

Reforming Defense

Lessons for Arab Republics

Zoltan Barany

No institution is more important to the survival of regimes than their armed forces. As the recent upheavals in the Arab world have once again demonstrated, whether states are able to suppress uprisings or become victims to them largely depends on their armed forces' attitudes toward the protesters and the state itself. The military's role is also critically important to the transition prospects of political systems. No political regime can be consolidated in the absence of armed forces which support its political leadership. The generals' backing is an indispensable prerequisite of regime consolidation for polities of *all* types, whether democratic or authoritarian: quite simply, the new regime *needs* the military establishment's support.

Much of this article is about defense reform, particularly defense reform for states engaged in *democratic* transition. An alert reader might immediately summon a widely used definition of democracy—one that identifies requirements such as genuine competition for power, mass participation on a legally equal footing, and civil and other liberties that restrict the sphere of state power within the society—and reasonably wonder whether speaking about democratization in the contemporary Arab context is justified. Indeed, there are no genuine, consolidated democracies anywhere in the Arab world today, and although some of the post–Arab Spring leaders in Tunisia, Yemen, and elsewhere have paid lip service to democratization as their political end-goal, it is certainly prudent to maintain a healthy dose of suspicion regarding these claims. Democratic civil-military relations and defense reform for democratic states are important not just to set high standards, but also to be able to measure progress even if those standards may not be soon achieved by

Zoltan Barany, the Frank C. Erwin Jr. Centennial Professor of Government at the University of Texas, holds a PhD from the University of Virginia. He is the author of *The Soldier and the Changing State: Building Democratic Armies in Africa, Asia, Europe, and the Americas* (Princeton, 2012) and is working on *How Armies Respond to Revolutions and Why* (Princeton, forthcoming).

transitioning countries in the Middle East or elsewhere. Presented here is an *ideal type* of civil-military relations reform without illusions concerning the state of Arab polities or their determination to approximate them.

There is no mystery about what are the key attributes of democratic civil-military relations. What does make a great difference, however, is the starting point of defense reform. Are reforms being implemented in a political system just emerging from military or dictatorial rule, socialism, a major interstate war or civil war, or perhaps from a colonial past? The differences in these contexts cause the task of rebuilding the military and the manner in which reforms are implemented to be rather different as well. The fundamental question is how to build an effective, cohesive, and accountable military under the conditions of regime transformation. This article considers four Arab states—Tunisia, Egypt, Libya, and Yemen—that fell into three different categories in terms of their political environments following the recent upheavals: Tunisia was essentially a single-party state, Egypt approximated a country emerging from military rule, while Libya and Yemen could be viewed as post-civil-war cases. First, it explains *what* specifically should be reformed, considering components of a reform package democratizing states need. To illustrate key points, examples from around the world show what defense reforms have been tried and what measures have worked or failed in different settings. Next the attention shifts to *how* defense reform should be conceived and conducted, with special reference to countries emerging from single-party regimes, military rule, and post-civil-war environments. Finally, the article seeks to identify special areas of concern and opportunity for the military establishments of Egypt, Libya, Tunisia, and Yemen.

Components of Defense Reform

Crafting democratic civil-military relations is an endeavor largely determined by the context in which it is pursued. It is essential to discuss the main components of the reform program to be implemented in virtually all political systems transitioning toward democracy.

Minimizing the Military's Prerogatives and Political Activism

A democracy should not aspire to a politically neutral military but to one that is firmly committed to democratic governance. The armed

forces must be depoliticized, and its members must not play any political role other than exercising their civic right to vote. Active-duty military personnel must not run for, accept, or hold political office and should not appear at political rallies in uniform. The selection and promotion of the top military leadership must be controlled by civilians—ideally some combination of officials from the executive and legislative branches and, again, ideally (but not necessarily) following consultation with senior officers. One related issue is the need to codify the political institutions' areas of responsibility over the armed forces for all potential scenarios (peacetime, emergencies, war).

In most democracies, the head of state is the military's commander in chief, and a civilian minister of defense is responsible for day-to-day operations. Selecting a defense minister who possesses a measure of expertise or at least some demonstrated interest in defense-security matters and international affairs signals to the armed forces that the state takes them seriously. Ideally, the defense minister and the ministry are integrated into the governmental power structure, enjoy the confidence of the president/prime minister, and are willing to defend the legitimate professional interests of the military. It is important that chains of command within the armed forces are clearly spelled out and potential ambiguities eliminated. The top-ranking uniformed person of the military should be subordinate to the *civilian* defense minister, a cabinet member who represents the government in the armed forces and the armed forces in the cabinet.

The military must be accountable before the law, obedient to and supportive of the democratic polity, and its professional responsibilities constitutionally regulated. The armed forces should be staffed by individuals who are *inclined* to obey, and the state should adjust the incentives of the military so, regardless of their nature, they *prefer* to obey.¹ Enforcing the retirement age (say 55) for officers in post-authoritarian contexts usually effectively serves the purpose of getting rid of trouble-making generals. Establishing a military pay scale that corresponds to civil service salaries on appropriate levels helps create a culture of transparency and enhances desirable relations between the armed forces and society.

All too often the elites of newly emerging democratic regimes have little understanding of and/or interest in learning about the military as a professional organization. This is a costly mistake, because it is in the direct interest of the state to maintain armed forces that are not

only supportive of democratic governance but also capable of executing the missions assigned them. It is important not only that the military avoid politics, but also that it is content with the conditions of service. Although in a democracy the military should not have to be bribed or appeased, the state ought to extend the armed forces high professional status through the provision of up-to-date equipment and decent salaries and benefits; raise the social esteem of the military profession; avoid intruding into internal affairs, such as training and routine promotions; and, by all means, avoid using the military as a tool in domestic political competition. A democratic state must honor the military's esprit de corps while preserving democratic values and respect for human rights within the military culture.²

What has been the experience of removing armed forces from politics around the world? The answer depends largely on the amount of leverage the armed forces possess at the time of regime change. Ordinarily, military elites that enjoy little leverage and retain modest societal support at the time of regime change are easily extracted from politics and are not in position to effectively oppose the reduction of their privileges by the new democratizing regime. The best examples of this scenario are Greece and Argentina after military rule (1967–74 and 1976–83, respectively). In contrast, where the armed forces maintain significant public support at the end of their rule—post-Pinochet Chile comes first to mind—democratizers need to be far more careful with how they treat the military that, in any case, tends to preserve some of its privileges and political clout, at least in the short run.³

The situation is rather different in post-socialist (or post-single party) states. In these regimes the party controls the armed forces through a variety of institutions and agencies and is an organic component of the military itself; there are party organizations from the top echelons of the armed forces to party cells at the lowest level. Much of the training period of armed forces personnel is taken up with ideological indoctrination and ensuring that soldiers and their commanders remain loyal and vigilantly protect the regime (rather than the nation). Getting the military to accept a reduction in privileges is seldom difficult in post-socialist regimes because the armed forces were previously under firm party control.

Eliminate the Military's Domestic Missions

Since a principal objective of civilian leaders is to prevent the armed forces from interfering in domestic politics, the conditions under which the military may be used internally must be specified by law. Generally speaking, in the modern democratic state, the only legitimate internal role for the military is to provide relief after natural disasters—a mission it is ideally positioned to fulfill and which tends also to increase its societal esteem. It should not be used to quell domestic disturbances or perform crowd-control and other security functions which should be the responsibility of the police and other domestic security organizations. In particular, the armed forces should have no role in anti-drug-trafficking policies, because such activities inevitably increase the likelihood of corruption. In a similar vein, soldiers ideally would not participate in domestic programs such as rural infrastructure development that might foster politicization. States that maintain paramilitary organizations, gendarmeries, militias, national guards, and the like must clearly regulate the use of those organizations. The constitution must be clear about both the sort of domestic tasks permissible for the armed forces and the conditions necessary for their deployment.

There are a number of states with otherwise appropriate civil-military relations where the military is asked to fulfill functions it should not. One example is the Indian armed forces' continued involvement in the suppression of domestic conflicts. This constitutes such a troubling aspect of Indian military politics that, according to Stephen Cohen, "India is not a democracy in many of its districts where the army and the paramilitary forces supplanted the judiciary, the civil administration, and the ballot box as the ultimate arbiter."⁴

In a democratic state, the wartime use of the military must also be unambiguously regulated in the constitution. Ordinarily, the power to declare war or a state of emergency rests with the legislature, or at the very least, the executive must obtain parliamentary approval. The deployment of troops, with or without a formal declaration, is an important constitutional issue pertaining, in particular, to presidential powers and has been widely debated. In the United States, for instance, it was settled only in 1973 with the War Powers Resolution which clearly defined how many soldiers could be deployed by the president and for how long without legislative approval. In Canada, however, the declaration of war is still entirely an executive prerogative—while parliament has

been consulted, it has never claimed the right to declare war or to say when it has ended or how it should be conducted.⁵

Eliminate the Military's Role in the National Economy

Business activities distract soldiers from their primary mission—the defense of the homeland—and create conditions for corruption, negative interservice or inter-unit rivalry, and harm to the professionalism and societal prestige of the military establishment. Thus, the armed forces should not be involved in the economy. China is one major power where the negative effects of the People's Liberation Army's (PLA) decades-long and perfectly legal economic activities were recognized by the political leadership. In the late 1990s the Chinese Communist Party leadership debated the issue and in 1998 promulgated the Divestiture Act that banned the PLA from all commercial activities. Recent analyses have confirmed that the new policy has contributed significantly to the PLA's growing professionalism.⁶ The detrimental consequences of the armed forces' economic role have been acknowledged in other states that cannot compete with the Chinese state's financial resources to make up the difference in the defense budget the military would lose as a result of ending its business endeavors. For instance, Indonesian president S. B. Yudhoyono promised to drastically scale down the armed forces involvement in the national economy, and in 2004 a law was passed by the Jakarta legislature to enforce this policy. Although the results have left a great deal to be desired—the Indonesian state, unlike the People's Republic of China, has no way of compensating the armed forces for their lost revenues—the intention alone speaks for itself.⁷

Strengthening Legislative Involvement

Military politics is played out between the triangle of the state, the armed forces, and society, where the state side is usually dominated by the executive branch, with far less clout enjoyed by the legislature. An important criterion of democratic governance is that civilian control over the armed forces be *balanced* between the executive and legislative branches. As Robert Dahl wrote, “the civilians who control the military [and police] must themselves be subject to the democratic process.”⁸ The legislature debates foreign policy and defense issues and ought to have the power to call on members of the executive branch and the armed forces to testify before it in open or closed hearings. Nevertheless, in

many democracies legislators do not play an independent role in overseeing the armed forces, either due to limitations on their space of action, lack of expertise or interest in defense matters, or insufficient access to objective data and information. Inadequate legislative involvement in the defense-security domain is a shortcoming in numerous states that otherwise have overwhelmingly positive civil-military relations, such as Botswana, Greece, and Japan.

In only a few polities does the legislature play the kind of role necessary for substantively balanced civilian control of the military. This role comprises not just the debating and passing of defense-related bills but also, crucially important, taking an active part in three aspects of the armed forces fiscal affairs. First, parliament determines the process of how defense budgets are devised, including the questions of what institutions (e.g., general staff, defense ministry, governmental advisory bodies, NGOs, the executive office, and/or legislative defense committees) are involved and in what sequence. Second, the deputies participate in the formulation of the actual defense budget. And third, legislators maintain oversight of the disbursement and implementation of defense outlays. Countries with a long-term record of active and vigorous parliamentary oversight are rare; of those with post-World War II transitions to democracy, Germany and Spain are particularly prominent.

It is important to realize that at the time of transition in most countries, the legislature, if it indeed exists at all, is seldom the powerful representative of the people. In the Arab world, in particular, legislatures have been, at best, pro-forma rubber-stamp institutions staffed by sycophants and used to lend the rulers a thin and spurious veneer of legitimacy. This is even more so in the eight Arab kingdoms—all of them absolute monarchies—in which only the Kuwaiti legislature has been able to carve out real political influence, but even there the emir can, and frequently has, dissolved parliament when he found its activities inconvenient.⁹ Therefore, needless to say, weak legislatures must be first strengthened before they can play a meaningful political role, including the role of overseeing and controlling certain aspects of military affairs.

Bringing In Society

Independent civilian defense experts, nongovernmental organizations (NGO), and journalists focusing on security issues can play an important role in advising elected officials and the public about military affairs.

Their involvement can encourage transparency and promote confidence between state, society, and the armed forces. Introducing defense-related courses at universities, allowing civilians—journalists, bureaucrats, politicians, and others—to enroll in appropriate programs at military academies, and providing some public funding on a competitive basis to NGOs studying defense issues can all contribute to the overall improvement of democratic civil-military relations. In sum, in a democratic state the public has easy access to balanced, objective information regarding defense and national security matters.

Use the Military's Expertise

States and societies make considerable financial and other sacrifices to educate, train, equip, and otherwise maintain their armed forces. Marginalizing military officers by not asking for their advice in the process of devising defense and/or foreign policy, let alone military strategy, is irresponsible public policy and wasteful of public resources. In other words, officers acquire their specialized knowledge at a significant cost to taxpayers who should get some return on this investment. Using military expertise does not mean politicians are obligated to adopt recommendations, but foregoing the opportunity to listen to expert military advice on issues concerning their own and other militaries' capabilities is unwise. The practice of regularly requesting that officers share their knowledge with their civilian masters is also beneficial for overall civil-military relations. It makes the military feel useful, important, relevant, and more vested in the success of the regime.

It would be difficult to find a case more illustrative of how things go wrong when the armed forces are ignored or marginalized than under presidents Néstor Kirchner (2003–07) and his widow, Cristina Fernández de Kirchner (2007–present), in Argentina. In 2005 Kirchner appointed Nilda Garré, a former leftist militant, to lead the defense ministry. Throughout her term, Garré and the all-civilian defense ministry leadership showed nothing but contempt toward the armed forces as an institution, did not ask for military advice, and seldom met with the service chiefs. The ongoing tension between the ministry and the military benefited neither.¹⁰

Identifying New Missions

Samuel Huntington wrote that policymakers should equip their post-transition armies with “new and fancy tanks, planes, armored cars, artillery, and sophisticated electronic equipment,” in other words, “give them toys” to keep them happy and occupied.¹¹ But most states do not enjoy the resources necessary to take this advice. So, what should they do? One important part of the solution is to search for new missions for the military, such as international peacekeeping operations. These activities will make soldiers feel useful, enhance their own prestige as well as the international regard for their country, and might even be a significant source of income for military personnel in poor states. In addition, the special skills and training peacekeepers require creates the need for international peacekeeping centers and conflict prevention, management, and resolution programs that boost international cooperation and improve the military’s public image at home.

Participation in internationally sanctioned operations has benefited the soldiers of especially poorer countries. For instance, the Bangladeshi armed forces have been heavily involved in United Nations peacekeeping activities. In the Bangladeshi case, these operations have constituted a major source of domestic and international prestige and much-needed resources for the military.¹² Involvement in peacekeeping activities can also serve the domestic and international “rehabilitation” for armed forces in need of an image boost. For instance, Argentine president Carlos Menem (1989–99) was a strong advocate of UN-sanctioned international peacekeeping operations, believing that they would promote Argentina’s readmission into the international community after years of military rule and also help create a new identity for its armed forces.¹³

Thinking about Implementation

Obviously, before policymakers begin implementing these reforms, they must consider the type of regime their country is transitioning from because it will largely determine their tasks. For instance, after military rule (e.g., the Egyptian setting) during which military officers enjoyed numerous political and/or socio-economic perquisites, the aim of democratizers is to “roll back” the army’s privileged status and establish armed forces that are the servants of the state and its citizenry. After the fall of single-party regimes (e.g., Tunisia), the main task of democratizers

is not to take the military out of politics—as in post-military regimes—but the opposite, to take the politics out of the military; that is, to abolish party organizations and party influence over the armed forces.¹⁴

The task of reformers operating in a post-civil war setting (e.g., Libya or Yemen) is far more complex. In such environments, the need to balance public sector positions assumes great significance. In the military realm, putting ethno-religious or tribal quotas into practice is a difficult but necessary endeavor that can be accomplished according to different methods and with varying levels of success. Nonetheless, fostering the creation of a truly national identity, particularly in the armed forces, is an important long-term objective.

In post-civil war Bosnia, for instance, the unusual strategy of keeping soldiers in units segregated by religion may be in large part responsible for the preservation of divisions, aversion, and distance between different ethnic communities in the military 18 years after the end of hostilities.¹⁵ The Lebanese armed forces—like postconflict armies of Guatemala, Mozambique, Nicaragua, Nigeria, Sierra Leone, and South Africa—have been fully integrated, which has generated no major sectarian problems. In Salvadoran army units, as well, former guerrillas and government soldiers have quickly found a way to put the past behind them and concentrate on their tasks.

The objectives of post-authoritarian defense reform can be well conceived, but a crucial part of the reform program is the manner in which it is put into practice. Especially in cases where the military had retained some leverage following the fall of the old regime, *how* reforms are implemented can be a very sensitive issue. Consider three principles to properly carry out military reforms.

Clarity

Given the high stakes—that is, the military's ability to overthrow the state—it is essential to provide the armed forces with as unambiguous a political environment as possible. Constitutions should be clear about the chain of command in peacetime, wartime, and in national emergencies. What is an acceptable political role for active duty, reserve, and retired armed forces personnel? Should they be able to vote, join parties, appear in uniform in political rallies, run for office? This must be explained and regulated, and the consequences of noncompliance should be clear and consistently applied.

In dealing with the armed forces leadership, the government should strive for transparency. Political leaders should explain to the top brass, for instance, the political, social, and economic justifications for the defense budget, why the promotion of General X was vetoed by the prime minister, or the reasons for the party debates regarding abolition of universal conscription. Such transparency reduces insecurity, builds trust, and helps eliminate rumors. The importance of clarity in regulations and lack of ambiguity in laws has been demonstrated by the murkiness in the 1992 Chapúltepec Accord that ended El Salvador's civil war. According to Chapúltepec, the Salvadoran armed forces (FAES) are constitutionally limited to external security operations (defense from external threats) and providing help in national emergencies (this was to denote—but *did not specify*—natural disasters). Nevertheless, when opposition politicians questioned the deployment of thousands of FAES soldiers in the countryside to fill the vacuum created by the layoff of corrupt counternarcotics agents, the government responded that the operation was legitimate because crime in rural areas had reached “emergency proportions.”¹⁶

Gradualism and Compromise

In many democratic transitions from authoritarian regimes where the military enjoys an influential political role, swift and drastic changes are not advisable because they might unnecessarily provoke the ire of the soldiers for whom regime change signifies the loss of power and privileges. Following a gradualist approach that emphasizes coalition building and willingness to make acceptable compromises is usually a prudent way to proceed.

A fine example of this is Adolfo Suárez, Spain's first democratically elected prime minister (1976–81). Intent on radically transforming the Spanish defense establishment, Suárez moved prudently. He first sought and obtained the collaboration of influential military circles who were concerned primarily with the future of the armed forces. Only afterward did Suárez approach the confirmed democrats in the officer corps who might have objected to the former group.¹⁷ He implemented further reforms with the coordination of the service branches only after prior consultation with them.

In countries where the armed forces retain some political clout and public esteem after withdrawing from power (e.g., in contemporary Egypt), it is

especially important not to needlessly antagonize them by overly rapid reform programs designed to reduce their autonomy and privileges. The inability of politicians to compromise when necessary or accommodate the generals on issues of minor importance might easily alienate those officers who would be otherwise willing to subordinate themselves to civilian control. In other words, strategic compromises can enhance the prospects of successful democratic consolidation and cement civilian control over the armed forces. An apt example is Chile under its first post-Pinochet president, Patricio Aylwin (1990–94). At first, Chile’s democratic reformers were forced to trade civilian control of the armed forces for short-term regime survival.¹⁸ The military was still powerful and retained the approval of a large segment of the population, and all the new regime could do was try to consolidate and expand presidential and state power over the generals. While Aylwin’s options were limited, there were a number of things he could do, and he succeeded in doing them. He established the Commission on Truth and Reconciliation to search for the truth, identify victims, and establish accountability. The government’s action resulted in moral reparation and monetary compensation, even if the armed forces leadership, insisting that its 1973 intervention was a “patriotic mission,” refused to apologize. Aylwin’s main objective was to begin a process of democratic consolidation that could only succeed if soldiers returned to their barracks and stayed there.¹⁹

Gradualism is particularly important in post-civil-war reform implementation. Given that in civil wars, by definition, the warring sides know one another, healing the rift between them is likely to take far longer than between strangers after a war between different states. For starters, the amount of time between the realization of opposing sides that a cease-fire and peace settlement are desirable and the actual signing of an agreement may be considerable. True reconciliation between the erstwhile antagonists is nearly always a long process; indeed, it might take generations. At the same time, it must be relentlessly pursued, because as long as politics is about identity rather than issues, nationalist and extremist parties will enjoy an influential political role at the expense of political organizations with more substance-oriented agendas.

Sequencing and Interference

Individual settings require different types of defense reforms. The main tasks for democracy builders range from having to build new

independent armies on the shaky or absent foundations left behind by imperial powers to drastically reducing the autonomy, privileges, and size of the armed forces in post-praetorian environments. A thoughtful sequencing of defense reforms can be exceedingly important in ensuring the military's compliance and cooperation. Consulting with democratic-minded military officers regarding the details and order of reform usually signals the state's willingness to consider the perspectives of the armed forces and can be expected to foster an agreeable inter-institutional climate. Such discussions do not mean the government is obligated to take the generals' advice, but as the Spanish case suggests, they are helpful in finding out the military's preferences and usually benefit both sides.

There are numerous other things the state should do. For example, civilian rulers ought to identify themselves with the armed forces, attend their ceremonies, award medals, and praise the soldiers as exemplifying the noblest virtues of the nation.²⁰ To illustrate the good sense of this point, we need look no further than post-military-rule Argentina. President Menem significantly reduced the military's political autonomy and budget and yet was held in high regard by the officer corps due to his numerous positive deeds signaling his appreciation of the armed forces. In contrast, Presidents Kirchner and Fernández alienated the military through a number of humiliating and unnecessary gestures.

The state must oversee the promotion of the most senior members of the armed forces. At the same time, politicians should make sure that if they do veto promotions, their reasoning is based on solid evidence regarding the objectionable candidate's professional competence or political attitudes. Politicians should not interfere in the routine promotions of lower ranks nor should they meddle in military education, training, and professional concerns unless those are in conflict with the regime's fundamental political values. When they do interfere, trouble tends to follow. A fitting example is the way in which Thai prime minister Thaksin Shinawatra (2001–06) frittered away his once considerable leverage over the Royal Thai Armed Forces. Notwithstanding his many conciliatory gestures toward the RTAF—which included steering his cabinet away from meddling in the army's internal affairs in his first couple of years in power—Thaksin enraged the top brass by repeatedly interfering in the army's promotion procedures to solidify his support base. Choosing to ignore signals of the deep-seated displeasure his actions provoked among the generals, he continued to appoint supporters and

even family members to top RTAF posts. These dangerous measures ultimately sacrificed not only Thaksin's regime, but more broadly, civilian rule in Thailand.²¹

Defense Reform in the Arab Republics

All of the Arab states where uprisings took place in 2011 are currently far from democratic consolidation. In fact, it is unclear whether their political elites desire democracy. Nevertheless, reforming military politics and the defense-security establishment should be an important priority of their transition, even if it is from one authoritarian regime to another.

In many respects Arab armies have been rather similar to the armed forces of other authoritarian states. In the post-World War II era, numerous Arab monarchies fell to military coups (e.g., Egypt, Iraq, Libya, Syria, Yemen), and the coup leaders along with the officer corps ordinarily became a part of the ruling elite. The Arab republics born in coups, along with several monarchies where unsuccessful coup attempts took place (Morocco, Jordan, Bahrain, Saudi Arabia), realized the grave necessity of coup-proofing. This meant relying on family, tribal, ethnic, and sectarian loyalties; creating new paramilitary organizations charged with the protection of the regime whose commanders reported directly to the ruler; and making sure that all entities entrusted with security functions were spying on one another.²² In some Arab states the armed forces received significant business interests (Egypt, Syria, Yemen) while in others, their economic involvement was not permitted. Although some Arab armies have become quite professional, political considerations continue to take precedence over merit-based evaluation of military personnel in many countries.²³

Uprisings in 2011 led to the fall of authoritarian regimes in Tunisia, Egypt, Libya, and Yemen.²⁴ The status of countries prior to defense reform is crucially important to consider because it strongly affects the reforms to be implemented and the manner of implementation itself. These four countries represent very different situations. Egypt's civil-military relations in many respects are similar to those of a country just emerging from military rule.²⁵ Libya and Yemen, on the other hand, should be thought of as post-civil war cases. Finally, Tunisian military politics may be compared to that of a country after the fall of one-party

rule, where the military did not play more than a relatively passive supporting political role. These four republics can learn from the experiences of earlier transitioning states in shaping new civil-military relations.²⁶

Tunisia

Tunisia is where the wave of unrest began, in mid-December 2010. Once it became clear that the security forces were unable to control the demonstrators, President Zine al-Abidine Ben Ali ordered army chief of staff Gen Rachid Ammar to deploy his troops to suppress the uprising. Ammar rejected the order and placed his men between the security units and the protesters, thereby effectively saving the revolution and forcing Ben Ali into exile. The military's decision not to side with the regime was not surprising. Ben Ali's predecessor, Habib Bourguiba, had deliberately kept soldiers out of politics during his three decades as president (1957–87), even banning them from joining the ruling party and withholding from them the right to vote. Ben Ali continued the policy of keeping the armed forces on the political sidelines. Unlike most other North African militaries, Tunisia has never attempted a coup, never took part in making political decisions, never was a “nation-building” instrument, and never joined in economic development schemes. Ben Ali kept it a small (approximately 30,000 strong in contrast to the five-times-larger police force), marginalized, and modestly funded force focused on border defense.

The armed forces are widely considered as a *national* institution by Tunisians in contradistinction to the Presidential Guard, the police, and the security organizations. Undistracted by politics and despite its meager budget and equipment, the Tunisian military in time came to rank among the Arab world's most professional forces. With its comparatively disadvantaged status and its officers' disdain for the notorious corruption of the presidential clique, the military had no special stake in the regime's survival and no strong reason to shoot fellow Tunisians on the regime's behalf. In no Arab country has the military been more clearly distinct from the regime in power: indeed, in Tunisia the term *la grande muette* (the big silent one) is often used to describe the army's noninterference in public affairs.²⁷ The population maintained an overwhelmingly positive view of the armed forces, which requires a one-year service for young men; in fact, the military *was not* identified by Tunisians as part of Ben Ali's coercive apparatus.²⁸

From the perspective of civil-military relations reform, Tunisia is in an enviable situation indeed. The biggest task for reformers in polities that follow a regime like Ben Ali's in Tunisia—one similar to one-party rule—is to reduce political influence of the former elites in the military. But Tunisia's armed forces were highly unusual to the extent that the old regime marginalized them and did not require soldiers to continually demonstrate their overt political support. Moreover, the military had a relatively small budget, corruption in the army was not a serious problem, and the institution had played no role in the national economy.²⁹

Tunisian military leaders have repeatedly expressed their willingness and even enthusiasm to work with the new regime in establishing democratic civil-military relations. They have declared that their extant arsenal and equipment was sufficient to fulfill their mission—a rather unusual opinion to hear from high-ranking soldiers.³⁰ The Ministry of Defense is mostly staffed by civilian personnel and is led by a civilian minister. One important task for Tunisia is to increase the legislature's involvement in defense matters. Tunisian political elites might want to follow the blueprint of new democracies of Southern and Eastern Europe where legislative work also had to be filled with content following democratic transition in the last few decades. It is important to note, however, that even in Spain, perhaps the quickest and most successful case of military transition in the region, the road to success was neither linear nor without difficulties.³¹ The key is to promote legislators' interest in defense issues and provide them with the unbiased civilian expertise they need—access to experts on military-security issues and relevant NGOs—to allow them to make informed decisions. All signs suggest that the legislature in Tunis will be working with an entirely accommodating group of generals.

Egypt

Every Egyptian leader since the monarchy fell in 1952 has been a military man with the exception of Mohamed Morsi, who was president for a mere 368 days (30 June 2012–3 July 2013) before the army overthrew him. After the 2011 uprising that unseated President Hosni Mubarak, the position of Egypt's military seemed in many ways like an army emerging out of military rule possessing plenty of leverage. To be sure, this analogy is somewhat misleading; after all, the Egyptian armed forces were less politically influential in the last couple of decades of

Mubarak's 30-year reign than the internal security apparatus.³² Nevertheless, their significant remaining political clout, their deep involvement in the national economy, and their high societal prestige—which only increased following the revolution—rendered them, along with the Muslim Brotherhood, one of the two most important political players in the country.³³ If Egypt were on course to a democratic transition—hardly a given—there would be a lot it could learn from earlier democratization experiences. Although there are several ways to improve Egyptian civil-military relations, the strong position of the Egyptian armed forces cautions optimism about how much of these reforms can be or will be implemented. But casting doubts aside for the moment, one can see what *could be* done in an ideal world.

The Egyptian legislature should certainly gain more voice in defense matters by actively involving itself in debates regarding defense budgets, the use of monies, and the manner in which they are distributed, along with calling leading officers to provide parliamentary testimonies. An example that might be instructive is Indonesia, where after Suharto's fall, a gradual transition took place that culminated in something approximating democratic consolidation in the past decade. The parliament in Jakarta does have a significant say in controlling the defense budget—it even has the right to change specifications of procurement items. Overall, however, Indonesian parliamentarians still exercise little oversight outside of budgetary matters, which are, admittedly, one of the most important areas to oversee. The reason is that many legislators lack the expertise or interest to ask the right questions, and they don't have the support staff to prepare properly. Parliament's role expansion had gone hand in hand with a number of new laws narrowing military prerogatives, creating a powerful constitutional court, and gradually growing the clout of civilian political institutions.³⁴ Given that the state religion in Indonesia is also Islam, its overwhelmingly successful experience in transforming civil-military relations should be closely followed by Egyptian democratizers.

Another case Egyptian democratizers might study with profit is Turkey during the now decade-long prime ministership of Recep Tayyip Erdoğan. The Turkish military's power has been gradually diminished by political elites through the diminution of the army's representation in central institutions and the slow but steady expansion of the legislature's involvement in defense affairs.³⁵ Although Turkey is far ahead of Egypt

in terms of political, economic, and social development, its experience in the last decade demonstrates the continuous gains a moderate Islamic state can make in limiting the political influence of a once seemingly omnipotent military establishment. To be sure, not everything in the Turkish experience is worthy of admiration—the recent judicial campaign against leading generals is a case in point—but Egyptian reformers would have much that is progressive to consider.³⁶

Another important area of concern for Egyptian reformers is the army's deep involvement in the national economy. As noted above, in recent memory only the Chinese government was able to eliminate the military's previously significant economic role. In contrast to Egypt and Pakistan—where the army has also carved out for itself a substantial economic presence—China possessed the financial resources to complete the army's transitioning out of the economy without corresponding shock to the defense budget.³⁷ Unlike in Egypt and Pakistan, where the armed forces play critical political roles in the state, the Communist Party's control of the Chinese military is unchallenged.³⁸ Any serious contemplation of a forced reduction of the army's political role can only begin once the state is firmly in control of the armed forces, which does not appear to be the case in present-day Egypt. It is also important to be aware of the coup-proneness of military elites during the diminution of their political influence, as shown by the lessons of Argentine, Russian, Spanish, and Thai post-authoritarian transitions (some successful, others not).

Since 2011 the army remained a critical factor of the political equation in Egypt. One of the indispensable tasks of the Muslim Brotherhood-dominated government in Cairo was to reduce the military's political influence and, if possible, turn the generals into obedient servants of the state.³⁹ It did not succeed. Even though President Morsi retired a number of top military leaders and managed to return the soldiers to their barracks in August 2012, the armed forces retain a great deal of autonomy in the country's new constitution. The new National Defence Council, introduced in June 2012, has 11 military representatives and only six civilians, including the president, and—given that it makes decisions by absolute majority—it can assemble and pass resolutions without the president and ignore the president's call.⁴⁰ Furthermore, during the heady days of the large-scale demonstrations in the summer of 2013, when large crowds demanded Morsi's resignation, defense minister Gen Abdul-Fattah el-Sisi threatened military intervention in the political crisis,

warning the freely and fairly elected Morsi that his government had 48 hours to respond to the demands of the people.⁴¹

The military was true to its word: judging Morsi's response wholly unacceptable, it unceremoniously unseated him and his government on 3 July 2013 in what was clearly a coup d'état.⁴² The arrest of Morsi's allies in the Muslim Brotherhood commenced even before the president's removal from office ("to ensure the country's security").⁴³ Rather than taking charge themselves, the generals appointed a caretaker government, having learned the painful mistake of trying to run the bureaucracy in 2011–12. This time the military seeks to remain on the sidelines as far as governing is concerned while trying to reestablish public order and ensure their considerable privileges remain untouchable by any future administration. Nonetheless, the former task proved far more difficult than the generals might have imagined. For several weeks the Egyptian military was engaged in trying to suppress demonstrations organized by the Muslim Brotherhood and, in the process killed hundreds of protesters and injured many more. Perhaps most troubling is the fact that dozens of Islamist activists died while in army custody.⁴⁴

Given the chaotic situation and the military's difficulty in trusting the outcome of political processes, military leaders moved to adjust the playing field for its own benefit. In late summer 2013, the military appointed 19 generals as provincial governors in a move reminiscent of the recent authoritarian rule, expanded its crackdown on people suspected of (but unproven) Islamist sympathies, and expedited the legal procedures for jailing Islamists. At the time of this writing, the Egyptian military was descending into lawlessness, and hopes that it would soon be reformed and become a servant of a democratic state seemed more unrealistic than ever.

Libya and Yemen

Although Yemen is far poorer than oil-rich Libya, the two states share many similarities, among them a low level of institutional development and towering corruption. Prior to the Arab Spring, there were no public institutions capable of operating independently of Ali Abdullah Saleh and Muammar Gadhafi. Libya has not had a constitution since 1951, and corruption is rampant in both countries. Tribal affiliations, of relatively little consequence in Tunisia and Egypt, are of foremost importance in Libya and Yemen. In each country, but particularly in Libya, the mili-

tary and security establishment was divided into numerous organizations that had little contact with one another. The regular military was ostensibly charged with the external defense of the country while the security forces were supposed to protect the regime, though in practice, ensuring regime survival was the main mission of *all* these forces.

Another important characteristic shared by Libya and Yemen is that both should be considered as post-civil war settings. What are the most important tasks of reformers in these contexts and what can reformers learn from the experiences of other post-civil war countries? In every post-civil war situation the building or rebuilding of a *national* army is a critical component of the reconstruction program. In such environments, the demobilization of forces and the reintegration of erstwhile combatants into civilian life are two of the most pressing undertakings. The collection and destruction of excess weapons and ammunition are related tasks that—as we have seen in the cases of post-civil war Bosnia, El Salvador, and Lebanon—are often very contentious. Due to the lack of trust between former enemy forces, it is not surprising they generally want to retain some strategic advantage or security guarantee that would enable them to resume fighting if necessary. Therefore, promoting transparency and building trust between the different sides through a variety of confidence-building measures implemented by impartial security institutions is critically important for long-term stability.

Reconstructing the security sector may be the most important undertaking of the Libyan and Yemeni regimes. In the former, there are hundreds of rival militias representing different tribes from different regions of the country. Most of them need to be disarmed and dispersed, while some could be integrated into a new national army. But, as is clear from the foregoing, which militias to disarm and break up and which ones to include in the new national force is, indeed, a tremendously complex and politically sensitive undertaking.⁴⁵ The competition between the Libyan militias has been extremely fierce, no militia leader wants to give up his influence without considerable payoff, and most are distrustful of rival leaders and of members of the new government. At the same time, the loose borders can render any successes of the demobilization and disarmament campaigns futile given that Libya's long and unsecured border with the Sahel has historically provided smuggling routes for arms, illegal goods, and combatants.⁴⁶ Prime Minister Ali Zeidan's announcement in late June that Defense Minister Mohammed

al-Bargathi was removed from his post following clashes between rival militias in Tripoli, in which 10 people were killed and more than 100 wounded, indicates just how elusive real progress has been.⁴⁷

Even prior to the Arab Spring there were more guns than people in Yemen; bringing normalcy to the country which is now more extensively armed, and with two insurgencies continuing (the Houthi rebellion in the north and the separatist conflict in the south), will be exceedingly difficult. In spite of these obvious obstacles, President Abd Rabbuh Mansur Hadi—a former general and vice president—embarked on a sweeping restructuring of Yemen’s divided and weak armed forces to consolidate his power, centralize the armed forces to make them less beholden to tribal chiefs in the regions, and better prepare Yemen for its numerous security challenges. Hadi was supported in this endeavor by a December 2011 initiative of the Gulf Cooperation Council which decreed that a committee should be formed to reorganize the Yemeni army and end its division. He removed more than 20 senior commanders who were either incompetent, loyal to former president Saleh, or both.⁴⁸ Most significantly, he dismantled the elite Republican Guard—a unit led by former president Saleh’s son Ahmed—and also replaced Yahya Saleh, the head of the Central Security Forces and nephew of the former president.⁴⁹ The fundamental intent behind these changes is to transform the Yemeni military from a regime-protection force to an institution whose objective is the defense of the nation. Importantly from the perspective of US foreign and military policy, Hadi confirmed his unqualified endorsement of US drone strikes in his country during his September 2012 visit to Washington.⁵⁰

Conclusion

Reestablishing security and creating and/or reforming a unified national military are some of the indispensable tasks that must be high on the agenda of Arab reformers in the wake of the recent uprisings. Several weighty issues are common to them all. Improving the effectiveness of the armed forces is just as important in Egypt—where the bloated military has been frequently described as lacking professionalism⁵¹—as in Libya and Yemen, although in so many respects, Tunisia is an exception. To appreciably raise the level of professionalism, however, the state needs to be both willing and able (i.e., possess control over the military)

to drastically transform the armed forces, and the generals must be amenable to change long-ingrained routines. These conditions have seldom been present at the same time except where the military was built from the bottom up following a catastrophic defeat (as in post-World War II Germany and Japan).

Another concern likely to change all of these military establishments is the creeping Islamization of their respective polities. Prior to the Arab Spring, these armies were dominated by secularists or moderate Islamic cadres, given the political elites' deep suspicions of or overt antagonism toward religious extremism. Just how they are going to respond to the growing influence of Islamics in the new governments will depend primarily on the manner and directness with which religious currents affect them. The gradual but unrelenting Islamization of the Pakistan army which started during the presidency of Gen Muhammad Zia-ul-Haq (1978–88) is an example.⁵² For other examples, one might look at the experiences of East European countries suppressed by the Soviet Union following World War II; their armies underwent a forced transition dominated by Marxist-Leninist ideology.⁵³

In sum, defense reform is an important and urgent task for the Arab republics. The conceptualization and preparation of these reforms are complex and difficult projects in themselves; implementation would be even more so. The fundamental prerequisites of these undertakings are governments that are interested in and capable of pursuing them and which have the clout over the military to get it to accept and, ideally, embrace defense reform. These endeavors have been beset by many obstacles in settings far less challenging than those of the contemporary Arab republics. Therefore, it is extremely hard to be optimistic regarding the chances of transformative defense reform in the Arab world. **ISSQ**

Notes

1. Peter Feaver, "Civil-Military Relations," *Annual Review of Political Science* 2, (1999): 226.
2. Thomas-Durrell Young, "Military Professionalism in a Democracy," in *Who Guards the Guardians and How*, eds. Bruneau and Scott Tollefson (Austin: University of Texas Press, 2006), 22.
3. Zoltan Barany, *The Soldier and the Changing State: Building Democratic Armies in Africa, Asia, Europe, and the Americas*. (Princeton, NJ: Princeton University Press, 2012).
4. Stephen P. Cohen, *The Indian Army: Its Contribution to the Development of a Nation* (New Delhi: Oxford University Press, 2001), xv.
5. Christopher Dunn, "Democracy in the 21st Century: Canada Needs a War Powers Act," *Canadian Parliamentary Review* 30, no. 3 (2007): 2–3.

6. Dongmin Lee, "Chinese Civil-Military Relations: Divestiture of People's Liberation Army Business Holdings," *Armed Forces & Society* 32, no. 3 (April 2006): 437–53; Michael Kiselycznyk and Phillip Charles Saunders, *Civil-Military Relations in China: Assessing the PLA's Role in Elite Politics* (Washington: National Defense University Press, 2010); and Nan Li, *Chinese Civil-Military Relations in the Post-Deng Era*, China Maritime Studies no. 4 (Newport, RI: Center for Naval Warfare Studies, US Naval War College, January 2010).
7. Harold Crouch, *Political Reform in Indonesia after Soeharto* (Singapore: Institute of Southeast Asian Studies, 2010), 161–69.
8. Robert A. Dahl, *Democracy and Its Critics* (New Haven, CT: Yale University Press, 1989), 235.
9. Zoltan Barany, "After the Arab Spring: Revolt and Resilience in the Arab Kingdoms," *Parameters* 43, no. 2 (2013): 88–101.
10. Barany, *Soldier and the Changing State*, 164.
11. Samuel P. Huntington, *The Third Wave: Democratization in the Late Twentieth Century* (Norman: University of Oklahoma Press, 1991), 252.
12. Kabilan Krishnasamy, "Bangladesh and UN Peacekeeping: The Participation of a 'Small' State," *Commonwealth & Comparative Politics* 41, no. 1 (2003): 24–47.
13. Katherine J. Worboys, "The Traumatic Journey from Dictatorship to Democracy: Peacekeeping Operations and Civil-Military Relations in Argentina, 1989–1999," *Armed Forces & Society* 33, no. 2 (2007): 149–68.
14. Zoltan Barany, "Democratic Consolidation and the Military: The East European Experience," *Comparative Politics* 30, no. 1 (1997): 21–44.
15. Zoltan Barany, "Building National Armies after Civil War: Lessons from Bosnia, El Salvador, and Lebanon," *Political Science Quarterly*, forthcoming.
16. Ricardo Córdova Macías, *El Salvador: Reforma Militar y Relaciones Civico-Militares* (San Salvador: Fundación Dr. Guillermo Manuel Ungo, 1999), 7.
17. Fernando Rodrigo, "A Democratic Strategy toward the Military: Spain, 1975–1979," in *From Military to Civilian Rule*, ed. Constantine Danopoulos (London: Routledge, 1991), 65.
18. Harold A. Trinkunas, *Crafting Civilian Control of the Military in Venezuela: A Comparative Perspective* (Chapel Hill: University of North Carolina Press, 2005), 4.
19. Patricio Silva, "Searching for Civilian Supremacy: The Concertación Governments and the Military in Chile," *Bulletin of Latin American Research* 21, no. 3 (2002): 378.
20. Huntington, *Third Wave*, 253.
21. Barany, *Soldier and the Changing State*, 195.
22. James T. Qinlivan, "Coup-Proofing: Its Practice and Consequences in the Middle East," *International Security* 24, no. 2 (1999): 131–65.
23. Mehran Kamrava, "Military Professionalization and Civil-Military Relations in the Middle East," *Political Science Quarterly* 115, no. 1 (2000): 67–92; Risa A. Brooks, "Civil-Military Relations in the Middle East," in *The Future Security Environment in the Middle East: Conflict, Stability, and Political Change*, eds. Nora Bensahel and Daniel L. Byman, 129–62 (Santa Monica, CA: RAND, 2004); and Augustus Richard Norton and Ali Alfoneh, "The Study of Civil-Military Relations and Civil-Society in the Middle East and North Africa," in *Developments in Civil-Military Relations in the Middle East*, ed. Carsten Jensen, 7–28 (Copenhagen: Royal Danish Defense College, 2008).
24. I am not addressing Syria where, at the time of this writing (early September 2013), civil war continues to rage unabated more than two years after it began. I shall also leave Bahrain out of this essay. Notwithstanding the major demonstrations, violence, and the ongoing protests it has witnessed, Bahrain remains an absolute monarchy where the chances of regime change appear to be slim in the foreseeable future.
25. Ahmed S. Hashim, "The Egyptian Military, Part Two: From Mubarak Onward," *Middle East Policy* 18, no. 4 (2011): 106–28.
26. Eva Bellin, "Reconsidering the Robustness of Authoritarianism in the Middle East: Lessons from the Arab Spring," *Comparative Politics* 44, no. 2 (January 2012): 127–49.
27. Derek Lutterbeck, "Arab Uprisings, Armed Forces, and Civil-Military Relations," *Armed Forces & Society* 39, no. 1 (January 2013): 34.
28. Brooks, "Civil-Military Relations in the Middle East," 214.

Reforming Defense

29. Zoltan Barany, "Comparing the Arab Revolts: The Role of the Military," *Journal of Democracy* 22, no. 4 (October 2011): 27.
30. Querine Hanlon, "Security Sector Reform in Tunisia: A Year after the Jasmine Revolution," US Institute of Peace Special Report no. 304, March 2012, 4–5.
31. Felipe Agüero, *Soldiers, Civilians, and Democracy: Post-Franco Spain in Comparative Perspective* (Baltimore: Johns Hopkins University Press, 1995).
32. Imad Harb, "The Egyptian Military in Politics: Disengagement or Accommodation?" *Middle East Journal* 57, no. 2 (2003): 269–90.
33. Hazem Kandil, *Soldiers, Spies, and Statesmen: Egypt's Road to Revolt* (London: Verso, 2012).
34. Marcus Mietzner, *Military Politics, Islam, and the State in Indonesia* (Singapore: Institute of Southeast Asian Studies, 1999), 329–60.
35. Ersel Aydinli, "A Paradigmatic Shift for the Turkish Generals and an End to the Coup Era in Turkey," *Middle East Journal* 63, no. 4 (2009): 581–96; and Yaprak Gürsoy, "The Changing Role of the Military in Turkish Politics: Democratization through Coup Plots?" *Democratization* 19, no. 4 (August 2012): 735–60.
36. Sebnem Gümüşçü, "Class, Status, and Party: The Changing Face of Political Islam in Turkey and Egypt," *Comparative Political Studies* 43, no. 7 (2010): 835–61; and Gümüşçü, "Egypt Can't Replicate the Turkish Model: But It Can Learn From It," in *SADA Analysis on Arab Reform* (Washington: Carnegie Endowment for International Peace, 12 January 2012).
37. Ayesha Siddiqi, *Military Inc.: Inside Pakistan's Military Economy* (London: Pluto Press, 2007).
38. Lee, "Chinese Civil-Military Relations."
39. Mona el-Kouedi, "From Morsi with Love," *SADA Analysis for Arab Reform*, 12 March 2013.
40. Kandil, *Soldiers, Spies, and Statesmen*, 243.
41. David D. Kirkpatrick, Kareem Fahim, and Ben Hubbard, "Egypt's Army Issues Ultimatum to Morsi," *New York Times*, 1 July 2013.
42. Curiously—or rather to validate the Obama administration's foreign policy—Secretary of State John Kerry characterized the generals' action as "restoring democracy"; it was, of course, nothing of the sort. See Michael R. Gordon and Kareem Fahim, "Kerry Says Egypt's Military Was 'Restoring Democracy' in Ousting Morsi," *New York Times*, 1 August 2013.
43. David D. Kirkpatrick and Ben Hubbard, "Morsi Defies Egypt Army's Ultimatum to Bend to Protest," *New York Times*, 2 July 2013.
44. "Deaths in Police Custody Revive Egypt Rights Fears," *Al Arabiya*, 27 August 2013; and Rod Nordland, "Islamists Killed While in Custody Egypt Confirms," *New York Times*, 18 August 2013.
45. Amanda Kadlec, "Disarming Libya's Militias," *SADA Analysis on Arab Reform*, February 2012; and Wolfram Lacher, *Bruchlinien der Revolution: Akteure, Lager und Konflikte im neuen Libyen* (Berlin: Stiftung Wissenschaft und Politik, 2013).
46. Kadlec, "Disarming Libya's Militias," 2.
47. "Libya: Minister of Defense to Be Dismissed," *Reuters*, 27 June 2013.
48. Michael Knights, "The Military Role in Yemen's Protests: Civil-Military Relations in the Tribal Republic," *Journal of Strategic Studies* 36, no. 2 (April 2013): 261–88.
49. Kareem Fahim, "Yemeni Leader Tries to Centralize Divided Military," *New York Times*, 19 December 2012; and Adil al-Shurbagi, "The Restructuring of the Yemeni Army," Arab Center for Research & Policy Studies, Doha, Qatar, June 2013.
50. Scott Shane, "Yemen's Leader Praises U.S. Drone Strikes," *New York Times*, 29 September 2012.
51. Yezid Sayigh, *Above the State: The Officers' Republic in Egypt*, Carnegie Papers (Washington: Carnegie Endowment for International Peace, August 2012), 9–10; and Kandil, *Soldiers, Spies, and Statesmen*, 192.
52. Vali Nasr, "Military Rule, Islamism and Democracy in Pakistan," *Middle East Journal* 58 (Spring 2004): 195–209; and C. Christine Fair, "Increasing Social Conservatism in the Pakistan Army: What the Data Say," *Armed Forces & Society* 38, no. 3 (July 2012): 438–62.
53. Christopher D. Jones, *Soviet Influence in Eastern Europe: Political Autonomy and the Warsaw Pact* (New York: Praeger, 1981).

Disclaimer

The views and opinions expressed or implied in SSQ are those of the authors and are not officially sanctioned by any agency or department of the US government.