

# Democratic Transition in the Context of International Administration

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## Abstract

This article explores the process of democratic transition in the context of large-scale international administration, where external actors assume extensive authority at the domestic level during periods of political transition. The article contends that the nature of international administration provides international authorities with a central role in democratic transition, as international actors assume roles conventionally held by domestic officials and politicians. These international actors consequently have open to them specific mechanisms of influence in the political sphere that are not available in other forms of international engagement, including the use of veto and imposition authority. The result is a range of possible modes of transition that differs from those previously identified in the literature.

The article uses the experiences of Bosnia, Kosovo and East Timor to highlight the particular mechanisms of international influence on democratic transition that operate in such contexts.

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## **Introduction**

This article explores the process of democratic transition in the context of large-scale international administration, where external actors assume extensive authority at the domestic level during periods of political transition. International administration of territory has a long if irregular history in international politics, and has re-emerged with a steady regularity since the end of the Cold War as a means of dealing with critical domestic problems, such as civil war and state failure, that local elites are either unwilling or unable to solve. These missions have tended to share a range of common goals to tackle such problems, including the establishment of peace and security, the strengthening of the rule of law, and the reconstruction of the economic system. Fundamentally, international authorities have often sought to oversee the development of a new, democratic political system in these contexts, and have played a central role in establishing the institutions of democratic self-government. The period of transitional administration thus often coincides with a period of attempted regime change, and these international operations clearly have the potential to play a critical role in the wider process of democratisation as they pursue a policy of 'democratic regime-building'.

To date, however, there has been limited research that examines the impact of such efforts on the ground. The international relations literature has explored the motives and actions of these efforts more than it has systematically analysed their effects at the domestic level, while the work within the democratisation literature that examines international influences on regime change has yet fully to address the particular role of large-scale international administration. Through a structured, focused comparison of experiences in Bosnia, Kosovo and East Timor, this article contributes to both of these literatures not only by examining the actions of international administrations, but also the mechanisms through which international authorities influence democratic change in these contexts, and the implications of these actions for the process, or mode, of political transition.

The article contends that the nature of international administration provides international authorities with a central role in democratic transition, as international actors assume roles conventionally held by domestic officials and politicians. These international actors consequently have open to them specific mechanisms of influence in the political sphere that are not available in other forms of international engagement, including the use of veto and imposition authority. The result is a range of possible modes of transition that differs from those previously identified in the literature. Where existing accounts of transition modes have primarily highlighted the identity and strategies of the domestic actors involved in the transition as sources of the particular transition mode, a focus on cases involving international administration reveal the ways in which international actors heavily shape the mode of transition through their actions and their interactions with domestic actors. With both the intention and ability to shape transition politics, international administrators can reduce some of the uncertainty that usually surrounds periods of regime transition and help ensure that the institutions of a democratic regime are introduced, either through an international and domestic pact, or through international imposition. In the context of extensive international administration, the possibility of domestic actors imposing a new set of non-democratic institutions and establishing a new authoritarian regime is almost totally eliminated.

Yet the article also highlights the mediating role of domestic context, and its implications for longer-term democratic consolidation. While international authorities can help provide the architecture of democracy, and ensure that at least the formal institutions of democracy are established, they can do less to ensure that it is embraced by local actors, or that it prospers independently of outside oversight once the administration comes to an end. Only if the domestic balance of power favours those who support democracy will democratic regime-building efforts contribute to a smooth and lasting democratic transition; where the domestic balance of power favours those who oppose democracy, and where democratic institutions are designed and established in part through international imposition, the long-term sustainability of the new regime once international authorities depart may be inherently limited. In such circumstances, where the institutions of democracy co-exist with leaders who do not hold democratic values, the result may be some form of hybrid regime rather than consolidated democracy.

## **Mechanisms of International Influence**

The existing literature on democratic transitions has already highlighted many ways in which international actors and environments can affect the politics of democratisation, through both indirect and direct channels. One indirect influence identified by Linz and Stepan is that of 'zeitgeist', a variable best understood as a form of international political culture. Linz and Stepan argue that if the idea of democracy holds a strong position in an international ideological community, without

competing alternatives, a country will have a greater chance of successful transition.<sup>1</sup> As McFaul has observed, 'democracy as an international norm is stronger today than ever, and democracy itself is widely regarded as an ideal system of government'.<sup>2</sup>

A more extensively researched example of indirect international influence involves the diffusion of democracy from one area to another. In this account, cross-border communication allow models in one environment to be accessed and observed from another. Individual leaders and policy-makers can then use openly available information about political change and openness in other environments as cues and sources of emulation.<sup>3</sup> The consequence is a rate of democratisation and distribution of democracy that is fundamentally structured by the international, and particularly regional, environment.<sup>4</sup>

An associated approach highlights the important role that 'linkage' to western countries plays in undermining authoritarian regimes and increasing the likelihood of democratic transition. In this account, regional proximity, shared histories or socioeconomic development can lead to increased economic, social, and political linkages between nondemocratic regimes and western states. As these linkages increase, they raise the costs of authoritarian repression by highlighting awareness in the west of human rights violations, and creating of a range of pressure points in the non-democratic country that can help undermine its regime's authority.<sup>5</sup>

In each of these examples, the mechanisms at work derive not from direct action by international agents, but from the transmission across borders of ideas, experiences and norms that have the potential to change perceptions and subtly alter the balance of power between democratic and non-democratic forces. As well as these indirect influences, however, a number of more direct intentional affects on democratisation have been identified that are derived from specific actions taken by states or international organisations.

Democracy assistance involves either unilateral or multilateral actors targeting particular countries and providing political aid for the specific purpose of promoting transition to, or consolidation of, democracy. Types of assistance in this area include financial aid to democratic political parties, advice on democratic politics and assistance with elections.<sup>6</sup> As Burnell points out, what distinguishes democracy assistance from other forms of international influence on democracy is that it recognises that the main forces driving democratisation are internal to the country in question, and focuses on supporting them.<sup>7</sup>

A more intrusive form of international influence is political conditionality, which differs from assistance in that it is not simply a one-way provision of aid and support, but is rather a two-way process between donor and recipient country that involves the provision some form of economic or political benefit only in return for domestic action on the development of democracy. Political conditionality sometimes involves the provision of economic assistance on the condition that the recipient countries meet some specific criteria in relation to levels of democratic government.<sup>8</sup> Similarly, international organisations such as the European Union commonly attach conditions to membership that provide incentives for candidate states to democratise and member states to refrain from moving towards authoritarianism.<sup>9</sup>

Arguably the most direct and forceful international influence identified in the literature concerns the international factor of control, entailing the use of force. As Whitehead points out, two-thirds of the

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<sup>1</sup> Juan J. Linz and Alfred Stepan, *Problems of Democratic Transition and Consolidation: Southern Europe, South America and Post-Communist Europe* (The Johns Hopkins University Press, 1996).

<sup>2</sup> Michael McFaul, 'Democracy Promotion as a World Value', *The Washington Quarterly* Vol.28, No.1, Winter 2004-2005.

<sup>3</sup> Harvey Starr 'Democratic Dominoes: Diffusion Approaches to the Spread of Democracy in the International System', *Journal of Conflict Resolution*, 35, 1991.

<sup>4</sup> Kristian Skrede Gleditsch, *All International Politics is Local: The Diffusion of Conflict, Integration, and Democratization* (The University of Michigan Press, 2002).

<sup>5</sup> Steven Levitsky and Lucan Way, 'International Linkage and Democratization'. *Journal of Democracy*, Vol.16, No.3, July 2005.

<sup>6</sup> See Thomas Carothers, *Aiding Democracy Abroad: The Learning Curve* (Carnegie Endowment for International Peace, 1999) and Graham Allison and Robert Beschel, 'Can the United States Promote Democracy?' in *Political Science Quarterly*, Vol. 107, No. 1, Spring 1992.

<sup>7</sup> Peter Burnell, 'Democracy Assistance: The State of the Discourse' in Burnell (ed.) *Democracy Assistance: International Co-operation for Democratization* (London: Frank Cass, 2000).

<sup>8</sup> Philippe C. Schmitter, 'The Influence of the International Context Upon the Choice of National Institutions and Policies in Neo-Democracies', in Whitehead, *The International Dimensions of Democratization*.

<sup>9</sup> Pevehouse, *Democracy from Above*, pp.47-49.

democracies that existed in 1990 had come about in some measure due to deliberate acts of intervention by external actors.<sup>10</sup> Such acts can be varied, but will often fall into two camps. On one side, international actors can contribute to democracy by removing an element of control, and thus allowing greater freedom for political development. This particular form of influence can be seen in relation to decolonisation in the post-World War II period, and also the collapse of the Soviet Union in the 1980s and 1990s. The other form of influence involving international control has been the direct use of force in order to overturn a nondemocratic government and install a democratic one, or to bolster a fragile democratic government when under threat from nondemocratic forces.<sup>11</sup> The United States is a principal actor in this area, and it has used direct control, with mixed effects, to influence regime change in a number of countries, including the Dominican Republic, Grenada, Panama, Nicaragua, El Salvador, Guatemala, and the Philippines,<sup>12</sup> and most recently Afghanistan and Iraq.

This brief survey highlights a number of the international variables and their mechanisms of influence that have been identified in relation to democratisation. However, to date there has been very little focused attention given to the role of large-scale international administration missions in promoting democratic development,<sup>13</sup> and I suggest here that international administrations have available to them forms of influence, especially in relation to conditionality and control, that are directly linked to the high levels of authority these missions enjoy at the domestic level, and thus unavailable to international actors in the context of other forms of international engagement. Most importantly, in the context of international administration, international actors assume positions of power conventionally held by domestic elites, and in so doing gain the ability to affect political development in ways unavailable to international actors in more conventional settings. International administrators are in a position not only to persuade or even coerce local actors into changing their behaviour, but can also draft and impose their own solutions to political questions under discussion and thus remove the very need for any action on the part of domestic elites themselves.

In relation to conditionality, international administrations have in their power a significant 'reward' for domestic actors that they can use to extract particular political outcomes, namely the timing of their own withdrawal. As international administrations are by definition temporary operations, they can use the timing of their withdrawal, and thus the promise of independent self-government, as a tool to promote certain types of behaviour, making withdrawal conditional only on certain political outcomes.

Aside from conditionality, international administrations also have extensive powers of control that go beyond those enjoyed by other types of international actor. When international administrators are deployed at the domestic level, they assume roles usually held by domestic actors, and are thus in a position to have leverage over domestic actors and political outcomes through a number of direct mechanisms. These include:

- *agenda-setting powers*, which can enable transitional administrations to influence which issues are subject to discussion
- *veto powers*, which can include the ability to strike down laws that are proposed by domestic actors, and remove domestic officials from their positions of authority or prevent them from gaining positions of power in the first place
- *drafting powers*, where international actors can involve themselves in drafting basic legislation or more significant institutional provisions for the entity in question, sometimes through co-operation with local actors, sometimes unilaterally
- *imposition authority*, which provides international administrations with the ability to bypass domestic actors entirely and enforce measures they deem necessary.

Given these powers, the need for action on the part of domestic parties can be removed completely, as international administrators effectively replace domestic politicians and officials. Similarly, when domestic actors do make decisions, if they are not compatible with international priorities and interests, they can be overruled and essentially made null and void. Overall, therefore, international transitional administrations share both the intention and ability to influence the trajectory of political change during the transition period.

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<sup>10</sup> Laurence Whitehead, 'Three International Dimensions of Democratisation'.

<sup>11</sup> See Alfred Stepan, 'Paths Toward Redemocratisation: Theoretical and Comparative Perspectives' in O'Donnell, Schmitter and Whitehead, *Transitions from Authoritarian Rule*.

<sup>12</sup> Huntington, *The Third Wave*.

<sup>13</sup> One exception is Laurence Whitehead, 'Democratization with the Benefit of Hindsight: The Changing International Components', in Newman and Rich (eds) *The UN Role in Promoting Democracy: Between Ideals and Reality* (United Nations University Press, 2004).

## The Mode of Transition: Accounting for Processes and Outcomes

These intrusive mechanisms of influence on domestic affairs have significant implications for transition politics, and especially the mode of transition. The concept of the mode of transition has been used by scholars of democratisation to categorise different types of transition, and to capture the diversity of experience that has been seen in recent experiences of democratisation. By distinguishing between the different identities and interests of political actors from one transition to another, for example between incumbent and opposition parties, and hardliners and moderates, scholars have developed a number of categories of transition mode.<sup>14</sup> In one of the most influential contributions in this vein, Karl and Schmitter identify four 'ideal type' modes of transition, each based on a different combination of elite actors and their strategies: pact, imposition, reform and revolution.<sup>15</sup> In another approach, Michael McFaul, considers only three modes, imposition by democrats from below, imposition from above by authoritarian forces, and stalemated transition (I explore the details of McFaul's conceptualisation further below).<sup>16</sup> While many different modes have been identified in the literature, each serves the same purpose of capturing the variation in transition processes in a theoretically meaningful way. When the mode is taken as the dependent variable, it highlights the way in which the nature of the domestic elite landscape can influence the principal political processes of a particular case of regime change.

One of the problems with the work on the mode of transition, however, is that it has focused almost entirely on domestic variables, and given little or no attention to international considerations and the ways in which international factors might affect transition processes. Yet it is the contention of this article that international variables can be crucial factors in shaping democratic transitions, and that in particular, international administration missions have unique implications for the processes of democratisation that are not present with other, less intrusive, forms of international democracy promotion.

I thus argue that the concept of the mode of transition needs to be reconsidered, and modified to take into account international as well domestic dynamics. In cases of international administration, international actors play a role in the very governance of the territories in question, and are thus directly involved in the central processes of regime change. External elites explicitly promote the development of a democratic regime, interact with local actors, and often play roles that in more conventional cases are associated with domestic actors. Yet concurrently, the status of the external actors always remains separate from that of their local counterparts, as they have separate origins and constituencies, and face a different set of costs and benefits regarding political outcomes during the transition period.<sup>17</sup>

I suggest that much of this complexity can be captured theoretically by viewing the interaction of these international actors with their domestic counterparts in terms of modes of transition. Rather than viewing a mode as a function of the relationships between domestic forces, in these cases it is more appropriate to view different modes of development as a function of the identity of and interaction between both domestic and international elites. By pursuing this approach, the impact of the international presence on the processes of democratic transition can be incorporated into a theoretical account of the transition politics, which can in turn highlight the type of causal paths that can lead to democracy, or other regime types, in these contexts.

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<sup>14</sup> See Terry Lynn Karl and Philippe C. Schmitter, 'Modes of Transition in Latin America, Southern and Eastern Europe' in *International Social Science Journal*, 128, 1991; Alfred Stepan, 'Paths Toward Redemocratisation: Theoretical and Comparative Perspectives' in Guillermo O'Donnell, Philippe C. Schmitter and Laurence Whitehead, *Transitions from Authoritarian Rule: Prospects for Democracy* (The Johns Hopkins University Press, 1986); Samuel Huntington, *The Third Wave: Democratization in the Twentieth Century* (University of Oklahoma Press, 1991); Juan J. Linz and Alfred Stepan, *Problems of Democratic Transition and Consolidation: Southern Europe, South America and Post-Communist Europe* (The Johns Hopkins University Press, 1996); Gerardo L. Munck and Carol Skalnik Leff, 'Modes of Transition and Democratization: South American and Eastern Europe in Comparative Perspective' in *Comparative Politics*, 29, 3, April 1997; Michael McFaul, 'The Fourth Wave of Democracy and Dictatorship: Noncooperative Transitions in the Postcommunist World' *World Politics* 54, 2, 2002.

<sup>15</sup> Karl and Schmitter, 'Modes of Transition in Latin America, Southern and Eastern Europe'.

<sup>16</sup> McFaul, 'The Fourth Wave of Democracy and Dictatorship'.

<sup>17</sup> For further discussion of the differences between international and domestic actors in the context of international involvement in domestic affairs, see Tony Killick, *Aid and the Political Economy of Policy Change*, (London: Routledge, 1998), Chapter 4.

## An International and Domestic Balance

The key question of this article, therefore, relates to the particular influence that international administrations have on the process of transition. In essence, as they constitute a core set of actors during the transition phase, in what ways do international administrators shape the transition mode? I show here that the mode of transition in the context of international administration is a function of the interaction between domestic and international actors, and that the role of international administrators significantly alters the dynamics of the transition process. As discussed above, conventional accounts of the mode of transition focus purely on domestic variables, and Michael McFaul in particular has argued persuasively that the key determinants of the transition process are the balance of ideology and power between different political elites. In this sense, the authority and political objectives of elites are crucial, as they are factors which can determine whether democrats or autocrats are in a position to have the initiative in a period of regime change. Where the balance of power favours democratic elites, they will be able to impose the elements of a democratic political regime, and conversely, where those opposed to democratic reform wield the power during transition, they will use their authority to impose a set of institutions that restricts rather than facilitates political freedom. If there is a relatively even balance of power between the two, McFaul suggests the mode of transition will be marked by stalemate and potential conflict, as both sides struggle to gain the advantage. Each of these modes in turn has implications for regime stability and democratic consolidation (See Table 1).

Table 1: Michael McFaul's Causal Paths<sup>18</sup>

<b>Balance of Power and Ideology</b> ⇒	<b>Mode</b> ⇒	<b>Regime Type and Consolidation</b>
Democrats in position of authority	Imposed democracy	Stable democracy
Dictators in position of authority	Imposed autocracy	Stable dictatorship
Evenly balanced	Stalemated transition	Unstable illiberal democracy or dictatorship

In the context of international administration, however, these dynamics cannot operate in isolation from the international presence. With international administrators assuming key political roles at the domestic level, the mode of transition becomes not just a function of the domestic balance of power, but of the interaction between international and domestic forces. The implications for thinking about the mode of transition in these terms can be seen in Table 2, which presents a theoretical framework that takes into account the presence of an international administration and its interaction with each of the three balance of power possibilities as originally envisaged by McFaul. It also explores the implications of the domestic and international interaction not only for the mode of transition, but also for regime type and the prospects of democratic consolidation.

As can be seen, the incorporation of international administration leads to a separate set of modes, and a separate set of post-transition consolidation options. One of the most important aspects of the new matrix is that, unlike the McFaul model, there is no room in these contexts for the unilateral imposition of a non-democratic regime by domestic forces. In cases where the domestic balance of power favours those who would frustrate democratisation, the presence of an international administration ensures that at least some form of democratic regime will be established.

Table 2: Modes of Transition in the Context of International Administration

<b>Balance of Power and Ideology</b> ⇒	<b>Mode</b> ⇒	<b>Regime Type and Consolidation</b>
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<sup>18</sup> Table adapted from McFaul, 'The Fourth Wave of Democracy and Dictatorship'.

Democrats in position of authority	Joint International/Domestic Pact	Stable democratic regime
Dictators in position of authority	International imposition	Fragile democratic regime
Evenly balanced	Joint Pact with Imposition	Fragile democratic regime / Hybrid regime

In this respect, the presence of international administration operations appears to reduce the scope for purely non-democratic transition modes. In conventional cases of democratisation, where the transition period is dominated by domestic political actors, it often remains uncertain whether the interim forces will in fact permit elections to be held and allow for a democratic change in power.<sup>19</sup> Transitions from authoritarian rule can ultimately become transitions to another form of authoritarian rule. In cases of international administration, however, the explicit democracy promotion agendas of the international administrators, along with their authority and resources, suggest that such outcomes are unlikely. In cases where the balance of power among domestic actors favours those would frustrate democratic development, international administrators are in a position to veto their demands and impose the institutions of democratic rule on the resistant domestic elites. In contrast, where local actors are largely supportive of democracy, it is likely that interaction between international and domestic actors will lead to a mode of transition that entails a joint pact, as both sets of actors negotiate over and agree upon a particular democratic regime. In the third situation, when the domestic distribution of power is evenly balanced, international authorities will tend to side with the democratic forces and seek to ensure that democratic measures are introduced in spite of the presence of powerful non-democratic actors. Thus the mode of transition will be similar to first mode, as international authorities and domestic democrats combine to introduce a democratic regime. Yet, the presence of non-democratic forces means that resistance to the democratic regime-building process may arise, and that international authorities may thus deem it necessary to impose certain elements of the transition when certain local actors are in a position to frustrate democratic development.

As many authors have argued, the modes of transition also has implications for the nature of the regime and its prospects for consolidation.<sup>20</sup> It is when these post-transition consolidation dynamics are considered that it becomes clear that the advantages for democratic transition that appear to be entailed in international administration, namely the reduced likelihood of the introduction of a new authoritarian regime, are somewhat qualified. As Table 2 highlights, when the domestic balance of power favours democratic forces, the result is likely to be stable democracy. This is because, as McFaul writes, what is most important for transition is the commitment of the powerful. In these contexts, even when the international administrations leave, the domestic landscape is dominated by those who are committed to democratic rule. It is when domestic forces are divided, or favour non-democratic outcomes, that the prospects of successful consolidation come into question. While international administrations can help ensure that some form of democratic regime is introduced during the transition period, once these operations withdraw, the international mechanisms of influence on domestic politics are removed also, and domestic dynamics become paramount. In cases where domestic forces are dominated by, or evenly comprised of, non-democratic forces, consolidation of a regime created in part by international intervention will be considerably more difficult. When international administrations leave, the powerful may no longer be committed to democracy, and consolidation may not follow transition.

To some extent, the logic of path dependence suggests that the key institutional choices during transition may 'lock-in' and provide new incentives for elites to play by the democratic rules. According to path dependence approaches, critical junctures can set politics on a certain path that is difficult to depart from, not least due to 'increasing returns' that result in positive feedback effects and the rising costs that come with changing course as time goes on.<sup>21</sup> In the context of regime change, it is argued that institutions that are introduced at critical junctures can persist over time, reduce the potential for alternative outcomes, and shape actor behaviour in ways often unanticipated at the point of

<sup>19</sup> Yossi Shain and Juan Linz, *Between States: Interim Governments and Democratic Transitions* (Cambridge University Press, 1995).

<sup>20</sup> See especially Munck and Leff, 'Modes of Transition and Democratization'.

<sup>21</sup> Paul Pierson 'Increasing Returns, Path Dependence and the Study of Politics' in *American Political Science Review*, Vol.94, No.2, June 2000.

critical juncture.<sup>22</sup> As McFaul highlights with reference to political transition in the Russian case, ‘as rules become routine and actors adjust behaviour to adhere to them, rules exert an autonomous influence on outcomes and no longer simply reflect the distribution of power that originally created them’.<sup>23</sup> Such an interpretation points to international administrations having a lasting effect through their influence on the transition mode and regime type, as they ensure that at least the minimum standards of democracy are introduced and help introduce democratic institutions that may persist over time and structure political dynamics.

Yet the optimism that path dependence arguments suggest must be balanced with the empirical evidence from recent cases of attempted democratic consolidation. Much of the evidence from the third wave of democracy suggests that even where the institutions of formal democracy are put in place, rulers who are not committed to democracy can easily violate formal democratic rules and compromise democratic standards, thus introducing some form of ‘hybrid regime’.<sup>24</sup> In these cases, the institutions of democracy easily co-exist with non-democratic behaviour, resulting in a form of ‘competitive authoritarianism’ that has more in common with authoritarian than democratic rule.<sup>25</sup> Path dependence may help reinforce certain democratic procedures, and ensure that at least some democratic practices continue beyond the transition phase, but in the context of a domestic balance of power that favours those who lack any commitment to democracy, institutional lock-in may be insufficient to guarantee democratic consolidation. International influence may therefore be more pronounced at the transition stage, as it reduces the transition options and ensures at least the architecture of democracy is put in place. However, democratic political development after international withdrawal may be subject to separate dynamics, with domestic rather than international factors determining the nature and direction of political development.

The difficulty faced with exploring the full implications of the theoretical framework suggested here, however, is that fact that there are very few cases of international administration in which democratic regime-building has been a primary objective. To further limit the scope for analysis, two of the key cases, Bosnia and Kosovo, are still under some form of international administration, and making judgements about democratic consolidation in such contexts is thus clearly difficult, if not impossible. Nonetheless, while this limitation in the number of cases poses empirical challenges, it does not make the enterprise untenable or unproductive. Even if there is insufficient empirical evidence to explore fully each of the potential transition paths outlined above, the cases that do exist are important in their own right, and warrant theoretically-guided attention. These cases are important instances of extensive international efforts to promote democracy, and given increasing international practice in efforts to promote democracy abroad, it is necessary to establish both the ways in which these international efforts are pursued, and the ultimate effects they have on domestic politics. Below, I explore how the actions of international administrations and the domestic balance of power have combined in three cases – Kosovo, Bosnia and East Timor – to produce divergent transition trajectories.

### **Kosovo**

Political developments in Kosovo highlight many of the key issues discussed above. Since 1999, Kosovo has been under international administration by an authoritative UN administration, the United Nations Interim Administration Mission in Kosovo (UNMIK). UNMIK was established after international mediation, and NATO bombing, brought an end to sustained conflict between Serbian state authorities and a pro-independence paramilitary movement in Kosovo, the Kosovo Liberation Army (KLA).<sup>26</sup> As part of the settlement, Kosovo’s status was put on hold, and UNMIK was mandated to provide security and oversee ‘autonomous self-government’ in Kosovo, while taking into account

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<sup>22</sup> James Mahoney, ‘Path-Dependent Explanations of Regime Change: Central America in Comparative Perspective’ in *Studies in Comparative International Development*, Spring 2001, Vol. 36, No. 1.

<sup>23</sup> Michael McFaul, *Russia’s Unfinished Revolution: Political Change from Gorbachev to Putin* (Cornell University Press, 2001).

<sup>24</sup> Larry Diamond, “Elections without Democracy: Thinking about Hybrid Regimes,” *Journal of Democracy* 13 (April 2002), pp 21-35.

<sup>25</sup> Steven Levitsky and Lucan A. Way, ‘Competitive Authoritarianism in the Post-Cold War Era’ *Journal of Democracy*. 13:2 (April 2002).

<sup>26</sup> For background to the conflict and the international intervention, see Independent International Commission on Kosovo, *The Kosovo Report: Conflict, International Response, Lessons Learned* (Oxford University Press, 2000).

'the principles of sovereignty and territorial integrity of the Federal Republic of Yugoslavia'.<sup>27</sup> While this led to a certain degree of ambiguity concerning the UN mission's remit, it was clear that one of the central objectives of UNMIK's mandate was to oversee a period of democratic political development in Kosovo, and provide for the creation of democratic institutions and the holding of democratic elections. Consequently, since its establishment UNMIK has played a central role in Kosovo's ongoing political transition, and has used the full range of mechanisms available to it in order to influence the direction and nature of democratic development.<sup>28</sup>

Kosovo's local political parties and actors have also played a key role, however, and the story of the ongoing transition in Kosovo is the story of a process of lengthy, and often fraught, interaction between UNMIK and domestic actors. The UN administrators have interacted extensively with the leading Kosovo Albanian parties, including Ibrahim Rugova's Democratic League of Kosovo (LDK), the principal party of the 1990s with a long-running policy of non-violent resistance to Serb rule, and two KLA successor parties, the Democratic Party of Kosovo (PDK) and Alliance for the Future of Kosovo (AAK). While these parties have had reason to cooperate on many issues during the period of international administration, the relationship between them has at times been fraught, and the LDK and PDK in particular have experienced a tense rivalry.

The implications of these divisions within Kosovo's political society have been significant for the nature of the international intervention and the mode of transition that Kosovo has experienced. The combination of high levels of international intervention with a divided domestic political landscape has ensured that the mode of transition in Kosovo has been a prolonged and at times conflictual one, entailing a struggle between domestic and international actors over the direction and pace of political change. On one hand, there has often been international and domestic cooperation on many of the key political issues that have been dealt with during the transition phase, and thus much of Kosovo's transition politics can be seen in terms of a 'joint pact' between international and domestic actors. However, the extent of international intervention in Kosovo, coupled with the divisions within Kosovo's domestic political landscape, have ensured that at times international measures have been taken in the face of domestic opposition from at least some significant section of the entity's political society. On some of the most significant issues, local and international interests and objectives have diverged rather than converged, and the joint pact has on occasion been punctuated with significant international imposition.

One of the clearest examples of this dynamic can be found in the political process of institutional design that led to Kosovo's first significant institutions of self-government. In the early stages of the administration, UNMIK had operated largely autonomously of influence from local actors, and had only devolved authority slowly and to a limited extent. In 2001, however, it initiated a process by which both international officials and Kosovar representatives would develop a comprehensive set of institutions of self-government. This move was prompted in no small part by a sense of growing dissatisfaction among local Kosovar Albanians actors, unhappy both with the lack of clarity regarding Kosovo's final status and a lack of delegation of authority from UNMIK. The result was the establishment of a Joint Working Group on the Legal Framework (JWG) in March 2001, which was to work for several weeks on drafting provisions for Kosovo's new self-governing institutions. While the negotiations allowed for considerable local input concerning Kosovo's new structures of self-rule, UNMIK exercised its authority throughout the process and heavily structured the discussions. International administrators were not only directly involved in drafting the document itself, but were also in a position to set the agenda for the negotiations, and place restrictions on what could and could be considered.

For much of the process the international officials did not feel the need to assert their authority, and agreement was reached between the international and domestic members on a wide range of issues. However, there were also some profound disagreements, especially concerning the name of the document (that is, whether or not it would be called a constitution), and also local demands for

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<sup>27</sup> UN Security Council Resolution 1244, 10 June 1999.

<sup>28</sup> Although Kosovo is not an independent state, in recent years it has undergone a process of democratic development that in many ways mirrors processes of regime change experienced in more conventional cases of democratisation, and its experience can thus be considered a case of democratisation. See Oisín Tansey, 'Democratization Without a State: Democratic Regime-Building in Kosovo', *Democratization*, forthcoming 2007.

provisions that would allow for a referendum on independence and set a time limit for the international administration.<sup>29</sup>

By the end of the negotiations stage many of these issues remained unresolved, and with neither side willing to compromise, the JWG itself was unable to arrive at an agreement over the final document. As a result of the impasse, the document was ultimately completed by the international administrators and brought firmly into line with UNMIK's priorities. The UN refused to allow the document to be called a constitution – it was termed a 'constitutional framework' instead – and it omitted any reference to a referendum on independence or a time limit to UNMIK's mandate. On May 15 2001, in the face of disagreement from both within the Joint Working Group and from political party leaders, the then head of UNMIK, Hans Haekkerup, essentially imposed the final document when he signed it into a law as an UNMIK regulation.<sup>30</sup>

Similar dynamics operated in relation to the design and introduction of Kosovo's electoral system, which was discussed in an all party commission before it was ultimately imposed by the international administrators in the face of opposition from the two largest political parties. Although the PDK sought a majoritarian system, and the LDK wanted to consider a mixed system,<sup>31</sup> the SRSG ultimately decided to introduce proportional representation, in part for technical reasons and in part to favour minority parties.<sup>32</sup>

Even when elections took place and a local body of political actors was elected, however, extensive international involvement in Kosovo's political affairs continued. International concerns with the rate of domestic progress in Kosovo, especially concerning the rights of the minority Serb community, as well as long-running international divisions on the issue of Kosovo's final status, ensured that high levels of international authority were maintained to prevent any early move to independence. UNMIK also moved to ensure that full self-government can only come about once further domestic progress is made in a wide array of political, economic and social settings. A hallmark of this post-election period in Kosovo has thus been an UNMIK strategy to ensure domestic progress on key political priorities through a particular form of conditionality, one that has linked the resolution of the status issue and the withdrawal of the international administration mission with progress on a series of internationally specified benchmarks. The strategy, known as the 'Standards before Status' policy, aims at achieving 'a truly multi-ethnic, stable and democratic Kosovo which is approaching European standards'.<sup>33</sup> To some extent the policy has proved to be effective in ensuring that, on the surface at least, Kosovo's leaders have openly supported minority rights and democratic government, and that the Kosovo Assembly has passed the legislation the international authorities have recommended. In October 2005, the UN Secretary General announced that sufficient progress had been made to initiate a process to settle Kosovo's future status, and internationally mediated negotiations on the issue are currently ongoing.<sup>34</sup> Yet it is also the case that much of Kosovo's political progress has been achieved either as the result of direct international imposition, or extensive international conditionality through the Standards before Status process. The real test for Kosovo's political transition will come when, and if, international authorities withdraw from the entity and the government and assembly in Kosovo gain political independence. On paper at least, international statements suggest this will only happen when Kosovo has overcome many of its current problems. But in reality it will be the first time Kosovo will have had to govern itself without external oversight, and it is only then that its true progress can be measured. In the meantime, Kosovo's political development continues to be overseen by international authorities, and its prolonged mode of transition continues to be one marked as much by international as well as domestic input.

## **Bosnia**

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<sup>29</sup> See Blerim Reka, UNMIK as an International Governance with Post-War Kosova; Nato's Intervention; UN Administration And Kosovar Aspirations (Shkup, Prishtinë, Tiranë: Logosa, 2003), p.244.

<sup>30</sup> UNMIK Regulation 2001/9, 'On A Constitutional Framework for Provisional Self-government in Kosovo', 15 May 2001.

<sup>31</sup> UNMIK Local Media Monitoring Report, 'PDK Favors A Majority System And Not A Proportional One' <http://www.unmikonline.org/press/mon/lmm200600.html>

<sup>32</sup> Andrew Taylor, 'Electoral Systems and the Promotion of Consociationalism in a Multi-ethnic Society: The Kosovo Assembly Elections of November 2001', Electoral Studies, Vol.24, No.3, (2005), pp.435-463.

<sup>33</sup> UNMIK, 'Kosovo Standards Implementation Plan', 31 March 2004.

<sup>34</sup> Judah

The exercise of international administration in Bosnia dates from 1995, when the international community finally achieved a settlement for the conflict that had plagued the region for more than three years. The Dayton Peace Agreement that brought peace to Bosnia entailed a comprehensive package of military, political and economic goals, as well as a large-scale international presence to ensure compliance. An international civilian mission, headed by a High Representative of the international community, was established to oversee the implementation of the non-military aspects of the agreement, and since 1995 Bosnia has been subject to a prolonged, and ongoing, period of international administration. While the nature of the international presence in Bosnia has shifted over the years, and both the structure and the authority of the administration has changed over time, the extensive international mission has had a constant influence on political development in Bosnia, and has interacted with domestic politicians in the central arenas of political transition.

International authorities have involved themselves heavily in Bosnia's democratic development, not only in overseeing the implementation of the political aspects of Dayton, but also in re-shaping and re-directing the political agenda that was originally envisaged in that agreement. The international authorities have used the full range of mechanisms available to them to shape the political transition in Bosnia, relying extensively on conditionality and displaying an increasing willingness over time to resort to direct measures such as vetoes and imposition. This international presence has also been combined with a deeply divided political landscape at the domestic level, and a domestic balance of power that often favoured those who were opposed to the idea of a multi-ethnic and democratic Bosnian state. Once the war was over, the fault lines of the violent conflict in the early 1990s became the fault lines of political conflict in the post-war period, and Bosnia's three communities, or 'constituent peoples' – Serb, Croat and Bosniack – have repeatedly struggled against each other, and often against the international authorities, in ways that have precluded any easy political transition to democracy.

One of the challenges facing the international authorities has been to achieve progress in the face of such extensive and hardline domestic opposition. In order to overcome the resistance of the wartime parties, one of the strategies pursued by the international administrators has been to side-step some of these local actors and encourage the development of a new generation of Bosnian leaders. Over time in Bosnia, the High Representative has taken increasingly intrusive action to marginalise extremist politicians and promote those identified as moderates. In the early post-Dayton years, the first High Representative, Carl Bildt, sought to marginalise hardline Serb politicians, and succeeded, temporarily at least, in reorienting politics in Bosnia's Serb entity, Republika Srpska, away from the wartime nationalist leader Radovan Karadžić and his SDS party. This was done largely by offering support and incentives to Karadžić's opponents, while threatening the SDS with sanctions if the Karadžić remained on the political scene.<sup>35</sup> In time, however, the High Representative increased his powers further and gained the authority to take more direct action against Bosnian politicians. In 1997, the international community conferred new powers on the Office of the High Representative, known as the Bonn Powers, and gave the office-holder the authority to both remove intransigent officials and impose legislation.<sup>36</sup> The result was a dramatic increase in intervention on the part of the High Representative, who regularly began to remove officials, elected and otherwise. Over 100 officials have been removed since 1997, including at one point the Croat member of the state-level tripartite Presidency.<sup>37</sup> The High Representative also sought to marginalise hardline politicians by intervening in post-election coalition formation, and mediating agreements on governing coalitions that excluded the main nationalist parties. This was most effectively done after the general elections in 2000, when the international authorities prompted and pressurised ten small, and largely non-nationalist, parties to form the Alliance for Change coalition in the state-level national parliament.<sup>38</sup>

As well as efforts to alter the elite political landscape, the international authorities in Bosnia has also be heavily involved in shaping the structure of Bosnia's political regime. The extent of the constitutional provisions set down in the Dayton accords suggested that much of the institutional design role of the international community was completed before the arrival of the OHR in 1995/6, and that the international organisations present in Bosnia in the post-Dayton environment would have a limited

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<sup>35</sup> Carl Bildt, *Peace Journey: The Struggle for Peace in Bosnia* (Weidenfeld and Nicolson, 1998), Chapter 19.

<sup>36</sup> PIC, 'Bonn Peace Implementation Conference 1997 - Bosnia and Herzegovina 1998: Self-sustaining Structures', 10 December 1997.

<sup>37</sup> OHR, 'Decision removing Ante Jelavic from his position as the Croat member of the BiH Presidency', March 7, 2001. Further figures on removals can be obtained from [www.ohr.int](http://www.ohr.int).

<sup>38</sup> ICG, 'Bosnia's November Elections: Dayton Stumbles', ICG Balkans Report No.104, 18 December 2000.

role in this area. Yet in terms of both legislation and the constitution itself, the OHR and other international bodies found themselves involved in both interpreting the provision set down in the Dayton Agreement, and in drafting new provisions, in ways that would alter Bosnia's original constitutional structure. One area of such involvement was the electoral arena, which witnessed large-scale international involvement in rule making and legislative initiation, with the explicit aim of furthering moderate politics in Bosnia. Through a range of strategies, especially the ongoing modification of the country's electoral rules, the international community has sought to influence election outcomes and the overall political landscape of Bosnia. From the very early days of the post-Dayton period, the electoral process has been one where international authorities have played a central role, drafting rules, providing incentives and at times imposing procedures in order to advance international priorities.

The initial ad hoc Rules and Regulations that regulated Bosnia's early elections were regularly amended unilaterally by the international authorities to foster moderation and increase the prospect of smaller and more multi-ethnic parties at the expense of the large nationalist parties. Similarly, in the process through which Bosnia's permanent election law was drafted, the OHR and OSCE ensured that the legislation included measures to promote political moderation and compromise, and resisted domestic efforts to alter the law's basic structure. While some provisions were dropped to ensure local agreement, most notably preferential voting for the state presidential elections, the international authorities applied sustained political pressure and used conditionality extensively – explicitly linking the adoption of election law to accession to the Council of Europe – to ensure that the law was finally passed in 2001, two years after it was first proposed.

International actors were similarly involved in shaping Bosnia's central institutions of government. Shortly after the international mission in Bosnia was established, international officials mediated negotiations on the final structure of the Bosnian government, the Council of Ministers. Disagreement between the local parties was stalling the establishing of the state-level institutions, which were seen as crucial to the High Representative in order to avoid the permanent fragmentation of the state. International officials were central to achieving an agreement on the structure of the government, ultimately proposing a solution that was satisfactory to all the parties, although one that departed from the terms laid down in Dayton. As a result, the Council of Ministers was established along ethnic lines, with clear ethnic quotas for each of the three constituent peoples in the allocation of government portfolios, and an alteration to Dayton's initial provisions that led to the Council having two rotating chairs and a vice-chair, as opposed to one single chair as originally envisaged.<sup>39</sup>

Similar negotiations over key institutions took place again when, in 2000, Bosnia's Constitutional Court deemed the constitutions of Bosnia's two entities to be unconstitutional. The ruling, known as the Constituent Peoples Decision, found that each entity constitution failed to provide adequate protection for Bosnia's three constituent peoples – in both constitutions some groups were given privileged positions over others. The result was a lengthy and fraught period of political debate within both entities, as the international community and domestic parties negotiated over the extent and nature of the constitutional amendments that would be required to provide the necessary protection for all three groups. After prolonged and unsuccessful attempts in each entity to have local commissions agree on the necessary changes, the High Representative initiated a period of sustained, internationally mediated negotiations in early 2002.<sup>40</sup> An agreement was finally reached, much of it drafted by international officials, and the High Representative initially declared the process a successful instance of Bosnian ownership of the political process. However, the limitations of this ownership became clear when politicians in both entities quickly backed away from implementing the agreement, and the High Representative ultimately felt the need to impose the measures in April 2002, thus highlighting once again the ability of international authorities to enforce measures that the local parties were unwilling to accept independently of outside coercion.

In recent years, the interventionist role of the High Representative has steadily been reduced, and the international office will be withdrawn in mid-2007 (although an EU Representative will remain). Since 1995, however, it is clear that Bosnia's political transition has been overseen, and at times heavily directed, by the international administration mission. The result in Bosnia has been a complex mode of transition, with political progress sometimes the result of joint agreement between international and domestic elites, but more often the result of international pressure, conditionality or outright imposition. Consequently, the implications of this mode of transition for both the quality and stability of democracy in Bosnia are somewhat troubling – with so much of Bosnia's progress achieved

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<sup>39</sup> Interview with former OHR official. See also Bildt, *Peace Journey*, p.295.

<sup>40</sup> Peter Neussl, 'Implementation of the Constitutional Court Decision on "Constituent Peoples" in Bosnia and Herzegovina' in *Human Rights Law Journal* Vol.24, No.9-12, year.

as the result of international conditionality or imposition, questions remain concerning underlying commitment to democracy within Bosnia, and also to the very idea of a unified Bosnian state. For example, in the wake of Montenegro's recent vote for independence, Serb politicians in Bosnia called for a similar referendum in Bosnia on the right of the largely Serb Republika Srpska entity to gain independence. The call has been swiftly and harshly denounced by Bosnia's international administrators, and any such referendum is highly unlikely, but it highlights the extent to which, ten years after the Dayton Agreement, neither democracy nor the very idea of a Bosnian state is well consolidated. As with Kosovo, the real test of Bosnia's political transition will come when it is fully independent of external governance – only then will the full implications of its complex and internationally-led mode of transition be clear.

## East Timor

As with Kosovo and Bosnia, political transition in East Timor has been shaped by both international and domestic factors. After nearly 25 years of Indonesian occupation, international factors played a significant role in bringing Jakarta's rule in East Timor to an end in the late 1990s, after which a UN administration assumed political authority from 1999 to May 2002. This mission, the United Nations Transitional Administration in East Timor (UNTAET), oversaw a process of transition to democracy and independence in East Timor and international actors became central players in the processes of political change. At key junctures of the political transition, particularly in its early stages, international administrators directly affected the nature and pace of development within the territory, and contributed to the design and establishment of East Timor's nascent political regime.

Compared with Kosovo and Bosnia, however, the mode of transition in East Timor was relatively brief rather than prolonged, and primarily based on consensus rather than on conflict or imposition. Although distinct tensions emerged between international and domestic actors, the transition process in East Timor was not marked by the kind of political deadlock seen in Bosnia and Kosovo that was ultimately overcome in those cases only by the international imposition of contested political measures. Indeed, the most critical elements of the transition in East Timor, especially the drafting process for a new constitution, were largely domestically driven. Similarly, while the international administration in East Timor sought to guide and shape the nature and direction of the political transition, it never relied on the extensive levels of political conditionality used in the context of the Balkan administrations, and at no stage were the withdrawal of UNTAET or the granting of political independence to East Timor used as political tools to lever certain forms of political behaviour from resistant domestic actors. These different dynamics can in large part be explained by the nature of the political balance of power in East Timor, where the political elite was largely united rather than fragmented, and was almost universally supportive of transition to an independent and democratic East Timor.

UNTAET's authority ranged far beyond the traditional peacekeeping mandate, and the mandate touched on a wide range of security, political and economic issues. Authorised under Chapter VII of the UN Charter, UNTAET was empowered with overall responsibility for the administration of East Timor and the exercise of all legislative and executive authority.<sup>41</sup> In the early stages of the transition, UNTAET played a central role in political affairs, establishing interim consultative institutions with limited powers and acting unilaterally to impose order and security, and establish the foundations of a new administration within the territory. In early 2000, however, East Timorese dissatisfaction with the low levels of local representation and consultation began to emerge. The perception grew that UNTAET was uninterested in incorporating local East Timorese people into an administration that was overwhelmingly staffed by international personnel, particularly at senior levels. In response the growing dissatisfaction, the Transitional Administrator Sergio de Mello announced in April 2000 that UNTAET would accelerate the 'Timorisation' process, and the following May proposed a new 'co-governance' approach to the administration of East Timor. A **new National Council (NC) and transitional cabinet were** created to replace the pre-existing consultation body, and the new institutions were given limited powers of executive authority and legislative review.

Increasingly, local political actors rather than UNTAET officials took the lead in pushing East Timor's political transition forward. In the autumn of 2000 and the spring of 2001, negotiations took place over the timetable for political transition to independence, with local parties leading much of the process. UNTAET's most important contribution to the institutional arrangements of Timor's transition at this stage was to provide advice and guidance, with some pressure, on the issue of East Timor's

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<sup>41</sup> Jarat Chopra, 'The UN's Kingdom in East Timor', in *Survival*, Vol. 43, No. 1, Spring 2000; and *United Nations Security Council Resolution 1272*, S/RES/1272, (available at: <http://www.un.org/peace/etimor/docs/UntaetDrs.htm>).

electoral system and the structure of its legislature. In March 2001, UNTAET issued a regulation that outlined the manner in which the new Constituent Assembly would be elected. The 88-seat Assembly was tasked with drafting a constitution within 90 days, and it was given the authority to transform itself into the East Timor's first legislature. Thirteen of the 88 seats were reserved for one representative from each of the districts of East Timor, with each district election following the first-past-the-post system of voting. The remaining 75 seats were to be distributed according to a proportional representation list system in a single national district.<sup>42</sup> The decision to choose a proportional representation system for the majority of seats reflected a growing concern within UNTAET that East Timor's largest party, Fretilin, might become too powerful. While UNTAET had worked closely with Fretilin and its leaders, and given them considerable support during the transition period, in the run up to the elections it wished to minimise the potential for a dominant one-party system.<sup>43</sup>

However, the UNTAET regulation also highlighted the extent to which UNTAET was willing to compromise with local leaders on electoral issues, and refrain from imposing provisions that were unacceptable to the domestic members of the interim institutions. During March 2001, as UNTAET was preparing to finalise the electoral system regulation, it passed the legislation to the National Council for approval. Although the majority of the law was approved, the National Council rejected provisions in the law that would have introduced quotas for women in the new electoral system. UNTAET decided to accept this decision, and it removed the quotas from the regulation rather than impose the measure.<sup>44</sup>

This incident was a taste of what was to come once the Constituent Assembly was elected. Once the local elected representatives began to initiate discussions on a new constitution for East Timor, it quickly became clear that the local parties would take the lead in drafting the new constitution. This was in part a result of UNTAET's own desire to stay out of the process; the head of the Political Office in UNTAET, Peter Galbraith, stated explicitly that the drafting process must be a purely East Timorese affair: "It must be owned by the people of East Timor, otherwise it's just a piece of paper."<sup>45</sup> Yet UNTAET did seek to ensure the Constituent Assembly at least consulted the Timorese people, and overrode the wishes of the NC to ensure that Constitutional Commissions were set up in each of Timor's 13 districts to canvass local opinion.<sup>46</sup> It soon became clear, however, that the Fretilin party had limited interest in listening to the views of the public, the smaller parties in the Constituent Assembly, or to UNTAET. It based the new constitution largely on its own initial draft, and introduced a semi-presidential system that limited the authority of the president and gave most power to the legislature, which had a clear Fretilin majority.<sup>47</sup>

By the time that East Timor gained independence in May 2002, therefore, its political transition had largely come to be led by the domestic parties, and in particular the large Fretilin party. While UNTAET had played a central role in the early stages of the transition, and had provided much of the security, order and capacity that facilitated a political transition in East Timor, the specifics of the transition were more often than not determined by domestic actors. Unlike Bosnia or Kosovo, which had divided political elites with sectors that openly opposed international priorities, East Timor enjoyed both a relatively united political elite and a lack of any significant opposition to the goals of democracy and independence, thus allowing the international authorities to take a less intrusive role. As the period of administration went on, East Timor's mode of transition increasingly resembled a more conventional one, with domestic parties wrangling over the direction of political change in isolation from international involvement.

As a result, East Timor's constitutional order has been largely stable since 2002, with no political parties seeking to alter the the democratic nature of government that was established between 1999 and 2002. While East Timor has recently experienced political instability, with a collapse of law and order and a renewed need for international peacekeeping,<sup>48</sup> these problems have less to do with a collapse of

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<sup>42</sup> UNTAET Regulation No. 2001/2, 16 March 2001.

<sup>43</sup> Chesterman, 'East Timor in Transition: From Conflict Prevention to State-Building' p.22.

<sup>44</sup> See Jonathan Morrow and Rachel White, 'The United Nations in Transitional East Timor: International Standards and the Reality of Governance' in *Australian Year Book of International Law*, Vol.22, 2002.

<sup>45</sup> UNTAET Daily Briefing 'More Than Thirty Thousand Attend Public Hearings' Dili, 13 July 2001, <http://www.un.org/peace/etimor/DB/Db130701.htm>.

<sup>46</sup> *ibid.*

<sup>47</sup> For an account of the drafting process, see Alipio Baltazar, 'An Overview Of The Constitution Drafting Process In East Timor', *East Timor Law Journal*, Article No 9, 2004.

<sup>48</sup> See 'East Timorese PM Expected to Resign', *Associated Press*, 21 June 2006.

democracy in the country, and more to do with a lack of capacity and strong political leadership. East Timor remains a weak state, and will rely on the international community for support for some time to come, but the democratic nature of its political regime has not been under serious threat.

## **Conclusion**

This article has explored three cases of international administration in order to assess the impact of large-scale international intervention on transition politics. The experiences of Kosovo, Bosnia and East Timor suggest that the context for democratic transition that exists in cases of international administration is systematically different from more conventional cases, where such extensive levels of international involvement are absent. With far-reaching political authority on the ground, coupled with explicit democratic regime-building policies, these international operations are in a position to play an integral role in the development of democracy. More specifically, the interaction between the international administration and the domestic balance of power in large part determines the nature of the mode of regime transition, which in turn can shape the prospects for democratic consolidation. When domestic elites are favourable to democracy, international administrations either work with them to co-author a new democratic regime, or monitor a domestically-driven democratic transition. When dominant local parties are opposed to democratic development, however, international administrations can impose the institutions of a democratic regime against local resistance. In these latter cases, the prospects for successful democratic consolidation are much weaker however, with less likelihood that the institutions of democracy will flourish once the international authorities withdraw.

This article has also highlighted principal mechanisms by which international administrations can affect domestic politics. The most significant influences of international administrations derive from the fact that external actors can assume roles conventionally held by domestic actors, and thus have available to them mechanisms of influence on domestic democratic development that do not arise in other forms of international engagement. International agents can control the flow of information about certain political choices available, limit those political choices through agenda-setting and veto powers, and ultimately provide and enforce solutions by both drafting and imposing laws and institutions. In sum, these mechanisms enable international administrations to both guide and direct the processes of democratic development in ways simply not available to other forms of international engagement.