in 2004 to provide the consumer with gasoline and diesel at about a nickel a gallon. At this price, demand is exaggerated, and smugglers have lucrative opportunities to deliver subsidized fuel to neighbouring countries where prices are 100 times greater. One third of Iraq's gasoline and diesel fuel is stolen and sold over the border, costing the country about $2 billion a year. (USHoR 2005: 4)

The same was true about various endeavours to reform the civil service. Although ample reconstruction funds were dedicated to reforming the civil service and

bringing it in line with Western expectations, Walker's report showed poor progress in this area as well:

> According to the World Bank and U.N. specialized agency officials, public tendering is still an 'alien concept' within Iraq Ministries. These officials reported several recent attempts by Ministry officials to subvert the public procurement process. For example, World Bank financing for two projects worth $40 million each was cancelled after Iraqi ministry officials awarded contracts to firms that were not included in the competitive bidding process. US officials also reported instances of corruption related to the protection of essential infrastructure. (Walker 2006: 12)

Thus, while some substantial achievements were made (for example, thousands of schools were built or refurbished, and the number of Iraqi internet and cellular phone subscribers greatly increased), the scattered approach has meant that the most basic and fundamental services are still sorely lacking. Furthermore, the credibility of the Western approach was severely undermined. As Colonel Joseph Anderson, commander of the Second Brigade, 101st Airborne Division, put it, '[M]oney is our ammo . . . . We had many plans based on good faith, and people expect results. We are now having to explain why we can't follow through.' (quoted in Fella 2004: 7)

Reconstruction would greatly benefit if the concept of triage were applied to it. Triage is employed when a disaster causes a large number of casualties and the responders lack sufficient numbers and resources to treat them all simultaneously. Those who rush to assist must decide who is to be helped first, which victims can fend on their own at least for a while, and which sadly are most likely beyond hope. Not only is trying to help everyone at the same time and in the same way unwise, but it also saves fewer lives and hence is morally defective. Although triage requires those rushing to help to make difficult decisions, it is rational and ethical – a scattergun approach is neither.

The lessons of triage are relevant to newly-liberated nations. It is impossible to fix their oil wells, ports, roads, schools, hospitals, utilities, civil service, police, armed forces, civil service, markets and so on as the US has attempted to do. A liberal critic of this text suggested that basically what we need to do is to increase the funding available for reconstruction (or development). This may well be the case. However, there is no level of foreign aid at which all needs, indeed even all the major ones, could be properly covered. Hence triage is essential; it cannot be obviated by increasing commitments of resources, however commendable these may be for other reasons.

The same critic further wondered if it might be possible to develop one part of a given society without the others, suggesting that the various elements are linked into a system and hence must be advanced simultaneously. This is true to some extent; if we fix only the roads but not corruption, the roads are likely to fare no better than the Boston tunnel or the New Orleans levees. If we do not improve schooling, industries will lack human resources, and so on. However, the elements of the social system are not so tightly linked that it is impossible to proceed in some sectors, to a considerable extent, before building up the others.

In effect, there is considerable 'play' among the linked elements. This is a fortunate feature of societies, as there is no way to develop all the elements in tandem. In this sense development triage differs from medical triage, which usually deals with one event, while development triage can lay out a sequence of treatments, so that those elements first neglected are picked up later.

If triage of projects had been conducted from the beginning, the first priority would have been allotted to establishing basic security and the second to rebuilding the crucial infrastructure.[6] Given the limited resources available, most other projects might well have had to be left to be carried out by Iraqis themselves with little foreign aid or guidance, or might have to wait their turn. Such a triage approach would have taken into account that some developments have a strong multiplier effect (for example, increasing the export of oil), whereas others do not (for example, adding dump trucks). Some projects are quick to pay off (for example, enhancing security); others – very slow to deliver (for example, improving primary education). The progress of some projects can be assessed readily and hence supervision and accountability are easier to come by (for example, generating electricity); others are more ephemeral (for example, retraining the civil service).

One may well provide different criteria to guide reconstruction triage; the record, however, strongly suggests that the scattergun approach is likely to fail, and there are serious doubts about its moral validity, given that it leads to the squandering of scarce resources and thus curtails the overall value of the help that is given. Triage is vital.

Different Boots on the Ground?

As decisions are made as to which reconstruction (or development) projects must be first launched, and which others are to be initiated at a later phase, and which allowed to 'die' altogether, the authorities in charge must also decide which agents will be empowered to carry out these projects, if any. (In the latter case, it is presumed that the market will provide the needed prioritization and allocations of resources and agents.)

When the US reconstruction effort in Iraq ran into inordinate difficulties, an argument was made that the rebuilding should not be controlled by the US military, but rather by civilian authorities, specifically by the State Department. A second-best approach called for mixed teams that combined military and civilian personnel and guided jointly by the departments of Defense and State. The initial reasons for assigning the task of reconstruction to the Pentagon were as follows:

> First, since the military would be involved in a certain amount of destruction if war were to occur, it seemed sensible that it also consider the ensuing reconstruction challenges. Second, the military would be charged with providing physical security and logistical aid for humanitarian relief organisations in the aftermath of war. (MacGinty 2003: 607)

As reconstruction floundered, various experts and public leaders argued that the mission would benefit if oversight were transferred from the Pentagon back to the State Department. (This was to be an about-face from a January 2003 move, which transferred reconstruction planning from the State Department to the Pentagon's new Office of Reconstruction and Humanitarian Assistance). In 2005 Congress enacted the 'Stabilization and Reconstruction Civilian Management Act' that called for the establishment of a 250-member civilian 'response-readiness corps' for deployment on short notice to crisis areas. The purpose of the bill, which includes a reference to the 'burdened' Pentagon, was to: 'provide for the development, as a core mission of the Department of State and the United States Agency for International Development, of an effective expert civilian response capability to carry out stabilization and reconstruction activities in a country or region that is in, or is in transition from, conflict or civil strife.' (USS 2005: §26) Meanwhile in Iraq, the mixed option was tried. The US State Department under Condoleezza Rice introduced Provincial Reconstruction Teams in early 2006, which combined military, political and economic experts and staff (Kessler and Graham 2006).

The author was unable to find systematic studies that compare the achievements of 'different boots on the ground', that is, the tactic of shifting the same responsibilities between different agencies. There are some *prima facie* reasons to expect that development experts will be more effective in aiding reconstruction than military ones, given that the latter's training is largely centred around wreaking destruction – not supporting reconstruction. In some conditions, especially when security is poor, mixed teams might well perform better than either solely civilian or military ones. However, all of these observations are largely a matter of speculation until we have systematic evaluations of the performance of different agents of reconstruction.

Another possibility is that these shuffling of missions and 'reorganizations' are part of the sociological voodoo that is practiced whenever the US faces a crisis: redrawing of the organizational chart without changing the fundamental nature of the task or the agencies. The poster child for this sleight of hand is the Department of Homeland Security, cobbled together after 9/11 from the Immigration and Naturalization Service (INS), Federal Emergency Management Agency (FEMA), the Secret Service, the Trasportation Security Administration (TSA), and others. In the five years since 9/11, the Department of Homeland Security has become a by-word for inefficiency, sprawling bureaucracy and inter-agency bickering. Previous administrations split Education off Health, Education and Welfare and granted education its own department, yet there are few signs that federal aid for education significantly improved as a result. The question thus stands whether the transfer of reconstruction duties from the Pentagon to the State Department will significantly improve these efforts or serve largely to foster a sense that something is being done to improve reconstruction, especially as the results so far have been highly unsatisfactory.

Reconstruction as PR

So far I assumed that the goal of our reconstruction effort was, in fact, reconstruction. I readily grant that reconstruction may serve not only the nation whose economy is being rebuilt, but also the occupying powers: say, to enhance their status in the eyes of the international community, to ensure the supply of oil, and to generate profits for their businesses. However, there is some evidence that the goals of reconstruction in some major cases were rather differently constituted, which helps explain the reason why such endeavours continue even if little actual reconstruction is taking place. For example, some advocates of reconstruction hold that providing a village with a well or road will win over the cooperation of the village against insurgents; that building a school (or even merely handing out candy to kids) will transform the 'hearts and minds' of the local population. Reports to this effect came early as the invasion of Iraq was initiated. In March of 2003 Danny Penman, writing for the *Guardian*, reported:

> The US government is believed to be wary of any backlash against an invasion and is preparing plans for a 'hearts and minds' operation that will swing into place as soon as the country is occupied. The government is mindful of the long-term benefits of feeding hungry Iraqis, delivering clean water, and paying teachers and health workers. (Penman 2003: §13)

Shortly after the invasion, a post-conflict reconstruction report authored by CSIS President John Hamre, concluded: 'The "hearts and minds" of key segments of the Sunni and Shia communities are in play and can be won, but only if the Coalition Provisional Authority (CPA) and new Iraqi authorities deliver in short order.' (Hamre *et al.*, 2003: i) There were some differences of opinion as to which forms of reconstruction were more likely to win the hearts and minds of the Iraqi people. Thus, a 2004 analysis by Lieutenant Colonel Mark Martins stated: 'Disciplining expenditures so that they focus on urgent, humanitarian needs of the civilian populace rather than infrastructure and security force investments will yield victories – both short and longer term – in the complex terrain of hearts and minds.' (Martins 2004: 18)

In his assessment of postwar security strategy, George Fella notes that officers throughout Iraq received finding to enbark on smallscale rebuilding projects:

> Military commanders in the North and South of Iraq had success in building goodwill with local leaders by funding small-scale projects in communities with funds seized from Saddam Hussein's regime. Commanders received authority to spend about $170 million. With so much of Iraq in poor condition, commanders found that the funds were warmly received in the Iraqi communities. (Fella 2004: 6)

The fact that small projects were 'warmly received' was interpreted as winning the hearts and minds or goodwill of the populace. Actually, there is no evidence that these endeavours – if kept small – have a lasting effect. The same holds for the report that some Iraqis were made to smile:

> The 81st BCT's Civil Affairs Office and Preventive Medicine section of Head-quarters and Headquarters Company united with TF Tacoma and soldiers from the 210th Iraqi National Guard Battalion conducted the two-day water drop mission in August. 'It was good to actually go out and make a few people smile', said Sgt. Carter Skillman, TF Tacoma. 'I think it's a nice way to win their [Iraqi citizens'] hearts and minds.' (Mack 2004: 11)

Similarly, the notion that handing out soccer balls will transform the hostile natives is naive to the point the idea turns into material suitable for political satire:

> Eighty-eight US Army soldiers stationed outside of Fallujah, Iraq, recently received hundreds of soccer balls to 'help win the hearts and minds of Iraqi children,' thanks to Virginia Cook, Realtors' 'Hearts United Campaign.' ... 'Capt. Plekenpol told us they needed soccer balls to help befriend the Iraqi children, so within hours, our associates were on a mission to gather as many as possible', said Virginia Cook, chief executive officer of Virginia Cook, Realtors. 'The soldiers will point to the heart on the ball, point to their own heart, point to the child's heart, a heart to heart event.' (Brooke 2005: §4)

The US has long favoured such approaches, which have traditionally been designated Military Civic Action (MCA). Begun in the late 1950s under President Eisenhower, and expanded significantly under President Kennedy, MCAs entailed sending US military personnel to Latin America to work with local military forces to provide some small scale development projects. In nearly every Latin American country in the 1960s and 1970s, US forces built schools, roads, bridges, clinics and community centres. The 1993 Department of the Army *Field Manual* described the purpose of MCA as: 'projects useful to the local population at all levels in such fields as education, training, public works, agriculture, transporta-tion, communications, health, sanitation, and others contributing to economic and social development, which would also serve to improve the standing of the military forces with the population' (USDoA 1993: Glossary-7).

MCAs eventually spread from Latin America to Vietnam and other conflict areas. In a description of the rationale behind the medical MCA in Vietnam that would not sound out of place in Iraq today, Jeffrey Greenhut wrote, 'Aware that the success of the [Vietnam] war depended ultimately on the people's support for the government, American counterinsurgency experts developed a number of programs designed to "win the hearts and minds" of the population' (Greenhut 1992: 145). The record often shows that these endeavours, which may or may not be justified on other grounds, won over few of the people who opposed or resented the US and its support of authoritarian regimes.[7]

In Iraq many villagers' beliefs and sentiments are closer to those of the insurgents than to those of the occupier-democratizers. A poll taken in 2005 showed that nationwide, 45 per cent of Iraqi citizens supported attacks on coalition troops, with that number rising to 65 per cent in the British-controlled Maysan province. 82 per cent 'strongly opposed' the presence of coalition forces in Iraq (Rayment 2005: 001). When the population has such attitudes, paving a road or digging a well will not lead to a significant change in their beliefs.

Villagers must also decide if they are willing to risk their lives by cooperating with, or working for, the occupation forces; not surprisingly, many choose safety over receiving some economic manna. And, finally, more than one villager has discovered that one can take the candy (or road or well) and still provide little support to the American troops.

Reconstruction gestures may win favour in the international community and among voters at home, as such efforts have a small but vocal constituency, supported by the 'CNN effect' – dramatic pictures showed on the evening news of the sufferings *du jour*. However, there is no evidence that reconstruction gestures provide more than some favourable press. Indeed it is quite possible (though I found no way to prove this point) that they have a boomerang effect, as they lead to loss of credibility of the occupiers. In the event, in Afghanistan and Iraq despite such reconstruction gestures, insurgency continues on a large and arguably increasing scale.

In Conclusion

Providing for reconstruction – best understood as restoring a country's condition to its *status quo ante* (rather equating it with development) – seems to be a moral obligation which occupying forces ought to honour. The moral arguments in favour of general economic and political development are less agreed upon, which constitutes a key reason that these two concepts should not be treated as if they were synonymous. In order to go about reconstruction effectively, triage is essential, whereas a scattergun approach is likely to be ineffective. Which agent or agencies are in charge may make some difference, but shifting the responsibility for reconstruction from the State Department to the Pentagon and back, or fielding mixed military civilian teams may serve more to offer the *sense* that action is being taken than significantly improving reconstruction efforts. Above all, nations in ruins need actual reconstruction; gestures aimed at winning the 'hearts and minds' of the people against the insurrection, are unlikely to do much good.

Acknowledgements

Notes

1   Erin Kelly asserts that, 'Decent societies would agree that wealthier societies are under a moral obligation to aid those in need, when providing aid would further the cause of human rights. The inequalities between societies are tremendous and there is much that wealthy states could do to bring poor states up to a minimally decent level of well-being, without incurring unreasonable costs.' (Kelly 2004: 180)

2   In *The White Man's Burden* William Easterly systematically debunks the idea that increased aid expenditures in and of themselves can alleviate poverty or modernize failed or failing states, and points in part to the effects of bad government and corruption in making this so. Despite vast amounts of foreign aid, analyzing data from the Polity IV research project Easterly found that long-term growth 'turns negative once you control for quality of government' (Easterly 2006: 44). In fact, Steve Knack of the World Bank found that 'huge aid revenues may even spur further bureaucratization and worsen corruption' (136).

3   Section III: Military authority are the territory of the hostile state, Article 43, Convention (IV) respecting the Laws and Customs of War on Land and its Annex: Regulations Concerning the Laws and Customs of War on Land. The Hague, 18 October 1907.

4   Section II. Aliens in the territory of a party to the conflict, Articles 56 and 59, Convention (IV) relative to the Protection of Civilian Persons in Time of War. Geneva, 12 August 1949.

5   See *Security First*, to be published in 2007 by Yale University Press.

6   Regina Gaillard writes about military civic action in El Salvador despite 'congressional doubts about the political, social, and economic benefits to be gained' by it. She asserts that because the civic action was military in nature, in El Salvador and in Bolivia there was widespread hostility to US military civic action due to American military support for the Contras and for unpopular regimes (Galilard 1992: 64).

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