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TO: Paul Wolfowitz
Doug Feith
Jerry Bremer
Gen. John Abizaid

FROM: Donald Rumsfeld *DR*

DATE: July 28, 2003

SUBJECT:

Attached is a paper from the Department of State from their historian.

Thanks.

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Attach: Memo to The Secretary of State from Historian Marc Susser; 2/28/03

Please respond by: _____

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07-M-099 R-1



United States Department of State

Washington, D.C. 20520

February 28, 2003

CLP

UNCLASSIFIED

TO: The Secretary

FROM: The Historian - Marc J. Susser *mjs*

SUBJECT: Occupation and Postwar Government: Precedents
and Options

Background

American views on occupation and military governments have evolved over time. An initial suspicion and skepticism based on Revolutionary and Civil War experience was tempered by the success stories of post-World War II Germany and Japan. U.S. actions--both unilateral and multilateral--in defense of our vital interests have resulted in both brief and lengthy cases of occupation and/or military rule. While the cases vary significantly--and our efforts met with varying degrees of success--there are some basic precedents that stand out when looking for models to follow and lessons to be learned.

The attached two papers provide: 1) a brief summary of significant U.S. occupation/military governments over the years, along with descriptions of five broad models for such governments; and 2) a historical overview of American approaches toward military government.

Possible Mandates for Occupation Government

Since 1945, there have been five basic models for postwar occupation/military government:

Unilateral rule - A single national government effectively occupies a vanquished nation, establishes a military government, and directs the transition to civilian rule. The best example of this type of rule is the post-World War II U.S. occupation of Japan. (Earlier examples include U.S. control over Cuba and the Philippines.)

Shared allied rule: A consortium of the victors parcels out responsibility for ruling a defeated nation, usually on a geographic (zonal) basis. Post-World War II Germany (and Berlin) and Austria are the best examples, although a zonal approach was also used more recently after the NATO action in Bosnia. (KFOR also provides peacekeeping authority in Kosovo on a zonal basis.)

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U.N. delegation of authority to a national government: This model was used in United Nations trusteeships (and League of Nations mandates). In some cases, e.g., Senegal, Mali, and Ivory Coast, these were relatively successful; in others, a long-term resolution of the problem of establishing stable democratic government remains elusive (e.g., Britain's Palestine mandate, Congo, Rwanda, and Burundi). British and (subsequent shared) French control of Libya from 1943 to 1949 also falls within these lines.

U.N. direct rule: In this case, the United Nations itself establishes a governing authority and uses U.N.-flag forces to restore order to a region while U.N. civilian authorities oversee the transition to civilian democratic rule. The recent case of East Timor is the best example of this approach. UNMIK has direct civil authority for the executive, legislative, and judicial administration of Kosovo (although, as noted above, KFOR handles peacekeeping). U.N. rule of post World War II Namibia is another example. Although UNTAC did not "occupy" Cambodia in the early 1990's, its actions there also fall within the general parameters of this approach, and provide some useful lessons.

U.N. "figleaf": In this case, the U.N.--or another multilateral organization--would formally "bless" (or cooperate with) the more or less unilateral actions of the occupying power, and a small, formal U.N. presence would, in effect, ratify the largely unilateral decisions of the occupying power. The U.S. occupation of Korea after World War II is the best example of this approach. While of much shorter duration, U.S. actions in the Dominican Republic in 1965, and Haiti in 1994, also fall under this general model.

Lessons Learned

There are several key factors to be considered when contemplating an occupation/military regime and an ultimate transition to indigenous civilian rule: 1) creating a sustainable democracy requires time, money, and well-supervised elections; 2) old ideologies must be discredited; 3) if possible, rule through local officials; 4) weed out the most fanatic supporters of the ousted regime; 5) a large and well-trained police force is as important as a military occupying force; 6) deal with--or co-opt--residual pockets of resistance; 7) avoid territorial or ethnic divisions; 8) give (acceptable) existing political factions a stake in the new government; 9) support of such factions requires the support of their outside patrons; 10) create a strong economic base; 11) obtain the participation--and support--of the international community; and 12) do not try to revolutionize society overnight.

OCCUPATION AND POSTWAR GOVERNMENT: PRECEDENTS AND OPTIONS

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Unilateral Rule

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Japan (1945-1951). When the United States occupied Japan in 1945, the initial post-surrender policy statement stressed the following objectives: "to insure that Japan will not again become a menace to the United States or to the peace and security of the world;" and "to bring about the eventual establishment of a peaceful and responsible government."

Occupation forces were under a Supreme Commander designated by the United States. General Douglas MacArthur was the Supreme Commander for the Allied Powers (SCAP). Although the surrender statement provided for Allied participation, the occupation of Japan was almost entirely a U.S. operation. The U.S. role during the occupation was one of supervision rather than direct administration. There were no "military governors." Rather, the U.S. appointed "military government officers," who were called "civil affairs officers" after July 1949. The United States intended the Supreme Commander to administer the country through the Japanese Government, including the Emperor, once the Government had been purged of militarist and ultra-nationalist officials. A series of SCAP directives restored civil liberties, freed political prisoners, abolished the secret police, enfranchised all adults, changed the educational curriculum, encouraged the formation of labor unions, abolished feudal land tenure, and ended State Shintoism. Elections were first held in 1946 and a new constitution went into effect in May 1947.

The occupation objectives were met. Japan completely disarmed and demilitarized. An international military tribunal was established in Tokyo. The Japanese armed forces and paramilitary organizations were disbanded. Military personnel were repatriated and demobilized. Remaining military equipment was destroyed or

distributed among the victorious Allies. Former military and naval officers were initially excluded from public life. Ultra-nationalist political organizations and societies were dissolved. The Japanese people were encouraged to form democratic and representative institutions. The Japanese economy was developed sufficiently to meet the country's peacetime requirements. Normalization of relations with Japan came with the 1951 peace treaty. Japan lost its overseas possessions, was no longer required to pay reparations, and was recognized as having "the inherent right of individual or collective self-defense."

Spanish-American War (1898 and after). After the Spanish-American War of 1898, the United States controlled the administration of Cuba, Puerto Rico, Guam, and the Philippines. The U.S. Army occupied Cuba until 1900, when Cubans drafted a constitution modeled after that of the United States. Cuba remained a *de jure* American protectorate until 1959. In Puerto Rico, the U.S. Army provided a military government until 1900, when Puerto Rican voters elected a legislature, but final authority rested with a governor and council appointed by the U.S. President. The U.S. Navy administered Guam until 1949 with the advice of a local congress. Guam underwent a 20-year transition to a self-governing territory. Occupation and administration of the Philippines proved an extremely difficult case. Filipino rebels fought U.S. attempts to keep the islands. After several years of fighting, the United States established a government for the Philippines similar to that of Puerto Rico. Independence was recognized in 1946.

Shared Allied Rule

A consortium of the victors parcels out responsibility for ruling a defeated nation, usually on a geographic (zonal) basis. Post-World War II Germany (and Berlin) and Austria are the best examples, although a zonal approach was also used more recently after the NATO action in Bosnia. (KFOR also provides peacekeeping authority in Kosovo on a zonal basis.)

Germany, Berlin, and Austria (1945-1955). In Germany, the Americans sought to transform a hitherto authoritarian state into a liberal democratic society. Although the allies agreed to consider Germany a single unit, each established separate occupation zones. In its zone, the U.S. implemented denazification, democratization, and decentralization, established strong federal states, and sponsored local and state elections in January 1946, which transferred many responsibilities to elected officials. The U.S. and Britain merged their zones on January 1, 1947, and established an Economic Council that evolved into a bicameral legislature headed by a quasi-central government. When the western allies established West Germany in 1949, the Bundestag superseded the Economic Council

