Transition Dreams, Human Realities: Military-Civil Transitions as Humane Enterprises

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"Aus so Krummen Holze, als woraus der Mensch gemacht ist, Kann nichts ganz Gerades gezimmert werden."

Immanuel Kant, 1748

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ABSTRACT

The primary focus of military-civil transitions should be on the change process and not final end states. The twin grounds are that almost all modern countries are unintended blends of complex, endless dispute resolution processes between the state and the "other" — none are remotely pure outcomes, nor is the "other" usually eliminated — and that a *dance* of disputing yields indeterminate outcomes better understood as a shift in harmonies than a change in states. A 'best case' outcome is to achieve a synchronous harmony of process rather than any end state.

A *humane* transition, seen in the Enlightenment sense of that term as meaning efforts comporting with a real, practical, and wise sense of how humans truly act, is far to be preferred over simplistic ideological guideposts about preferred outcomes and desired realities. Indeed, initiating change is usually a huge risk with unknown consequents. The complex — as in "a" complex — nature of change suggests a change profiling approach supporting analyses of a holistic, dynamically integrative type built upon a socio-psychological grounding over math modeling approaches; or indeed, over any approach that

does not centrally place "thinking within bias" — differing bias systems and how they act. Consequently, qualitatively dynamic 'solutions' showing synchronous harmony or asynchronous disharmony occur: not states or firm outcomes.

INTRODUCTION

Democracy may be, as some assert, a universal value, but it seems certain that it is not a universal cure.

Democracy, no more than communism or any other modern statism, has not often replaced and is in the future unlikely to replace or render powerless those manifest 'other' forms of human association and power management that make contemporary international affairs so interesting. By interesting, I refer to the traditional Chinese curse: "May you live in interesting times", by 'other' forms of association, I mean tribal, clan, ethnic, communitarian, sectarian, and all the other diverse moral-societal-political systems under which humans continue to live that are not modern statisms, and to which Nietzsche directs our attention with his commentary upon differing ways of being as systems of "good and evil."

This is not an appeal to cultural relativism, but is a directed observation to a - perhaps inconvenient - fact of modern life: almost all countries, even modern democratic ones, have had to adapt themselves to complex ideological and practical realities involving 'other' systems. These 'other' – statist arrangements show mutual adaptation as the country develops and changes with the result that very few ideologically pure states exist, whether liberal democracies, fascisms, communisms. Almost all countries are *uniquely* blended systems.

That most modern countries are blended systems resulting from generations of disputing between state friendly ideologies and 'other' forms of power management is an important recognition.

I approach with the greatest skepticism transformational agendas in general, and democratic transformational agendas in particular, when, in the sense of promoting externally facilitated change, they fail to account for and theoretically and practically integrate those 'other' forms of traditional human association to which I allude above. Consequently, military-civil transitions of this species are likely to manifest this necessary feature if they are to be successful.

Democracy – always a fragile flower – and even communism when that was more extant, has needed in the vast majority of instances to incorporate numerous traditional and alternative socio-political-economic-moral forms and theories of power management into its basic state architecture. Failure to successfully do this has resulted in resurgent conflict, even war and the breakup of states.

It is for this reason that the United States of America is today a democratic republic consisting of fifty states, various districts and territories, and over 500 semi-sovereign domestic dependent nations, or First Nations, as Native American ethnic nationalisms are often called today. The latter are built *from the beginning* into our Constitutional and institutional structures as socio-political-moral alternatives to classically liberal national republican democracy. The changing ideas and procedures, sometimes using overt military

control, by which the U.S. national, state, and local governments adapted in law, policy, and behavior to the changing demands of First Nations traces the development paths of both as a kind of endless policy dance (Werther, 1992).

Similarly, though usually to differing degrees, using differing military-civil transition styles, and upon differing justifications (Werther, 1992, 2002, 2004), we see this *complex* (as in *a* complex) of modern statism become a uniquely blended entity called Canada, Australia, New Zealand, Denmark, Sweden, Norway, Russia, Spain, Great Britain, Brazil, Peru, or Colombia. In the vast majority of successful countries, as also in many less successful ones, we observe both *de jure* and/or practically a blended state emerging. There is little that is pure, and less settled about it.

This policy 'dance' mechanism between state and 'other' was true in the former Soviet Union regarding their nationalities problem (Hajda and Beissinger, 1990; Motyl, 1992), is true today for Russia, China, India, Pakistan, and of much else; whether a rapidly developing country or one hardly developing at all. As above, all these countries used or still use military and national security organizations to control or manage the "other", and all sought or seek to transition to various regularized forms of civil control. That comparative topic is several books in itself.

What is certain is that since almost no modern liberal democratic countries exist as even approximately pure statisms free from 'other' type accommodations within their domestic law, politics, and/or practice and because just as few pure illiberal ones exist, why try to construct such mythic things in what Barnett (2004) labeled the "Arc of Instability", the "lesser included", and the "core-gap"? These areas already show a type of connectivity; just not the type that some people desire. Nevertheless, one is unlikely to achieve military-civil transitions unless the thing one is hoping to build can be built; and we would hope to see that it has been constructed in a majority of cases where historical military-civil transitions occurred. This we do not see.

If the previous insight is correct – that most modern successful states, whether democratic or not, are, and always were, created as dynamically blended things – then it seems consequently improbable that transitions from a current war, insurgency, violent devolution, and other forms of systemic societal unrest toward a peaceful civil statism of whatever flavor is likely unless from the outset a *dynamically* integrationist perspective concerning these 'other' forms of power management is adopted.

I include in this supposition liberal democratic, socialist, corporatist, Islamist, and other statisms: virtually none of which have successfully eliminated the 'other.'

MILITARY-CIVIL TRANSITIONS AS A CHANGE MANAGEMENT PROBLEM, RATHER THAN AS A TRANSFORMATION EXERCISE:

I suggest that military-civil transitions are significantly change management questions which in their transitional etiology evinces what I call a "clash of claims" macro level dispute (Werther, 1992) between different systems of thought and action leading to a joint macro-level (ideas and justifications) and micro-level (institutions, policies, and practice) "dance" as the dispute moves toward resolution (Werther, 2002; 2004). The goal is not a transition from

one state to a different end state, but is a mutually accommodating shift in ideas, behaviors, and supporting institutions.

What it is necessary to see clearly is that we are not involved in the replacing of one system with another, but with the altering subtle mutual accommodations of core aspects of contending systems (state-other) that will result in mutually accommodating alteration of both; at the best.

Application of massive and sustained force perhaps excepted, we are involved in an organically integrationist procedure involving alternative power management regimes; differing ways of being. Important moral, social, political, and practical features will remain in the projective outcome to varying degrees through a "clash of claims dance" that is specific to each case.

The military-civil transition's proper management focus is consequently upon the "change process," which can be profiled dynamically as "complexes dancing" according to their ways of respectively macro- and micro-structuring the dispute (Werther, 2000). If a clarifying vision be needed, the best way to see what is happening is not through empirically rigorous mathematics, or modeling, or ideology and theory (per se), but intuitively, contextually, and synchronously as dueling harmonies; as music and "dance". Music and dance is an ever 'emerging thing'. It *is* not.

I refer the reader again to a contemporary and historical examination of the *complexes* – seen as melded things – known as the United States, Canada, New Zealand, South Africa, Mexico, and so forth to see how this "dance" variously proceeded toward the relatively stable harmonious accommodations between the state and their "others." We can think, in like manner, of the harmonies of obviously failed states or of failed military-civil transitions as asynchronous.

Knowing that developed country experiences are thus, consider whether military-civil transitions elsewhere will ever likely produce something less melded; less of a dynamic *complex*? Why try?

MILITARY-CIVIL TRANSITIONS AS *"CROOKED"* THINGS

Immanuel Kant translated reads, by my wit, as "Of so crooked timbers of which mankind is made, nothing entirely straight can be constructed." Sir Isaiah Berlin likely translated Kant better in his *Of the Crooked Timber of Humanity – Chapters in the History of Ideas* (Berlin, 1992).

Berlin proposed practical political judgment over ideological considerations in human affairs, which he framed as a "Practical wisdom, practical reason, a sense of what will 'work', and what will not. It is a "capacity." (Berlin 1996, 47). It is, to Berlin, a "sense of the qualitative rather than the quantitative, for what is specific rather than general; it is a species of direct acquaintance…" (Berlin 1996, 46). On this ground, Isaiah Berlin suggested that a kind of Hippocratic "sense of reality" guide international, indeed all human, affairs, which I have incorporated into my title as the Renaissance term, "humane." Enterprises should show "a capacity for integrating a vast amalgam of constantly changing, multi-coloured,

evanescent, perpetually overlapping data, too many, too swift, too intermingled to be caught and pinned down, and labeled like so many butterflies." (Berlin 1996, 46). Enterprises ought to practically reflect human experience as it really is, which I have suggested be done by profiling the "change process" rather than pinning down the various 'butterfly' facts or relying upon math modeling or ideological guideposts.

What the reader should carefully consider is whether our theories, mathematical models, and accretive intelligence protocols have served us well, or if perhaps a more dynamic, more humble, and a more evolving style of thinking about matters – one that focuses upon the change process and its proper analysis – might not be more serviceable. This last is the form of my argument.

Traditional conservative thinkers show a profound distrust of humanly activated transitions generally and of positivist transforming interventions in particular; and when such attempts are undertaken, these thinkers warn that events rarely turn out as proposed or as wanted. Whenever undertaken, this insight is one more reason why military-civil transitions ought to focus on the change process and not upon the intended transition goal; you will not likely arrive there.

John Randolph of Roanoke nicely summed the matter to the Virginia Convention of 1829-30: "Change is not reform." Rising to the issue with full vigor, Randolph opined near the closing of the Convention "that it was always unwise – yes – highly unwise, to disturb a thing that was at rest." (Kirk,1987). Similarly, Burke's *Reflections on the Revolution in France* show a profound and justified fear of the French revolution's likely bloody aftermath. It was an accurate prediction. Similarly, from his lonely outpost on the Baltic, Johann Georg Hamann railed against Enlightenment meddling in affairs as impending disaster. McMahon nicely sums the literature noting that "Enemies of the *philosophes*, enemies of the Revolution, then, did not cease to invoke the specter of the future, warning of impending 'philosophic crusades'." (McMahon 2001, 87).

The nineteenth, twentieth, and now the twenty-first centuries, have certainly had their fill of transforming 'philosophic crusades', just as predicted. Barnett's (2004) advocacy in *The Pentagon's New Map* of fostering transforming "perturbations" seems well within this tradition. That is why we are here, discussing these new military-civil transitions.

We are not, contra Hamann's, Burke's, and Randolph's manner, apparently so passively oriented and motivated in our international goals and efforts, as Iraq and Afghanistan currently show, and which latterly Kosovo, Somalia, Lebanon, Sudan, Bolivia, Argentina, China, India, and many other positivist transforming exercises show; whether they are military-civil or political-economically developmental in their original philosophical orientation. I include within our discussion fostered political-economic development transitions because so many military-civil ones eventually come from them.

We have failed often, and sometimes have failed tragically, but the nature of these disputes - and of the future ones which will surely arise from our transformational goals - suggests again a socio-psychological basis for our analytical and change management focus.

What can we master? How can we better accomplish military-civil transitions as "humane" enterprises – meaning, as efforts comporting with a real, practical, and a wise sense of how humans truly act?

Such a humane transforming enterprise needs to be shorn, in my opinion, of ideology.

I have so far proposed that a military-civil transition is a change management procedure properly focused upon the change process, which is itself best considered as a disputant's 'dance' ending, at best, in 'synchronous harmony'; with that outcome seen as a mutually accommodating 'becoming.' This projective 'solution' will be a blended outcome changing *both* initiator and subject, and will hopefully become stable *as a process*. That is as good as it gets, and so human experience teaches.

On the foregoing logic and argument, I now suggest that military-civil transitions are in the Isaiah Berlin sense always aiming to construct "crooked" things; that is, societal complexes of an integrationist type best arrived at by Hippocratic judgment amid constantly shifting sands. We are, through profiling change processes and perhaps by other means, not blind in the pursuit of the positivist preferred emerging reality; though likely unwise in first choosing to pursue it.

This change process and its profiling are what I now intend to describe basically.

LEGAL FICTION AS THE FOUNDATION OF SOCIETY

"All that is there, over and above the clear and ascertainable facts of group behavior and predictable reaction to deviation, are our own powerful 'feelings' of compulsion to act in accordance to the rule and to act against those who do not. We do not recognize these feelings for what they are but imagine that there is something external… We are here in the realm of fiction, with which it is said the law has always been connected. It is only because we adopt this fiction that we can talk solemnly of the 'government of laws not men'" (Hart 1988, 11).

Benedict Anderson makes this point about fiction as fundamental with respect to national group identity within his "imagined communities" (Anderson 1991), Beck (1986) with respect to tribal ones, Werther (1990;1992) and Herb and Kaplan (1999) with respect to ethnic national self-determination movements and territorial nationality identifications respectively, and F. A. Hayek (1979) to the study of modern societal change as grounded in different assumed ideas of science.

Political theory and economic theory are too commonly understood to rest on temporally shifting and usually very unrealistic grounding assumptions about humans and how they actually behave to require much explication (McMahon, 2001; de Jouvenel 1962; Irwin, 1996).

The point is, as Hart informs us, these fictions are encapsuled as law, formalized as institutions and as enforced procedures, and finally justified as "right," "good," and so forth.

The foundation of what societies are, and how they justify and act is apparently originally socio-psychological and best seen from within *their* accepted fictions. My approach is consequently to *think within biases* to clarify any clash of claims *dance* among contending actors. Briefly, the contending belief systems, manifest as their supporting traditional institutional and behavioral styles of acting, clarifies via proper analysis an integrative

dynamic and style of disputing. This *integration* is the target of any change profiling effort. The approach is holistic (Werther, 2000) and decidedly non-ideological. The differing bias systems and how they act – the change process seen historically and comparatively - is the central part of what is studied.

MILITARY-CIVIL TRANSITIONS AS MANAGED CHANGE PROCESSES

Thomas P. M. Barnett's (2004) *The Pentagon's New Map: War and Peace in the Twenty-First Century,* touted as "building on the works of Thomas Friedman, Samuel Huntington, and Francis Fukuyama, and then taking a leap beyond" might perhaps – upon the conservative John Randolph of Roanoke's advice that "change is not reform" – better have crawled than leapt.

We have not in over 200 years eliminated tribalism within either the USA or Canada - nor have we lately sought to do so – building slowly, from military conflict toward civil transition aplenty, a blended, integrated modern democratic society; though never, ever a classically liberal one. Both countries from the very beginning accepted group rights in many instances and used many negotiated and managed accommodations to make the state functional (Werther, 1992; Boldt and Long, 1985; Wilkinson, 1987; Williams, 1990). What was this talk, acted upon after 2002, of transforming Iraq and Afghanistan, then the Middle East, and then the world, upon a neo-liberal democratic or other Western democratic model? A look at modern tribalism, ethnic nationalism, and sectarianism elsewhere might have been cautionary.

Beck (1986) introduces a kind of fission-fusion modality into her understanding of Middle Eastern tribalism, which seems appropriate to broader consideration. Tribes, and certainly not confederacies of them, do not mostly exist in either space or time, except perhaps as barely "imagined communities" involved mostly in internecine squabbles when not actually ignoring each other. The change comes when a common issue, usually a common foe, confronts them. Then tribes, and confederacies of them, form. The core consideration from Beck (1986), and a huge topical literature, is that tribalism is naturally relatively passive and invisible absent a stressor, that it can be rural or urban, sophisticated or rustically traditional, and that it is just as 'modern' as the state; indeed, they arose together. They are mutually accommodating; always.

This being so, projecting a military-civil transition to democracy, or any other system, in less developed countries with tribes without building into that effort from the very beginning an accommodating *formal* nexus for tribalism is an error. We have not accomplished that in the USA, Canada, Australia, New Zealand, Denmark, Norway, or many other modern countries.

To the extent that modern countries have "First Nation" members who understand clan, tribal, and affiliated systems amid a functioning democracy at close quarters - that is, from personal experience – it does not seem the worst idea for militaries and sister governmental agencies to harness and harvest that experiential expertise during international military-civil transitions.

In the United States at least, it is common knowledge that most Americans are poorly informed about other's cultures. During WW II, the USA used native code talkers. On the logic presented above, and given the disputes the military is today involved in, it would not be amiss to have formal organizations of cultural interpreters who understand more easily how clan systems and tribal systems function. No two societies are the same, but a clan style of living is certainly more easily understood by First Nation members with appropriate experience in their own lives.

What has been said of tribal considerations in the management of military-civil transitions holds for ethnic, ethnic-national, religious sectarian, and other extant socio-cultural considerations. Afghanistan currently has an officially religiously tolerant Constitution with an officially Islamist political-legal code; and had just recently a Christian convert under penalty of death (Tarzi, 2006). One cannot easily and with security advance Islamic law and advance liberalism simultaneously. The current lesson of this Afghan case says that what *is* trumps what you wish.

Kirk's (1987, 167) admonition in *The Conservative Mind* comes to the fore in this consideration: "Society cannot be mended on Procrustes' bed."

PROCRUTES' BED – HUMAN REALITIES

We should study successful military-civil transitions in truth, and not theory, to learn the subtle lessons of why and how governments and 'other' groups have always negotiated mutually accommodating outcomes, how these outcomes have become institutionalized in civil practice if not also law, and how myth – legal fiction – changes to support these practical accommodations. The focus is, again, upon the change process as holistically seen.

In an attempt to explain, if not justify, the current Iraq and Afghan military-civil transformations, the examples of Germany and Japan have often been employed as successful outcomes.

Successful they may be, but in the German instance they are a military-civil transition from a democratically elected Adolf Hitler and his German National Socialist Democratic Worker Party (NSDAP), and in the Japanese case they ignore the long Westernizing process of the mid-1800's Meiji transformation; which borrowed heavily from German authoritarian institutions (Benedict, 1989; Sansom, 1998).

Such arguments also ignore that modern democracy largely comes from Germanic thought and early practice (I refer to the Hanseatic League and the constitutionally chartered frei Staat cities (Danzig, Geneva, and so forth), from the elector system of the Holy Roman Empire of the German People, as well as from early Germanic political-legal tribal traditions. Accepting the Germanic traditions as original to Western democracy, Russell Kirk (1978, 42) quotes Gilbert Chinard that "The Jeffersonian philosophy was born under the sign of Hengist and Horsa, and not the Goddess Reason." However, at the time of the modern military-civil transition, neither Germany nor Japan were tribal, seriously sectarian (Catholic Bavaria perhaps excluded), and were in fact exceedingly modern. This history, plus such themes as seen in Schiller's Wilhelm Tell with respect to freedom, or of Goethe's *Wilhelm Meister's*

Apprenticeship and Hermann and Dorothea with respect to man and modernity, ought give analysts pause.

In sum, both are weak parallels to the Iraqi and Afghan cases (see Catherwood, 2004).

Should one desire examples of successful cases of sectarian and tribal accommodation *within* the Western tradition – and that is itself highly dubious to the Afghan and Iraqi cases – places that actually have tribal and serious religious sectarian 'others' would seem a priori more appropriate.

That being so, South Africa, New Zealand, Canada, Great Britain, the Unites States of America, Chile, and a great many others would seem to offer better *developmental change management* lessons than either Germany or Japan. Each of these has successfully dealt with sectarian and tribal conflicts within the Western tradition, which Germany and Japan have not.

So how did they do it? The Canadian, U.S., New Zealand, British, and Chilean cases all accepted – often from the beginning of national state building - desired tribal and ethnic national group rights as de jure and de facto aspects of their constitutional systems, and in each case did so after military conflict and often military/police management of the dispute process. South African history shows a forced apartheid systems of separatist "group rights" yielding after long military conflict to a "minority" majoritarian democratic takeover by the ANC. The ANC has subsequently managed minority interests on a kind of affirmative action basis.

None - not one - accepted a pure liberal democratic state as a viable option. One can expand this observation sans *direct* military management involvement to the developmental trajectory of the Danish (Greenlander), Swedish and Norwegian (Sami), Swiss (consociational ethnic national cantons) cases, and also, for example, with internal military conflict to the Spanish (Basque), French (Corsica), and Mexican (Chiapas, etc.) cases.

In the New Zealand case, the Maori wars resulted in the treaty of Waitangi, yielding to the Maori a special status within New Zealand democracy, including self governing rights and reserved parliamentary seats. The Canadian (First Nations, Metis, and English-Francophone disputes), U.S. (First Nations), and Chilean (First Nations, ie. Mapuche) cases show both military conflict and constitutional inclusiveness from the beginning, with subsequently quite predictable formal de jure institutional management of the civil relationships (Werther, 1992). In the American case, Congress accepted diplomatic relationships with First Nations, as the Hawaiian monarchy, Cherokee Nation, and Iroquois League status relationships show. These, in time, each became domestic dependency relationships in both law and policy (Wilkinson, 1987).

In the other cases, a variety of negotiated self-governing – and in the Irish case, full sovereignty – arrangements were negotiated with consequent alteration of *both* the 'other' and the state. What is true of First Nations military-civil transitions and disputes, applies to religious-sectarian disputes, as the Canadian English-Francophone, Great Britain Scots and Irish, and Swiss consociational cases show. Each had early military conflict and shows formalized civil solutions that are vertically oriented and regionally legitimated religious-national segmental cleavages; which, by the way, we see in unsettled form within Iraq (Shia-Sunni-Kurd).

At the end of the day, we arrive at special, negotiated group rights existing amid individual rights within a changed state; what has been described as a dynamic system of strategically selected "status" / "non-status" claims (Werther, 1992) and as 'nested identities' (Herb and Kaplan, 1999). The very nature of rights and obligations, of institutions and procedures becomes sequentially, through constant renegotiation, altered between the state and the 'other' formations.

Why not begin with this goal and firm understanding during military-civil transitions; when one is brave enough to attempt them?

The world is far more complex than fixing some core-gap, or greater and lesser included states' dynamic, contra Barnett (2004). The countries of the world as they are actually constructed and managed are far different things than is commonly supposed.

OF THE CROOKED TIMBER OF HUMANITY…

Military-civil transitions are explorations more than transformations; and they transform both actors. Consequently, change management guided by change profiling of expected trends and patterns of change is the proper locus for attention.

The outcome is, as in management, indeterminate, and not, as in normal warfare, determinate.

The domestic style and macro-structuring actions of the initiator of any change is as important as the mirroring style and response of the subject of that change attempt; and this forms both the dispute "dance" and the nature of the synchronous harmonic or asynchronous outcome. Success and failure are in reality not states of being but dynamic harmonies achieved or not achieved. Ways of being, not end states, define them.

…NO STRAIGHT THING WAS EVER MADE

Profiling international change processes is a socio-psychologically grounded means of knowing *ways* and their consequents. The solution is not within the ideology (per se) or in the facts, but in the integration of them into dynamic "complexes" behaving according to their respective natures as a *dance*.

A due respect for conservative ideas on the nature of initiated change amid human foibles focuses our attention on the process and not the end state; the latter never existing.

Successful military-civil transitions are cobbled together blended things. Unsuccessful ones, and a reading of Blanch's (1960) *The Sabres of Paradise*, of Crile's (2003) Charlie Wilson's War, or Selig Harrison's (1981) classic *In Afghanistan's Shadow* – among many others – suggests the greatest caution in their attempt, are failures for the reason that the cobbling is unattained.

Transition dreams are dangerous things. Burke did not write in vain.

Human realities are sledgehammer truths, whether one likes them or not. Desist insisting.

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