



On New Principalities and Dealing with the Past and Democratic Tasks

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«In seizing a new principality, «you have as enemies all those whom you have offended in seizing that principality, and you cannot keep as friends those who have put you there because you cannot satisfy them in the mode they had presumed and because you cannot use strong medicines against them, since you are obligated to them.»
Niccolò Machiavelli, The Prince (Of Mixed Principalities, III)

It is a hard task that the US and Britain have set themselves, in establishing democracy and basic civil and political liberties in Iraq, while also rebuilding basic economic and social security in that worn-torn and sanction-weary country. This is a hard enough job to do when there is solid domestic and international backing of the creation of a new «principality», but becomes a seemingly impossible balancing act when one takes Machiavelli's appropriate reminder into account.

How far can international actors silence enemies without strong medicine and satisfy friends without generating hostility from those who are not so favoured? How far can an international power substitute or mould the will of the people? The answer, if one looks at lessons from Latin America is mixed. In short, international actors can do a lot, if they are legitimate in the eyes of the people; they can do a lot of harm if they are not. They can create local conditions for democracy if the will of the people is already that way inclined; they may well give rise to new causes for conflict if that will is absent, divided or weak.

Perhaps a first general recommendation is that in light of the difficulties involved, the US should abandon its attempt to go it alone in Iraq and unequivocally to open the doors for a solid partnership with the UN. Although this seems little more than a pipe dream given the disdain that the Bush administration



has shown of the UN even before the Iraq crisis was underway (from indifference and hostility before, to «you are either with us or against us» during and after), it is certainly in the best interests of the US, not to mention that of the Iraqi people.

The UN has great experience with nation building, some of it very positive (the case of East Timor comes to mind); further, it is politically advisable to share responsibility for Iraq's future in a region that is clearly not characterised by feelings of friendship towards the US. From the US point of view, if its nation building were to fail, it could share the blame with the whole of the international community; if the enterprise succeeds, although there will have to be some, probably grudging, credit-sharing, no one can deny that it is due to the military action that the US and Britain undertook in the first place.

Where nation building is concerned, Latin America is not the best region to look at, as most nations were already built, and the transition involved changing the guard more than a systemic re-hauling. Nonetheless, the experience of Central America, whose peace processes did involve important elements of nation building, provides some pointers. In this regard, it appears that the key tasks to undertake are the creation of adequate forces of law and order, namely police and judicial institutions that are legitimate in the eyes of the people. Here, the absence of the UN is already being felt; in the absence of sufficient staff, the US has been forced to allow people to join policing activities that have not been properly trained or vetted for their past activities. This may taint the new forces in the eyes of a suspicious population used to the worst abuses from Saddam's security forces. How much better to have an international UN promoted policy corps at hand, to help maintain law and order, and crucially, to train new, and vetted, officers.

This brings us to one of the most important contributions that the international community can make in a country wracked by decades of war and human rights violations: that is to assist Iraqis in coming to terms with the past. El



Salvador shows how valuable the participation of international actors can be in making a Truth Commission work (although it also shows that international actors must engage the population in such efforts, at the risk of them coming to nothing after foreign personnel has gone home). Truth Commissions are useful to provide guidelines for prosecution, but more crucially in terms of forward-looking policies, for the reform of the judiciary, police and military forces of the *ancien régime*.

Although there was no international ad hoc tribunal established for any new Latin American democracy, the case for Iraq having one (or at least a mixed national-international tribunal) is very strong. No one disputes the sheer scale and horror of the crimes against humanity committed by the Saddam Hussein regime; further, if one is to take at their word the US and British claim that the intervention was about creating conditions for freedom and rights (a claim heard with increasing frequency in the absence of any findings of weapons of mass destruction), it hardly makes sense that one should then ignore the crimes committed by the regime.

The US proposed solution that the Iraqi courts should try such crimes is right in principle, but wrong in the particular circumstances; until there has been a thoroughgoing reform of the judiciary (which a Truth Commission can usefully create a framework for, as it did in Chile, El Salvador and Guatemala, for example), this is tantamount to claiming that Saddam's cowed legal cronies can try Saddam and his defeated political cronies. Further there are other practical considerations: judiciaries in poor countries are barely equipped to handle the normal course of justice; even less are they ready to take on a new backlog of major human rights cases. A tribunal created especially for the purpose is more able to deal with the legal and organisational issues, and frees up the normal judiciary to concentrate on reform and dealing with day-to-day legal affairs.



The best way to deal with ethnic diversity is not to create separate but equal systems of representation; but rather to conceive of democracy as a unified but pluralistic national exercise. In short, it is wise to watch out for the possible consequences of what one may label ethnic or religious corporatist representation systems. Although it is clearly necessary that majority rule does not create the conditions for the oppression of minorities, and although the traditional concept of individual rights has some limitations where ethnic self determination within a national unit is concerned, one need hardly opt for a solution that reinforces in a potentially destabilising way the sense of difference and separation among different religious and ethnic groups.

Where the establishment of the conditions for social and economic development are concerned, the prime lesson would seem to be that one must open up one's economy to trade and integration, but one should retain democratic control of key resources. Here, the role that international actors can play is very useful. Opening up to trade in a way that is nationally favourable means having sharp, trained and well-informed trade negotiating teams capable of holding their own in increasingly complex international trade talks: thus, training ministry of finance and economy personnel and assisting early «insertion» talks in institutions like the WTO, the World Bank or IMF is a key contributing factor.

Another key element is your neighbourhood. Latin America provides an excellent example of the major contribution that regional integration, both political and economic, can make to create the conditions for stability and growth. Here, Argentina, Chile, Uruguay, Paraguay and Brazil are all luckier in the neighbours they have than Iraq. For if the aim is to establish democracy and free trade, Iraq is surrounded by authoritarian nations with traditionally high levels of *inefficient* protectionism. Joining the undemocratic and discredited Arab League as a new democracy is clearly not the same as joining the OAS or the MERCOSUR as an



equal among other democratic nations. Here again, the role of the international community is crucial; it can help boost an eventual Iraqi position of critical engagement with its neighbours, or of prudent support for reform. One of the most crucial contributions it can make to opening up the space for this kind of foreign policy is to make a sincere and committed effort to resolving the Israeli-Palestinian conflict.

If Machiavelli were addressing the Iraqi people, he might give them another pointer: namely, that one should play princes off one against the other in order to gain the best possible conditions for oneself. In this regard, it might be well for Iraqis not to align themselves either too clearly with the US or with the EU, or any other regional power, but rather to play them off one against the other. I say the EU deliberately: despite rumours of its political demise, the Iraqi people can gain a lot more leverage internationally if they address the EU and not, say, Britain or France alone. This is because a strong EU is a stronger counterpoint to US pressure, and because it was a strong then EEC that managed to act as an international counterpoint to the US during the Central American conflict, to the clear benefit of democratic leaders in the sub-region at the time.

In a less Machiavellian vein, it is not only ethical but also advantageous for Iraq to join and ratify the major human rights instruments and institutions of the UN. It can give you the kind of moral authority that permits you to act more effectively in the international arena. What better way to criticise the violation of human rights conventions by Israel, say, than to ratify and comply with them yourself?