The Association for Diplomatic Studies and Training
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Foreign Assistance Series

TIMOTHY J. BORK

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Summary of key accomplishments of the early work of USAID/South Africa

1988: Director of Project Development for Africa
-Abolishing my own office

1989-1990 Director of the Office of the Sahel and West Africa

1991: Deputy Assistant Administrator for Africa
-Promoting Democratic Governance

1991: Retirement from USAID after 19 years

1991-1996: Joined Ford Foundation as Director for Africa and Middle East programs

1997-2000: Conceiving and developing The Africa Policy Initiative (API)

-Regional summits and the National Summit on Africa

2000-2006: Carnegie Endowment for International Peace: Senior Resident Associate Responsible for Democracy and Governance and Africa Programs

Starting the Africa Society
Starting the Teach Africa Program
Encouraging institutional change:
-Turning USAID into a Foundation
-Shifting key program from USAID to the State Department
Chairman of the Board for the Africa Society
Vice Chair of the Board of the National Museum of African Art
Would you recommend a career with USAID today?

KEY WORDS

Office of Direct Foreign Investment (ODFI), Dept of Commerce
Mt. Kenya Safari Club
Mengistu Haile Miriam
Expropriation of the Singer Sewing Machine facility in Ethiopia
Conditionality in program/sector assistance
Ray Love
Comprehensive Anti-Apartheid Act (CAA)
Chester Crocker
"Namibia First" policy
Herman Nickel, Ambassador to South Africa
Black Consciousness Movement (BCM)
Steve Biko
United Democratic Movement (UDF)
Chief Mangosuthu Buthelezi
Edward Perkins, U.S. Ambassador to South Africa
Michael Feldstein, USAID desk officer for South Africa
Carlos Pascual, USAID/South Africa
Aileen Marshall, USAID/South Africa
International Institute for Education (IIE)
Bishop Desmond Tutu
Soweto
South African Council of Churches (SACC)
Legal Resources Center
Allan Boesak
National Union of Mineworkers
Cyril Rhamaposa
COSATU (Congress of South African Trade Unions)
African American Labor Institute (AALC)

Jay Naidoo
Necklacing
Bantustans (Homelands)
Inkatha Freedom Party (IFP)
Inka Mars
Fatima Meer
Don McDonald, Chamber of Commerce
Dr. Motlana
Gregory Craig, staffer for Sen. Kennedy
Hazel Ross-Robinson
Black Lawyers Association (BLA)
Lawyers for Human Rights (LHR)
Shimshan Zelnecker
Coretta Scott King
Beyers Naude
Amina Cachalia

INTERVIEW

Q: I'm here with Tim Bork, and we're going to do the first segment of a new interview with Tim. It is November 7th, 2017. So, Tim, welcome. I'm looking forward to this. I'd like to start by simply asking you where you grew up, and what got you interested in international work.

BORK: John, it's good to be with you. I remember working with you many years ago. I was born in Janesville, Wisconsin, March 9, 1943. Shortly thereafter we moved to Rockford, Illinois. Rockford made a big difference in my life. It was a modest sized industrial town about 100 miles from Chicago. Rockford was notable for having the most privately owned businesses, per capita, in the United States. Rockford was featured in Life Magazine in the mid 50s as a model city with great schools, a vibrant symphony and so on. Rockford also prided itself on being a key under-ground railroad town and as a result there was a large African-American population. Strong unions ensured that blue-collar workers' incomes, including many African Americans, often ranked in the upper 20 percent of income earners in the U.S. Education was a high priority in Rockford and the schools were well integrated. Looking back, this all made Rockford and interesting environment to grow up in. It was a conservative town, so I grew a conservative kid but was quite comfortable with racial and ethnic diversity. The only societal divide anyone noticed was the prevalence of Swedish descendants on one side of the river and the Italians on the other. Back to Rockford's conservative influence - I remember reading Barry Goldwater's "Conscience of a Conservative" while deer hunting with my father.

Q: You had a Barry Goldwater hunting cap?

BORK: No, I was just reading this book while I was deer hunting, so that gives you a picture of a classic Midwestern kid growing up in a conservative town. Rockford's High Schools were wonderful at this time, due to the wealth of the city. Later, Rockford suffered from much of the rust belt malaise later and the schools headed south. So, fast forwarding, I followed my sisters to the University of Illinois to study chemistry in pursuit of a medical degree. Illinois had a strong chemistry school at the time so I didn't think too much about the environment. I was unhappy at Illinois – too big, bad weather. I quit Illinois, in spite of my winning a coveted student senate seat as a freshman. My father unexpectedly died when I was 20. It was a real shock. The family said, "What are we going to do with Tim? He's shell-shocked from this." I was not going back to Illinois.

I ended up enrolling in Lake Forest College, about 100 miles from home. At the time, Lake Forest College was – I don't know what it is now, but it was a very liberal school. It had excellent programs in Chicago's inner city. It had about 1,200 students – a lot from the East, and a faculty of mostly PhD's, who were very engaged in the development of the students. The impact was significant. I did my thesis on the "transition from conservatism to liberalism". Lake Forest opened my eyes to racial and economic disparity in the U.S. While my hometown enjoyed pretty good race relations and a good economic situation, I began to understand some of the major issues confronting the U.S. – especially racial inequality.

The reason I have reflected a bit on my conservative background is that we all come to Federal service with a perspective. People make assumptions about why people undertake certain work and in the case of foreign aid or civil rights work it is assumed it is because you are a liberal. For me, my studies opened my eyes to certain socio-political issues. While I had a conservative background I recognized the seriousness of certain issues to the survival of society and was eager to engage those issues.

Q: Were there any professors at the school who had international courses, or anything that led you towards international work?

BORK: For a small school, in that era, Lake Forest had a lot of international students and encouraged study abroad. And in order to graduate, you had to be fluent in a language. I was not good at languages, so I went to Spain and Mexico for summer school. Those summer programs abroad, nurtured a strong international interest.

As a kid I never thought about international issues. Going to Spain – wow, what an impact that had. While I was in Spain, I hitchhiked all around Europe and had an enormously positive experience That was it. From then on, my desire was to find a way to work or live abroad. The next year I went to summer school in Guadalajara. I was hooked on an international life.

Q: What year would that have been?

BORK: '63, '64. It was the post-war era. Living in Europe at that time was very special for American students. The positive role of the U.S. in the war and its actions thereafter,

the Marshall Plan, resulted in a generous outpouring of interest and gratitude toward the U.S. I benefited from that. People not only showed their appreciation to me and other students, but it was apparent to me that the Europe as looking to the U.S. for a way forward.

The experience in Europe as well as the Lake Forest's strong subtext of improving the lives of others began moving me towards some sort of altruistic pursuit. When I was choosing what I was going to do in the future, I ended up deciding to go to law school, but I wanted to go to a place where civil rights were important. I think, just stepping back a little bit, I was a product of the '60s, totally.

While my older siblings focused on building traditional families and pursuing the comfortable life of business people, that kind of life nauseated me. I just couldn't stand going to cocktail parties and talking about money. In my view, the '60s were all about doing good and I wanted to be part of that. Had my father not passed away at a pivotal time of my development, I'm not sure I would have rejected working in business.

Q: What was his background?

BORK: He was an industrial relations manager in a large manufacturing company. He was the management person responsible for negotiating with the union. Rockford was a very strong union town. In fact, in my Samuelson economics book at college, I was surprised to learn that the laborers in Rockford were in the upper 20% of the income earners in the United States. This was due to the strength of the unions.

Many of the people that negotiated for the unions were African American. My dad exposed me to a lot of his work and I grew up visiting homes of many of the union leaders. This had a big influence on my view of race.

My high school experience was also important in developing a perspective on race. There were many African American kids, many were high achievers academically. Some were elected to positions of leadership. Discrimination existed but it was often on economic grounds and directed at poor white kids as well. And this was in the late '50s early '60s. I began to understand was pretty unusual in America. As a result of my positive experiences while in high school and the influence from my fathers relations, I don't think I had the kind of bias that Americans appear to have had. After my exposure to racial realities in my study at Lake Forest, I became convinced that racial relations represented America's Achilles heel.

This view had a great impact on choosing a path forward in school. I decided on law school and wanted to go somewhere where I could have a positive influence. I focused on schools in the South and ended up at the University of Georgia School of Law. I had a great relationship with the Dean, who appeared to appreciate my aggressive, but non-confrontational way of trying to get the law school more involved in social issues.

Q: So, you went right after college to law school?

BORK: Right after college, yes. Civil rights were so hot, then, and any young kid who had had a 60's persuasion would kind of want to be part of that. So, that's what I did. I was a good student, but I focused on civil rights out of school and international law course in school.

While at Georgia I was awarded an H. Sol Clarke Fellowship and worked as a law associate in Vine City in Athens. This involved counseling individuals on their rights and providing organizational support to communities on local issues. While in Atlanta, I represented an African American woman with severe medical conditions who had been denied the benefits afforded to individuals deemed totally and permanently disabled. I am pleased to report that she won the first case in Georgia awarding an African American the right to the benefits for being totally and permanently disabled. No African American had been awarded this status in Georgia in spite of the state being 40 percent black.

I also provided organizational support to community action committee in Atlanta and in Athens. It was important to note that white participants in the civil rights movement were supposed to support African American leadership and, as such, I served mostly as a sounding board, sorting out grievances, providing advice how to address grievances and then drafting petitions for them. I remember discussing the Athens committee with the Dean of the Law School telling him that the Athens' white community's lack of responsiveness to legitimate black concerns would later result in serious confrontation. Four years later I recall hearing of such a confrontation in Athens on radio while I was working in Washington. Clearly this committee became a strong force for change in Athens.

After graduation I sought civil rights or international work in Washington DC and Chicago. I thought I'd pay dearly for my work in the South, but was surprised by the positive reception. I received offers from the Justice Department and AID and several Midwest banks. Instead, I took a job at the Office of Foreign Direct Investments, created to alleviate the U.S. balance of payments crisis. I thought this was a wise choice because it would expose me to economics and international law. The offer from AID was very hard to turn down but I thought I should build my skills in economics and law before taking the AID opportunity.

Q: How did you find out about AID? How did you even know about AID?

BORK: In that era, the height of American wealth and power, the U.S. was focused on making a better world, and AIDs work was quite visible during this period. The social perspective at Lake Forest and civil rights experience at law school were all leading me to continue with civil rights. However, during countless interviews relating to civil rights and then an offer from the Civil Rights Division of Justice, I started viewing the challenge of race overwhelming. My on the ground experiences in civil rights and the interviews made me think that race was so bad and so screwed up in America that I

needed a break. I wanted to get out of it - I had immersed myself so much and I said, "Wow. It's so bad; I thought we were making progress."

I decided to focus on international law and ended up at the Office of Foreign Direct Investments ("OFDI") for four years.

Q: How old were you at that point?

BORK: 27.

Q: And that would have been about mid-'60s, or what?

BORK: 1970

Q: So, Vietnam was well over by that point. You didn't have to worry about that.

BORK: Yes, I was worried about Vietnam and would have served if asked. I was against the war but believed strongly that it was my duty to serve and I love adventure. I had received deferments while in undergraduate school and when I finally received a notice from the Selective Service, they were only bringing in younger guys. The older guys were refusing to go out on recon missions and they did not pursue recruitment. In this time period, my sympathies were just with civil rights. That was my issue. I didn't actively oppose the war because I felt deeply sorry for the guys serving – and still do.

I decided to pursue a Masters of Law at Georgetown shortly after joining OFDI. I wanted to specialize in International law and Georgetown was excellent for that.

Q: And that was night school?

BORK: Yes.

Q: So, you worked during the day and went to school at night?

BORK: Yes, while working at the Office of Foreign and Direct Investments. I was there for about four years. It was an exciting place to be because its mission was to alleviate the first modern U.S. balance of payments crisis. The program hired Wall Street economists, CPAs and lawyers. I was kind of an aberration, coming from the University of Georgia Law School, but it was a wonderful experience. I benefited greatly by being the youngest guy in an environment of very smart people. As part of my duties I was detailed to the Organized Crime Unit of the Justice Department to try to prosecute a famous guy accused of international money laundering. He was alleged to be laundering money as a means of paying off his gambling debts to organized crime figures. He was the founder of the Mount Kenya Safari Club. He had involved just about every famous person of the time as Members, including Presidents (Winston Churchill), movie stars (William Holden), etc. It was an interesting, fun case. Imagine a 27 year-old lawyer interviewing the lawyers for

these famous people - none of whom had anything to do with the alleged criminal behavior. The prosecution failed but it was a great experience.

Q: Is that in Treasury?

BORK: It was in Commerce. Commerce did not know what to do with us because we dealt with exclusively with Treasury and Justice.

Q: Very interesting. At what point did you decide you wanted to move on?

BORK: AID offered me a job when I first came out of law school, and I had contacts there. A legal colleague from OFDI, Steve Tisa, moved to AID and he encouraged them to take another shot at hiring me.

Q: In the General Counsel's Office?

BORK: Yes, in the General Counsel's Office

Q: So, when you came in, we're talking about 1974 or so?

BORK: 1974. I came in believing I was going to be a Latin American specialist. I didn't mention earlier that I hitchhiked around Latin America twice while I was in law school. This along with my time in Spain and Mexico gave me some language and experience in Latin America. AID hired me to go to Peru, but at the same time they hired a guy who had a four in Spanish. "Tim, you're going to go to Africa because we just hired a guy with stronger Spanish. But first you will serve with the Assistant General Counsel for Africa in Washington."

Q: So, you started here in Washington rather than going overseas?

BORK: Yes. But I was sent to serve as the interim Regional Legal Advisor in the Ivory Coast two weeks after being hired.

Q: Did you have a training program of some sort, or did you just –

BORK: Unfortunately there was no training before I was sent to the Ivory Coast. I don't know if this was due to the arrogance of lawyers or just a casual mistake. It would have been good to have some sort of training, but I had none. The legal advisor position covered the entirety of West Africa during the time of the Sahel drought.

Q: Two weeks. Wow.

BORK: It was a baptism of fire. I was replacing a legendary lawyer, who had been around so long that he didn't need a lot of resources. I mean, he did keep records, because he had to, but it wasn't like I could open up things and see precedent. Fortunately, with

the assistance of AIDs excellent handbooks and some excellent program staff, I was able to pick up what I needed pretty quickly. And legal training prepares one well for regulatory and bureaucratic work.

Q: Do you remember his name?

BORK: I think it was Jim Phippard.

Q: Was he on leave, or was he going to come back there?

BORK: He was on leave for three months. That was my baptism. It turned out to be a wonderful professional and cultural experience.

I was most impressed by my interactions with the Africans I met. They appeared to be very receptive to American policy options and this excited me. It was also my introduction to ice hockey played at the Hotel Ivoire rink. Yes, Houphouet-Boigny wanted an ice rink and got one.

Q: So, that was a three-month TDY (temporary duty assignment)?

BORK: Yes. It was a long one, and it was a very interesting one. It was a very busy office, the Sahel drought was an international focus and AID was a major funder in the region. I had some mentors there. I recall spending a lot of time with Sam Lubin, an AID engineer. He was living in Israel at the time. He was a rough and tumble Israeli-American. He spent hours with me explaining the details of program and project development with lots of color. He was also an ardent critic of the staff and management of the Hotel Ivoire. He spent considerable time trying to help them get it right.

I wish I could remember the REDSO/WA Director at that time. He was a very capable man and was very supportive.

Q: After the TDY, then you came back to work for the General Counsel's Office, but focused on Africa. Were you the only lawyer working on Africa?

BORK: AIDs Africa program was, of course, large and growing rapidly. When I joined the Africa section we had four lawyers in Washington and about three in Africa. We were working in 30 countries at the time. As the general programming in Africa grew, the number of lawyers in the field increased.

I spent three years in the Africa Division in Washington. Our role was to ensure the program and projects complied with U.S. law and regulations. The Foreign Assistance Act of 1961, as amended served as the basis for our review. However, an enormous number of regulations had been created to ensure compliance with the Act. The Act was subject to amendment because of Congressional concerns about funding in sectors or countries. As a result every project required careful legal review. Project and Program officers often grew weary of these reviews and this could be a source of conflict when the

review discovered compliance issues. A wonderful result of these reviews for the lawyer, was a deep understanding of the projects in all sectors. After five or six years of reading hundreds of sophisticated documents, lawyers develop a certain level of expertise and historical perspective that becomes a valuable agency resource. Many years later the knowledge gained as an observer of so many different activities enabled me to introduce non project assistance to the Africa Bureau, while serving as the General Counsel for Africa.

Q: I was one of those people, and I do recall worrying about the lawyers in those meetings. Was the normal trajectory, then, that you would eventually go overseas, or could you have stayed in Washington?

BORK: It was similar to the program side. Certain functions such as contracting, personnel and management lawyers needed a Washington presence. If you were assigned to a regional office in the Office of General Counsel, it was expected that you would eventually serve overseas. The overseas opportunities were the reason the General Counsel could hire a talented staff. Overseas positions are rare for lawyers and greatly valued.

Q: You liked working in that bureaucracy?

BORK: I loved working in AID, in Washington or overseas. To me, it was not a bureaucracy. As a lawyer in AID, you enjoy a unique position of independence. You act alone, under very general guidance. You are able to observe and be part of the dynamics of programming in every possible sector. It was truly exciting to be part of an organization that was constantly changing its objectives, innovating, while always trying to achieve excellence. When I started there was a focus on building roads, schools etc., that gave way to an era of focus on agriculture, then health, education, then the environment, HIV-AIDS, followed by a turn toward economic reform in general and in each sector and finally governance and private sector. That was my experience. To a program officer trying to process a project through the maze of people in Washington, it must seem like an unrelenting bureaucracy. To a lawyer, it is an opportunity to work and learn with some of the Worlds experts in a vast variety of sectors.

Having the privilege to work at the Ford Foundation and to work at Carnegie Endowment for National Peace, those being considered elite institutions, and before having worked at AID, I know that the era that I worked at AID was very special I don't know about later or earlier times, but I was privileged to work at AID and be exposed to such exceptional people and learn from them. I'm not preaching to the choir, because as lawyers we were often viewed as a hindrance or obstacle, and I understand why, I was one of them. But I also had the insight to know that this was a valuable experience, and I didn't have to deal with the bureaucracy, really. I just had the Office of General Counsel and that was supportive, but provided necessary independence.

Q: After four years, then you did go overseas?

BORK: Yes.

Q: Did you get to choose your position?

BORK: You pretty much had your choice. Because the OGC was modest in size and the Foreign Assistance Act applied everywhere, there was the ability to satisfy individual interest, barring a specific language need.

I was very interested in Kenya. The reason is that it covered the East and Southern Africa region. Also, because of my interest in race issues, the Southern Africa area was compelling. I thought covering the countries in East and Southern Africa, and the Indian Ocean islands, would be one of the most interesting jobs in the world.

Q: So, you moved to Nairobi. Were you one of a number of lawyers there, or were you the only lawyer there?

BORK: Nairobi housed the Regional Economic Development Office for East and Southern Africa. I was assigned to be was the senior lawyer there in 1977. Bob Lester, a legislative expert, fine lawyer full of good humor, was my initial associate. He was followed by Ed Spriggs, who was very interested in Africa and had an extensive civil rights background. Ed was a serious, compatible professional partner. He was a protégé of Angela Davis during the civil rights movement, an activist in his own right. He moved to the program side after REDSO and a stint in Southern Africa and later became the Mission Director for Namibia.

As the regional lawyer, I assisted each missions in developing their projects, negotiated grant and loan agreements and provided general legal advice to the missions. In addition, I was responsible for negotiating with host governments, the privileges and immunities to be afforded missions and its employees, including foreign nationals. Another responsibility was to counsel missions on local and international laws that could affect their projects. For example, when we decided to finance a major road project in Lesotho, it was my responsibility to ensure that we were observing U.S., Lesotho, and international environmental law relating to prehistoric art resident in the construction zone. As a result AID protected these valuable sites.

I worked closely with the mission directors, especially on difficult grant and loan negotiations and sensitive employee ethics issues. Ray Love served as the REDSO (Regional Economic Development Service Office) director during my tenure. He was a knowledgeable, supportive person who related very well to everyone. The team of project officers, engineers, agricultural, health, and education officers was remarkable in its competence and commitment to helping the often small missions in the region. Tough conditions, often fraught with violence as well as horrible poverty, didn't cause the slightest hesitation with any of these officers. I recall having to walk across the border from Kenya to Tanzania, during their tumultuous ideological struggles, in order to help the mission in Tanzania. The Tanzanians wouldn't let vehicles cross the boarder We never knew whether the Tanzanians would let us through.

Q: Your work would take you further south, as well –

BORK: Botswana, Lesotho, and Swaziland.

Q: The BLS countries, right.

BORK: Yes, the BLS countries, which at the time were reluctant satellites of South Africa, bound by treaties which greatly limited their independence. Then as far north as Djibouti, and a lot in Sudan. One of my responsibilities was to close the mission in Ethiopia during the Mengistu regime.

Q When was that? Can you remember?

BORK: This was the 1978-9 period.

Q: So, this was after Mengistu came in? This is when the Soviet influence came in, and the former leader, Haile Selassie, was gone.

BORK: Yes, Mengistu over-threw the "Lion King," Haile Selassie. After the takeover Mengistu organized local groups to eliminate so called imperialist threats. Thousand of students and others were systematically killed. Development work was impossible and AID was forced to close down its program. I was sent to Addis to oversee the closing process. Because relations had deteriorated the Ambassador had been recalled, and all that remained was a small staff, mostly very competent local employees.

On the way to work each morning, I would count the bodies I saw lying dead on the main streets of Addis. This slaughter was well-documented and known World wide. Meanwhile, the Carter administration was proposing formal termination of the program based upon a provision in the Foreign Assistance Act prohibiting the expropriation of U.S. property. The regime had expropriated a small Singer Sewing Machine factory. Since the Carter administration had been vigorously promoting basic human rights, I enlisted the support of the Ambassador to Kenya to intervene to suggest that we terminate based upon the Human Rights provision of the Foreign Assistance Act. It seemed entirely reasonable from a political and humanitarian perspective that we would use the human rights provision rather than the expropriation provision, especially since the regime was annihilating a generation of young people and receiving Russian backing. State made no effort to get Carter to use the human rights provision. Surprisingly, the Ambassador was rebuked for meddling in another country. I thought he would be angry with me, but he was happy that he was on record on this issue. The U.S. proceeded to officially terminate assistance based upon the expropriation of an almost worthless sewing machine factory. So much for the "Human Rights President".

There was so much more going on in the region. Sudan was waging war in the South, Somalia security was deteriorating, Kenyan and Tanzania were fighting a Cold War battle, and the reign of post-colonial African leaders was coming to an end almost

everywhere. Through all of this I sat there with Mission Directors and staff fascinated by their efforts and commitment during all of this chaos.

Q: And it was 'he', in those days.

BORK: Yes, but not completely. There was an incredible woman serving as the Mission Director in Kenya (*editors note - Allison Herrick*)

Q: On the issues – if we could go back to the Nairobi setting – if there were differences, who would adjudicate? Does it go to Washington?

BORK: What kind of issues?

Q: Legally, if you disagree with a mission on –

BORK: This was a very rare occurrence and I can only really recall one. This case was referred to Washington because the legal advisor proved a very difficult person. The General Counsel removed the officer.

I think such disputes are rare because the purpose of having legal advisors on the ground was to resolve issues as they evolved rather than waiting until they caused business to halt. Missions and regional lawyers are very aware of the value of resolving issues early so we would ordinarily work together to resolve issues. Some of the toughest issues involved procurement of goods and services. Failure of a timely procurement can really harm a project. AID has strict competition rules that must be observed. Capable officers who knew competitive procedures wouldn't work, would enlist the lawyer to get legal waivers rather than try to push through an improper procurement. If these issues weren't properly dealt with during project development and were causing delay, Missions would occasionally seek relief from Washington.

The Ethiopia human rights issue mentioned earlier is also an example of what was referred to Washington. This was a national policy issue as well as a legal issue. In order to ensure effective implement foreign policy, the field offices of State and AID have a responsibility to inform Washington of field realities. In the Ethiopia case we tried but were largely ignored.

Ethics and employee conduct issues were one of the few areas where a Mission might seek Washington intervention. The Inspector General would occasionally develop a case against an employee for alleged misconduct. Missions would often seek advice on how to deal with the case. In serious cases where the matter couldn't be resolved locally, the Mission would refer the matter to Washington. Some I was able to help resolve. I remember a charge of illegal currency exchange being levied against a local employee in Kenya. I was able to work with the IG in Washington and the field, the mission to resolve the situation

Q: One of the areas that I know I and other people used lawyers for was dealing with conditionality issues. You had conditions precedent for program assistance or, sometimes, other kinds of sector assistance. Lawyers had to help determine whether the requirements were met by the host government to allow for the disbursement of a tranche of assistance. Sometimes, a lot of judgment was required there, and a lot of political sensitivity was required there. I'm guessing you were involved in a number of those, as well.

BORK: That is a great question. I was about to mention this as an area where Washington was called upon to intervene.

When the Africa Bureau in the mid to late 80s began to implement non-project assistance or policy grants, disbursements were conditioned on the governments making agreed upon policy changes. The proposed policy changes and other actions were reflected in the grant agreements. Thus, a mission could only disburse funds if the agreed upon action was taken. As one could imagine, given the nature of policy issues and governance problems, meeting the conditionality became a common source of dispute. The regional lawyers were part of the review process to determine whether the conditionality had been met. While missions were often anxious to make the disbursements in order to continue the reform process, the lawyers were concerned that the conditions of the agreement be met. This kind of issue was exacerbated when Africa started experiencing governance reform. If a country was changing governance systems in the middle of policy reform process this usually resulted in delays in meeting conditionality. This issue was faced by other donors including the World Bank.

While the issue of meeting conditionality was often viewed as within the prerogative of the mission, lawyers stepped in where it was evident that the terms of the agreement were being breached. When I was the DAA, I recall getting a phone call from the Mission Director in Malawi, furious that the conditionality issue was delaying disbursement. We were unwilling to defer to the field in this matter. We would be, in fact, violating the very intent of the agreement.

As program officers became more familiar with this type of grant, they were able to formulate more realistic policy expectations, often with the assistance of legal counsel and thus help avoid such disputes.

Since you have raised the issue of conditionality, I thought I would mention that I introduced the non-project assistance, policy grant concept to the Bureau.

Q: Good for you. Wonderful.

BORK: I observed that one of the other Bureaus was experimenting with policy grants and that it appeared to be a good direction for the Africa Bureau to pursue, given the staggering policy issues in most sectors. Rather than trying to created projects to run health and education departments, it might be worthwhile to create a better policy environment which would properly direct the countries resources. After suggesting this

the AA for Africa, Mark Edelman and some of the staff tried to get me to begin the process by negotiating grants in East Africa. I was serving as the General Counsel for Africa at the time and suggested that I work through the program office in the design of the activities rather than taking over. They weren't really happy with my response but they quickly moved the process forward

Q: Jerry Wolgan was probably who you were –

BORK: Jerry Wolgan was the lead economist at the time. This was the era of the economist, but at the time this concept was being introduced they were touting economic theory but they had not created effective mechanisms for economic policy change. From my work in Africa, I could see that the big shifts that program officers wanted to make, from primary care to tertiary care in health and that sort of thing, just weren't going to happen without some device to motivate them. So, when I suggested using a non-project model which rewarded government policy shifts, Jerry Wolgan, and the other economist doggedly pursued this model and it soon became a major assistance tool.

Q: I see. When you were in Kenya, what percentage of the time were you on the road?

BORK: We're talking about 70% of the time. I loved it. I covered 19 countries in East and Southern Africa and the Indian Ocean Islands. Each of these countries had a unique political and social culture. The geographical diversity was amazing. In each country I played a different role dependent on U.S. interests. And there were often exciting events. For example, I was sent to Madagascar shortly after a coup to wind down our remaining programs. Bullet holes pocked the major building in the center of the capital, including my hotel. On my first day there I was travelling in an Embassy vehicle to visit a project site. Suddenly, a loud beeping sound came from the front of the vehicle. The driver announced that it was a Red Alert requiring us to return immediately. The new government had just taken over the U.S. satellite station in Madagascar and there was fear that further actions would be taken against U.S. personnel and assets on the island. Nothing more happened but it halted our fieldwork for several days.

So in addition to interesting work, there was always some sort of surprise awaiting us.

Q: In most cases you didn't go back for counseling or guidance to Washington. You basically made the decision based on your knowledge and research, correct.

BORK: Yes. Before we were permanently assigned overseas, we ordinarily spent three or four years in Washington. During that time we had plenty of opportunities to gain the knowledge required for our work. I must say this was one of the great advantages lawyers had in the bureaucracy. It was pretty hard for a mission to argue against something that was written in law, the regulations or AID Handbooks. Since our work emanated from the Foreign Assistance Act and the regulations thereunder, we had a pretty clear idea of what was required. Sometimes the details of a procurement or U.S. shipping requirements required consultation but most work was straight-forward. Shipping and some buy U.S.

procurement restrictions were a constant headache for missions. They could be dealt with the lawyers help.

Negotiation of agreements for the privileges and immunities of AID staff required Washington consultation and approval. These were State to State agreements requiring a number of formal approvals. While Embassy personnel were accorded the privileges and immunities guaranteed through international law, aid personnel were sometimes viewed as different and some countries balked at awarding these privileges to AID personnel. I recall having great difficulty in negotiating with Botswana. The Minister of Development insisted that AID personnel should work under the same conditions as local contractors. Since AID employees were U.S. officials we were unable to agree to this position.

Q: Right. They're not used to having people say no to them, are they?

BORK: No, but the key to their effectiveness was to work to resolve issues during the process rather than raise objections at the last minutes. Most lawyers got along well with their field clients because they understood this.

Q: It sounds like a really exciting time. How long were you there?

BORK: Three years, from 1977-80

Q: Three years. And then what?

BORK: Then I came back as the General Counsel for Africa.

Q: Back to Washington?

BORK: Yes.

Q: And that was your choice? You wanted to come back?

BORK: Yes, it was because of my family situation. My travel had taken a toll on my marriage. I needed a cooling-off period.

Regional General Counsel positions were coveted. As General Counsel for a region, you were in effect the chief legal officer for a several billion dollar organization. It was your responsibility to provide the legal and ethical guidance to that organization. Since your staff lawyers were responsible for looking over the documentation and daily actions of the Bureau, you were there to train and oversee the work of your staff and provide guidance to the Assistant Administrator and senior Bureau staff. New Assistant Administrators for the Bureau needed to be apprised of the legal and ethical framework they were working in. And a seasoned GC could also provide guidance on the new initiatives or personnel actions they were proposing. Honest people can get in trouble in the government environment. U.S. ethical standards and procurement and hiring rules are tough and usually totally foreign to persons coming in from the private sector or the Hill.

Another important role was to provide guidance on how to deal with Congress. Oversight of AID by Congress was unyielding during the time I served and the actions of political appointees were subject to scrutiny. Thus, it was important to offer to provide guidance to new appointees on how there ideas or actions would be perceived. A common issue arose from the desire to immediately hire or contract with people they trusted. This can and has led to disastrous consequences when legal and ethical requirements were not followed.

An example of this occurred when a new AA proposed massive shifts in senior leadership in the Bureau. The appointee was closely aligned with Senator Helms, a sharp critic of AID. I advised that he rethink what he was proposing because his motivation was unclear and it was certain to be perceived as a totally partisan move harmful to career personnel. He was unhappy with my suggestion, but listened. He proceeded to make changes but did so with greater care and replaced good people with good people.

More general guidance was also offered. For example, during the beginning of an administration, there is a lot of jockeying for power and access to resources. I often offered advice on how to cope with these issues.

Q: So, you were advising political appointees how to basically –

BORK: Comply with the law and deal with the Hill.

Q: Did you have a lot of contact on the Hill in those days?

BORK: Yes. The committees on the Hill covering Africa were very active. The staffers liked to communicate with lawyers because we had a staff in the General Counsels office that worked full time on Congressional matters. While inquiries went through appropriate channels it appeared Hill staffers were comfortable working with us. Since Hill staffers were very critical of what we did or not do at AID, your contacts were formally cordial but there was a lot of distrust from both sides. Over the years, your contacts would grow but always at arms length. After twenty years I felt I knew the agendas of many staffers and their bosses.

Q: So, back in Washington – Again, I'm trying to think of what years we're in.

BORK: The early 80's. I stayed in Washington quite a long time, I think six or seven years. I really enjoyed the time in Washington, especially the years when Ray Love came in as DAA. He clearly loved what he was doing, was a solid development officer, thoughtful, respectful and appreciative of everyone around him. This was also the period I began promoting policy grants with the Bureau. It was inspiring and thrilling, in large part because of the receptive attitude of the Bureau. In addition, during this same time there was a growing interest in Southern Africa and South Africa, in particular. The Bureau was continuously involving me in developing programs down there. The human rights issues in South Africa were becoming prominent and I was asked to begin to work

on that issue. Finally, as the Bureau grew in size, I was responsible for increasing the field legal staff grew from six to eleven. This occupied a lot of time.

Q: Six years in Washington is a long time. Did you continue to get promoted, I assume? Are you in the senior Foreign Service by this point?

BORK: Yes, I was a foreign service officer and I was promoted, perhaps too fast. I don't know when I was promoted, to be quite honest. I was fine whether I got promoted or not. I loved the life.

But six years in Washington was a long time. I could feel a need for a change – I felt much less challenged as a lawyer and realized from my experience with developing the policy assistance focus in the Bureau but not being able to implement it, that maybe a program job would be more satisfying. Fortunately, I was asked to design a human rights program for South Africa by the Bureau. This led to several visits there.

Q: Was this after Mandela took over, or before?

BORK: This was during the height of Apartheid. Mandela was still imprisoned. I began working on the human rights issue in 1984.

While the U.S. anti –apartheid movement was getting stronger and stronger, the Reagan administration was reluctant to act against the White-led government. The Reagan appointed Ambassador to South Africa, Herman Nickel, was losing credibility and viewed as solely interested in maintaining the status quo. AID was aware that Congress would call upon AID to act on South Africa. Congress was in the process of drafting the Comprehensive Anti-Apartheid Act. I was sent to begin exploring programming options with an initial focus on human rights. There was an AID officer assigned there, Jimmy Philpot, who I assume thought he would run the program. However, the Ambassador was under pressure to do something to appease Congress and he viewed Philpot as unable to help. I was placed in a very odd position, drafting a program around two people who wouldn't be there, were reluctant to act, but viewed me as there to help them. I kept my mouth shut and worked.

During my first visit to work on the human rights program I learned a great lesson about working in South Africa. When I opened the leading newspaper one morning there was an article on the proposed U.S. human rights program, accompanied by a photocopy of my draft document. Even my notations on the draft were visible. It was obvious that someone had entered my room while I was at dinner and had copied the report. Fortunately, the report was not classified, just a simple analysis of the human rights record of South Africa with an outline of possible activities. They denounced the program as an intrusion on their sovereignty but there was nothing they could really do since they didn't want to aggravate a favorable U.S. administration. Later, someone in the Embassy advised that South Africa's spy and espionage capacity was considered number seven in sophistication in the World. That was my introduction to South Africa.

Q: The Afrikaners were still in power. Was there some likelihood that Mandela would be released at this point?

BORK: No.

Q: That was not on the agenda.

BORK: No, 1984 through 1988 were the dark days of apartheid. International pressure led to harsh repression by the regime. No one expected change.

Q: And the anti-apartheid legislation that was finally passed had not occurred yet. So, who was pushing for the U.S. government to be involved with human rights, either on the Hill or in Washington? Who was pushing for that to happen?

BORK: The Anti-Apartheid Act became law September 29, 1986 (the "CAA"). Reagan's veto of the CAA was immediately overridden by both Houses of Congress. Thus, my initial work was well before enactment.

Let me reflect a bit to answer your question about who was pushing the government to get involved in SA. After the fall of the Berlin Wall, when the Cold War was cooling off, the apartheid regime in South Africa became a the focal point of foreign policy for Western governments and a major focus of interested publics. Because of the huge outpouring of demands for ending apartheid, most Western governments imposed tough sanctions on South Africa well before the U.S. We were the last major Western country to do so. The anti-apartheid movement in the U.S. was very powerful and lobbying Congress to act, but the Reagan administration worked hard to counteract those pressures. Anyone with political sensitivity could feel the cloud of apartheid and the immense public pressure to end it. Eventually public pressure caused a split between conservative and moderate Republicans. This led to a formidable coalition of Democrats and Republicans who worked together to pass the Act.

Q: I think we ought to wrap up this session and next time start off with South Africa. Is there anything else before you went to South Africa that you want to touch on from your latest Washington assignments?

BORK: I think this assignment to Washington was a period where I developed a thorough grasp of AIDs programming systems and history, in particular with respect to the Africa Bureau. After reviewing over $15 billion of activities in all sectors over many years I felt prepared to contribute more to AID. I knew I wasn't an expert in any of the sectors, but as a professional without a vested interest in a sector, having studied all of the different things AID was doing, I could see trends and need for change. I hoped to be able to contribute more using this knowledge.

Here is a brief example of my observations of AID programming in agriculture at that time. I recall talking to officials leading our work in agriculture who continued to push funding into regional research institutes, which proved to be of little practical use to

farmers in the region. I asked them what they were doing to revitalize the sector. Shouldn't they be thinking of how agriculture could regain its leadership, given the common understanding of the important role of agriculture in development. These questions fell on deaf ears. After years of observing development trends and the lack of meaningful change in the ag sector, it was my view that change was unlikely to come from the sector because of entrenched interests. As important as agriculture is to development, it never regained a footing. I viewed my lack of entrenched interests as value to help me look to the future more clearly.

You were next assigned to South Africa as the AID mission director. So, why don't we start with that? Anything you'd like to say that led up to your moving there? Give us the date, more or less, and tell us what your initial reactions were when you arrived.

BORK: Well, John, I think it's important to understand, for anybody who's looking at this time in history, is that South Africa had become, kind of, the number one international issue in the World. The Cold War, which officially ended in 1991 was on its last legs in the late 80's and all attention was on Apartheid. America, at the time, was in the process of trying to get engaged, but there was a split between Republicans and Democrats on how to do that. Ronald Reagan was president and his constituency did not want to upset the status quo. His assistant secretary for Africa, Chester Crocker was a conservative academic from Georgetown University, with ties to the region through his marriage to a white Rhodesian (now Zimbabwe). Crocker's "Namibia First" position was that the U.S. should focus on Namibian independence. Thus, the State Department was also reluctant to pressure South Africa. And at the time the Ambassador to South Africa, Herman Nickel, was clearly opposed to applying serious pressure. Many critics saw the Namibia first policy as foot dragging. As pressure built for the Act, Reagan put forth a set of mild sanctions and appointed a black Ambassador, but this was insufficient to subdue to the growing public pressure.

While bipartisan action by Congress eventually occurred developing an Act acceptable to Republican and Democrats took time. The divisions in Congress were complicated by the anti-apartheid divisions in South Africa. Politics in South Africa was very complicated in both European and black communities. Perhaps there were more complications on the black side, but the Afrikaner/English divide was very serious and complicated also. Writing an Act that made sense to the internal politics of South Africa was important to Congressional staff and so time was allotted to getting the content and wording right.

For example, on the black side of the equation there were many different movements, actors and perspectives. The largest political movement was the United Democratic Front (UDF). The Black Consciousness movement (BCM), which was also political was based on the leadership of Steve Biko, who advocated the black community educating itself, in order to fight apartheid. So, you had the UDF, which was the leading black political movement in South Africa, and the BCM movement, which had really fostered most of the intellectuals, teachers, lawyers who had gained positions in the society. There was significant tension between the actors of these movements. Another important political actor was Chief Buthelezi, the leader of the Zulu people. He was perceived as a puppet of

the White government but was a favored actor by Republicans. Note these were just the leading black actors. These and more were all feeding information and positions to members Congress and to public movements. Thus, writing the Act was tedious and time consuming.

Q: What year are we talking about here?

BORK: We're talking about '85, '86. The administration knew something had to be done, but their interest was in basically focusing on Namibia and kind of delaying action on South Africa. In the meantime, the international community was fully engaged. There were all kinds of things going on publicly and some covertly, including an effort, by the Ford Foundation and others, to get black South Africans to meet outside of the country to create a new future. So, talking about kind of a complicated environment to get involved with; it was truly a very hostile environment at home, hostile in South Africa, and then there were all of these very quiet things going on which were being orchestrated largely by NGOs (non-governmental organizations) and, I'd say, other interested states, other than the United States.

During this period, late "84 and '85, I was the GC for Africa, but the Bureau sent me to South Africa at this time specifically to engage the embassy about their human rights program. At the time, the embassy was using the funds that they had received prior to the Act for what they considered social change projects. Those projects were different than what one would envision as a human rights project. They created a series of projects that reflected the administration's position of showing support to black organizations but in a way that was acceptable to the SA government. The difference between the State Department and AID perspectives on what constituted a human rights project was dramatic. They explained that their focus was on entrepreneurial projects and were proud of funding a sewing project, where the women got together and made items for sale in the local community. While this was socially positive, AID was looking for human rights projects that were going to empower the society to end apartheid.

Debates were with the embassy staff and Ambassador Nickel and Jimmy Philpot, the AID officer from Swaziland, who had been assigned to oversea South Africa related projects. These included a large external college education project and the human rights activities, that were rarely included in our discussions. Apparently, Philpot played no role in the human rights strategy. The Ambassador was being scrutinized by the mainstream media at this time and not favorably. I could see that the publicity was wearing on him and he became interested in doing something to change perceptions. However, he was a very cautious man not wanting to create any problems with the Administration. He made it clear he wanted to create a program which would live up to the letter of the law, whatever that was going to be, but with minimal disruption of relations with the white government. I carefully explained the political mood in the U.S. and the inevitability of sanctions, especially if he continued to show little interest in doing projects which empowered people, such as lawyers, and also groups of professionals, which AID had done all throughout the world to stabilize societies.

He was more willing than I expected and agreed to engage on some of these things. He just didn't like activities directly confronting the government. This was progress but insufficient given the political dynamics in Washington.

Q: So, this was just a TDY?

BORK: Yes, I was on a TDY.

Q: For about how long were you there the first time?

BORK: I was there for two weeks. I don't know if I relayed with, but during this TDY, and this was one of the most dramatic things in my life at the time – many more to come – I had my human rights documents with me, and stayed at this hotel in downtown Johannesburg. I went out to dinner one night, and I left them there. Later, those documents were featured on the front page of a major newspaper, with all of my scribbles and comments. This was a real eye-opener as to what one had to deal with in SA.

During that TDY, I worked to convince this ambassador that we had to move forward with more targeted empowerment projects. And surprisingly he agreed as long as the projects didn't directly confront the government. With the Act gaining steam I knew that that condition would soon be gone.

On my return Ray Love asked me to consider going to South Africa to run the program. He told me that AID anticipated a large program under the Act and that it would be very politically sensitive. He thought a legal background would be the best fit because of the human rights focus and the political nature of the activities. He had consulted the Ambassador while I was there and the Ambassador approved the assignment. I was shocked since there was an AID officer there and I was certain the Ambassador was upset with my critical analysis of what he was doing and my proposed agenda for the human rights program. Ray, having worked with me in REDSO knew me well and thought the job was a perfect fit. It was clear he wanted me to take the job, but he gave me a week to think about it.

It is worth noting that while I knew this was a great opportunity, I was being asked to work in a key foreign policy job for an Administration that was viewed as out of sync with the pervading sentiment in the U.S. and the Western World. In addition, I had built a solid reputation as an advocate for civil rights and Reagan's policies were abhorred in that community. What would acceptance mean for my relationships, reputation and future. I was aware that whatever I did in that job would have a big impact on those factors. I quietly consulted with several people, some in AID, some on the Hill, many in the NGO community.

Surprisingly, most everyone encouraged me to accept. The bottom line for most everyone was that I would be implementing the Foreign Assistance Act, which reflected the will of most Americans; and the Administration would be compelled to implement the Act. This went a long way to convincing me that there was less likelihood of being compromised.

Another compelling bit of advice was that there were very few AID officers with the appropriate background, since this was not an economic development job. It was a political change job. If I didn't take it, would an economic person be able to quickly implement the Act. I was confident I was a good fit for the job so this advice encouraged me to take the job. I was still concerned about working within the State Department structure given Crocker's policies and an Embassy that worked exclusively with the white government. There was a big chasm between what I would be doing and what the embassy had traditionally done. I decided to accept but to try to get AID to create the conditions that would enable us to effectively function in a challenging environment.

In my discussions with Ray, I told him of my concerns and he was supportive. It was agreed that even though the mission would be working under the direction of the Ambassador, we would be given full mission status and that we would be able to locate the mission outside of the Embassy. In addition, efforts would be make to integrate the staff. Although the Mission would have to be small, I could chose the lead program officer from anywhere in the Bureau and if I found someone in another Bureau they would work hard to get the assignment. We also received AA approval that I meet quarterly with key Congressmen and their staffs. I was happy with these commitments and prepared to move to South Africa.

It is important to note that at this same time Reagan proposed sending Ed Perkins, an African American, to be the Ambassador. This was an additional positive factor in my decision to go. While the press had a somewhat dim view of Perkin's assignment, he was an ex marine and had a fine record in the State Department.

Ed Perkins was Ambassador to Ghana at the time and his role there came under some criticism. He was known as a very straight-laced man, a bit conservative in his approach and considered a "company man". One of the lead Washington Post editors wrote a scathing editorial about his assignment to South Africa. The tenor reflected the views of some African Americans who characterized him as too conservative, too quick to take orders, in other words the wrong kind of African American for the job. I believed this was unfair, especially because at this very time, another marine, Oliver North, was being lauded as a great American for running an illicit program in Central America. It motivated me to write a letter to the editor of the Post. The thrust of the letter was that the Post was critical of Ed Perkins, a marine who has served his country with dignity, within the confines of the law, diligently following orders, while at the same time positively portraying Oliver North, a marine who guy violated the law as a great American. I never heard from the Post.

After accepting the reality was daunting. I was told, "You're only going to have a staff of four. You're going to have at least a $25 million program. You're going to have to obligate all of that money, even though you are going to start late in the fiscal year. "You're going to have allocate all of that money in the first year with four staff. But as promised we'll give you the choice of one person to accompany you immediately - anyone that you want in the entire AID building." This was the reality. It was one thing to

obligate funds to a government, totally another when the resources were to go to Black led groups opposed to apartheid. This was a truly unique situation.

Fortunately, the Bureau had assigned, Michael Feldstein, a very capable program officer to help design the South Africa program. I think it's worth outlining the initial programming to help contextualize the anecdotes and information that follows.

First year funding for the program was $25 million, raised to $50 million the second year. The programs were (1) Community and Outreach and Leadership to redress the repression of Black led institutions, (2) Educational Support and Training to address the dysfunctional Black education system, (3) Private Enterprise Development to combat the overwhelming inhibitive effects of apartheid-induced discrimination against Black enterprise, (4) University Bursaries to help create a new generation of Black economic and political leadership, (5) Legal Assistance and Human Rights to provide resources for defending Black communities and build the capacity of Black lawyers (6) Labor Union Assistance and Training and finally, health and nutrition. This was an immense and broad program for a staff of four.

A key to the eventual success of the program was our early decision to fund projects designed and presented by South Africans. We essentially used a foundation model, creating parameters for the program and funding promising projects presented to us within that framework. The system worked well, due to the enormous effort of the staff, eventual staff increases and the flexibility and responsiveness of Washington regarding how we designed and implemented the program. There were, of course, implementation problems caused by lack of Black management and development skills due to apartheid, corruption sometimes encouraged by the South African governments and continuous political and social disruption. In spite of these factors, the program was subject to a normal level of auditable issues.

My first personnel decision was to select Carlos Pascual as the program officer. Carlos was young but extraordinarily capable. Carlos was engaged to a woman named Aileen Marshall, who was also a very capable program officer. Though we faced some obstacles in hiring her, it happened. She was a godsend, given her capability and the lack of in country people that you could trust to hire. She was both a program and administrative whiz kid.

We also hired a career couple that had worked together at an adjacent mission and were both administrative people. This appeared to be a great fit but it soon became clear that the electric atmosphere and the political nature of the program were disturbing to them. They didn't stay that long. They weren't comfortable with the program. They had been in Botswana, where everything was calm and a true economic development program.

This posed a serious management issue with this thinly staffed program. Fortunately, AID/Washington reassigned the couple and brought in a series of people, who were short term, but experienced professionals who quickly became committed to the program. That made up our staff for the first several months.

In Washington we had the capable support of Michael Feldstein, an unsung hero. As a lawyer, looking at the program side, you'd always observe and admire people like Michael. Most didn't have grand titles, but the substance motivated them and they were committed, smart and very effective. Michael provided great support and guidance from his perch in Washington.

Initially, our most important programs were the legal assistance and the community outreach programs. The purpose of the outreach program was to support and build Black-led civil society. Apartheid featured a robust effort to disable any emerging organization or leader in the Black community. Tactics included imprisoning leaders, intimidating organizations physically and through audits and other administrative means, fostering corruption. The list goes on and on. Believe it or not, in spite of the wealth in SA, the civil society in the Black community was much less developed than in countries that went through liberation in the 60s. Foreign assistance has for years supported civil society organization across the Continent, but SA institutions had little opportunity for maturation due to the constant repression. The legal assistance program was to empower Black lawyers to support and defend Black leadership and civil society. The Apartheid used the legal system as means to disable Black leadership. Remember, Steve Biko, the famous Black Conscious Movement leader and champion of nonviolent died in prison. Our objective was to provide resources to so called non-racial legal institutions that were doing effective legal challenges to government and at the same time build Black legal capacity.

Because the U.S. was one of the last Western governments to begin working against apartheid in country and the enormous antipathy toward U.S. policy within the communities were hoping to support, our first order of business was to identify and gain the trust of extant and emerging Black leaders as well as with non racial institutions and people. Note that we began working in these communities just before the Comprehensive Anti –Apartheid Act was passed. This required intense up front on the ground research, listening to the communities and attempting to respond to their, not our perceived priorities. Listen, don't talk, was the first commandment of out interaction in South Africa. Our first target was Soweto and the greater Johannesburg area. Its prominence and proximity to the small staff made this imperative. In the first months we had met with just about anyone who had any sort of leadership role in politics, unions, community organizations, legal and human rights organizations, education leadership, churches and the small, but emerging private sector championed by Dr. Motlana. We also mapped out a strategy for beginning to on the ground research in other key areas of the country, including the Eastern Cape, the birthplace of the resistance, the Cape Town area and Natal, the home of Chief Buthelezi.

Q: Yes. Before that, on the education and bursaries program, was that AAI (the Africa-America Institute)? Who was implementing the program?

BORK: The International Institute for Education established the South Africa Education Program in 1979. This program was to provide U.S college level education opportunities

to Black South Africans. The thrust was to create a cadre of educated South Africans prepared to assume key positions in a post-apartheid society. The program, chaired by Bishop Tutu, was administered by IIE. Students were selected under the guidance of Bishop Tutu. USAID provided $40 million to the program, over a decade, beginning in 1982 to the program. IIE was an able implementer and Bishop Tutu provided credibility and the political guidance necessary. It is important to note that the program required participating U.S. institutions to forgive tuition. Institutions were eager to support the initiative. While I provided oversight to this program and met with Bishop Tutu and IIE it was a successful, well-managed program.

John, if you don't mind I would like to spend some time reflecting on our biggest challenge, establishing trust and contacts.

Reflection on Establishing Trust and Contacts.
What helped me to guide the program, without hesitation, was the work I had done in civil rights as a law student in Georgia. That experience was profound. As a young to-become lawyer, I was in Atlanta, as an H. Sol Clarke fellow. Our mission was to help the poor Vine City community by providing legal assistance to individuals and community organizations. I was quickly exposed to the way the law was being used against or sometimes ignored in support of African Americans. Quickly, the community organizations, Black-led, enlisted us in any way the could, but there was one caveat and I learned that profoundly. At a community function a leader kindly, but bluntly told me, "Help us, but keep your lily-white ass down, brother." Those were his exact words.

What he meant was, we need you to do a lot of the technical stuff, but you're not the leader. I think anyone who was in that movement, if you didn't realize that sooner or later, you were stupid. So, nothing was more powerful than that advice when I got to South Africa, because we were coming in as a new staff, totally under suspicion because of the current administration. People didn't want to talk to us. They didn't like us. So, how do you deal with something like that? Well, I devised what I called the 10 commandments for staff. All ten were the same, and that was: Listen. Don't talk. My fear was that staff was more used to dialogue with government officials, often with similar background and not in a conflict situation. Starting off suggesting solutions for others in a conflict situation, where you are suspect would only confirm suspicions.

This was a much different movement than the U.S. civil rights movement, but I learned that if you're going to support a movement and you're not *the* movement, then you have to provide what they need. And this was explicitly under our law an empowerment program for them not us. So, the environment that I set as the mission director was that, we have a lot of work to do, because we're going to get 25 million the first year and 50 million next year, and they don't want it. They don't want our money. They don't trust us. So, how are we going to deal with this?

I said that the way we are going to try to establish trusting relationships and make it clear that " the American people have put this money in trust for black South Africans, and it's going to sit here until you Black South Africans tell us what you want to do with it. We

do have general program guidelines, tell us what you want to do within those guidelines, these funds are in trust for you." Given the explicit language of the CAA this was not hyperbole. And it gradually helped defrost relations.

Our staff of three spent every day in Soweto and Johannesburg in the beginning, trying to engage every Black leader in this part of SA. We also spent considerable time with non racial organizations like the South African Council of Churches and the Legal Resources Center. And at the end of one year, we had a database of 1,000 contacts. And I'm not talking about here-nor-there contacts. I'm talking about everybody who was anybody in the movement (Black, so called colored and White). Carlos, Aileen, and myself, when not responding to the Hill about the last touches to the CAA, worked tirelessly day and night on these contacts. The CAA was happening, and we had to implement this. We had to obligate that money regardless of how much time we had or whatever. So, what we did is make contacts and spread the message, "This money's in trust for you. Tell us what to do with it."

There were some who opened up pretty quickly, but the really key leadership was very hesitant. Key leadership was not just in Soweto and Johannesburg, but all over the country. So, getting those places in South Africa where the key leadership was entrenched was a ritual that we were going to undertake as AID officers. This wasn't about dispersing funds. It was about targeting them in a way that would foster change. We knew this would require knowing the history, knowing the culture, knowing the constantly changing perceptions and realities of leadership. So, we basically laid siege to this to find out what places we had to hit that were going to make a difference. Because any mistake we made in our infancy was going to discredit us so much – South Africa had political landmines everywhere. Even in our Embassy.

It is important to remember that one condition that I obtained in taking this job was a commitment to a separate AID office. Although we would have a separate location we would remain integrated into the Embassy because there was the rational fear the government would not accept a separated mission dedicated to ending its rule. Initially, we were located in the embassy which happened to be in the same building housing the South African police headquarters. Every morning when I drove to work and parked inside the building, I was confronted with signs saying "South African Police here, American Embassy here, Blacks here. Whites here." I saw that every day. The embassy had lived with that, but as an AID officer who was sent there to support the end to Apartheid, it reminded me what AID was up against in the embassy itself. The embassy had lived with these signs and was apparently comfortable. Perhaps I am being a bit petty here, but I'll never forget a brochure of pictures taken of all of the staff. If you look at the pictures of people on the staff, they to a person appear quite happy. If you look at my picture you might assume I was shell-shocked. It wasn't because I was, for me, this was very serious business. For most embassy officers this was a plum assignment, beautiful weather, housing etc.

If the U.S. was going to successfully implement a program to empower Blacks and support an end to Apartheid, wasn't the Embassy's location a deterrent to effective

communication and trust. We immediately began to seek new quarters but given our workload and government procedures it would take many month to happen. The time there weighed heavily on the staff.

The reality of life in the Embassy became quickly apparent. The Embassy, probably the most important in Africa, was staffed with good officers. But it was clear we were viewed as an intrusion to the status quo. There was, except for one officer, no one assigned to work in the Black community. It was my understanding this was also true of all repeat all the other departments of government working there. The only contact officers had was the small human rights program focused on groups which had no intention of confronting the government. In initial discussion about how they had used the human rights funds, they were very defensive and quite frankly embarrassed in view of the coming CAA. AID arrives with a mandate to fund "Black led groups to bring an end to Apartheid." Disruptive? I think this made smart State officers quickly aware of the predicament they were in, having focused their energies almost exclusively in the White power structure.

Key in our relationship with the Embassy was the Deputy Chief of Mission ("DCM"). It was clear his job was to keep track of what we were doing. He was not a happy man and was not eager to facilitate our lives in the Embassy or outside the Embassy. He sometimes went out of his way to make our lives difficult. I may have time to explain that later.

The second reality of life in the Embassy was the lack of preparation for housing us. Clearly this was something the DCM was supposed to take care of but did so reluctantly. We were allocated an office with one desk. I got that. Carlos and Aileen had cardboard boxes for desks for several weeks. I recall Carlos sitting behind his cardboard box talking to people on the Hill, helping them finalize the Anti-Apartheid Act. We were on the phone with Hill staff almost every day. Because of the political sensitivities in SA a word could quickly destroy confidence or identify you in an unfavorable light. We became a resource during the final drafting of the Act and can take credit for making the Act politically air tight. Throughout my time in SA and certainly in making our way with the communities there, we needed to be super sensitive to how the movement and the different political factions characterized their programs and actions. It was a very tricky environment. Legal training requires great attention to detail. This served me well in SA.

The passing of the CAA in September 1986 had a dramatic, positive impact on our ability to do our work. On the other hand, we were located in the Embassy, and we knew it would not be a receptive environment for our future grantees. The Embassy provided a couple of housing options but they were totally insensitive to our mission. They suggested offices in large buildings, not easily accessible to our target audience. We began looking ourselves.

Having seen what the Embassy had suggested I knew they would be happy with a building I found in an old unattractive building in a poor section of the city. I could see the joy in the DCM's face when he saw the building. But what he didn't realize is that it

was one block from the courthouse, which is where the political prisoners were processed and let out. In addition, while the place was dirty and unattractive on the outside I knew from experience that the offices within the building were well laid out and that we could do an easy attractive renovation. I remember telling Carlos, “We are going to do something very nice here.” When it was completed, the DCM, saw how nice it was and the staff remarked that “ you could see the disappointment and consternation on his face.”

I’m being a little petty here; I was very calculating with the move because I wanted an over burdened staff to have a pleasant place to work and to offer a receptive environment to our “clients.” At least they wouldn't have to pass through Police headquarters to meet with us. It was also a good distance from the Embassy and offered us the independence we needed.

The move to an independent space was in a way a launching pad for the mission. We had made our contacts across South Africa, we were gaining trust with the leaders throughout the Soweto/Johannesburg corridor, the Eastern Cape, the greater Cape Town area and were beginning were in the process of grant making. The staff was growing with the arrival of a private sector officer and later an education specialist.

Over the next year and a half, we were successful in implementing the CAA, but it was a wild ride, filled with exciting as well as painful issues and experiences. I can’t recount all of them but have selected a few issues and experience that will give some understanding of what it was like to be involved this historic political transformation.

Notable Issues and Experiences in South Africa.

1. Breaking the Ice with SA Leadership.

The icy reception we initially received from anti-Apartheid leadership was daunting. While one might think it best to begin by building from the bottom up, in SA the political environment was so strident that lower level leaders were fearful for their lives if they acted without guidance from the leaders in their communities. By using a consultative approach, i.e., seeking guidance on how to develop the program rather than immediately asking for support, we were able to develop positive relationships with most of the major leaders in SA.

Fortunately, U.S. power was such that even when we were suspect, we were considered worth a conversation. These conversations focused leaders on the financial size of our program, the politically sensitive and compatible guidelines laid out in the CAA and in our programs and our assertion that the American people had placed these funds “in trust for South Africans fighting Apartheid.” The dialogue always started out with strong criticism of U.S. policy, but over time leaders would put us in touch with people working on the ground that they trusted.

A good example was our effort in Cape Town. I met several times with Allan Boesak, who at the time had control of that region. He was blunt but helpful. He advised that the

Embassy had earlier placed human rights money with reactionary groups and we would have to overcome that legacy. After laying out our program, he expressed confidence in our plans and that our resources were necessary to empower organizations in the Cape. He added that no one in leadership would be willing to be overtly supportive. Instead, he made several referrals. Each one proved valuable. As a result we were able to quietly build a very strong program it the Cape area. These consultations included many in white leadership positions such as Beyers Naude, Justice Goldstone. I wish I had time to develop this section. There were many interesting interactions with Black, Colored, Indian and White leaders. It is true that many of these leaders would not admit to working with the U.S., but, except for COSATU, we eventually had positive relationships with everyone.

2. A Major Programming Dilemma – The Black Consciousness Movement vs. the United Democratic Front. Nonracial vs. Black led organizations.

Our most important programming issues was posed by the intersection of the BCM and the UDF. The Black Consciousness Movement (BCM) was an anti-Apartheid movement that emerged in the mid-60's as a result of the banning and imprisonment of African National Congress and Pan Africanist leadership. The movement was defined by its most important leader as follows:

> "Black Consciousness is in essence the realization by the black man of the need to rally together with his brothers around the cause of their oppression - the blackness of their skin - and to operate as a group in order to rid themselves of the shackles that bind them to perpetual servitude. It seeks to demonstrate the lie that black is an aberration from the "normal" which is white. It is a manifestation of a new realization that by seeking to run away from themselves and to emulate the white man, black are insulting the intelligence of whoever created them black. Black Consciousness, therefore takes cognizance of the deliberateness of the God's plan in creating black people black.
>
> It seeks to infuse the black community with a new-found pride in themselves, their efforts, their value systems, their culture, their religion and their outlook to life. The interrelationship between the consciousness of the self and the emancipatory programme is of a paramount importance. Blacks no longer seek to reform the system because so doing implies acceptance of the major points around which the system revolves. Blacks are out to completely transform the system and to make of it what they wish. Such a major undertaking can only be realized in an atmosphere where people are convinced of the truth inherent in their stand. Liberation therefore is of paramount importance in the concept of Black Consciousness, for we cannot be conscious of ourselves and yet remain in bondage. We want to attain the envisioned self which is a free self."

The BCM absorbed the vacuum created by bannings and imprisonment of leaders and during the mid sixties and seventies set the tone for Black anti–Apartheid efforts. Its message was especially important in building a new class of educated blacks determined to become independent of the white power structure. Education was viewed as a key BCM means of independence. The BCM also created a sense of self -determination and hope in the less fortunate communities throughout SA. It is important to note that after the BCM leader, Steve Biko, was killed in prison in 1973 the BCM existed, but there were new political forces emerging in SA. When we entered South Africa it became immediately apparent that most of the Black leaders of Black civil society and many unions were products of the BCM. Black Intellectual leaders at universities were also steeped in the BCM. Given this reality, it would appear that AID should just focus on BCM leaning organizations. It wasn't that simple.

In 1983, the United Democratic Front (UDF) was established. This was a defining event in SA history. Over six hundred organizations came together for the purpose of creating a "united, non-racial, non-sexist and democratic South Africa". A mass based anti-Apartheid political force had been established. It was viewed as surrogate for the exiled ANC. COSATU, established in 1985, became a powerful affiliate.

The UDF was a political organization which meant AID could not fund it. It was also very suspect of the U.S. role in SA and it took a lot of time to develop dialogue with its leadership. The role of COSATU and their public antipathy toward the U.S. created early problems with some of the other affiliates.

The BCM was black-led, focused on black empowerment and successfully fostered the black educated class that existed at the time the mission started. These remnants of BCM became the most likely recipients of our grants. They provided the leadership base. However, with the emergence of the nonracial UDF, the most potent political entity we were faced with a programming issue of considerable importance. We had a mandate to fund black led groups opposed to apartheid in a changed environment. If we made grants to the most effective black led groups headed by BCM people, we were perceived as non progressive, counter to the nonracial course charted by the UDF. In spite of the dilemma this created, we knew the drafters of the CAA wanted Black capacity to be realized so we focused our resources on the most promising leaders and organizations which logically were a product of the movement that valued education and self reliance. We occasionally found UDF affiliates that presented good proposals, but it was difficult because many of their affiliates were not black-led. At the end of the day, a successful nonracial society would require capable black leadership.

That did not mean we did not successfully deal with nonracial organizations and affiliates of the UDF. We spend an enormous amount of time coordinating with such organizations. Our relations were good with many UDF affiliates. Their mandates were clearly in line with the prevailing politics and because of their non-racial status they were somewhat less vulnerable than black-led groups. (Although the bombing of the SACC in 1987 would lead to some questions about the validity of this statement.) It is important to note that the major nonracial organizations, such as the SACC, were well funded by the

Europeans. In addition, we found that they rarely employed blacks to carry out their programs. For example the SACC legal program exclusively funded white lawyers to defend black defendants. In major political trials, black lawyers were largely absent. We were mandated to build black capacity so while we needed to coordinate with such organizations and respected their work, we needed to carry out the intent of the CAA. The CAA required us to do the gritty work of social change by ensuring empowerment of the oppressed to handle their affairs.

3. Labor Unions - a path to credibility.

Apartheid's relentless attacks on Black civil society, left AID few major league opportunities for support. The two biggest opportunities were churches and the labor unions. The South African Council of Churches, SACC, (non racial, not Black led), the largest church organization with Worldwide support, while initially skittish of cooperating with the AID program, began to work with us when we gained credibility with some of their affiliates. We were successful in working with the church sector.

The labor unions in South Africa were easily the most credible and powerful non-political actors in SA. The membership was in the many millions and there was black leadership in many of the biggest, such as the National Union of Mineworkers (Cyril Rhamaposa). In 1985 there was a successful movement to bring unions under one large umbrella. This resulted in the formation of COSATU (Congress of South African Trade Unions). Importantly, they were closely aligned with the UDF, the most powerful political entity in SA. There were unions who resisted this, in particular AZACTU and CUSA, unions traditionally aligned with the BCM. Thus, they were one of our most important targets for support. A lot of effort was made to create a dialogue with them. It proved very difficult. I will explain why.

The U.S. labor movement got involved in foreign affairs post WWII in an effort to counteract Soviet efforts to influence the politics the European labor movements. ('workers of the World unite"). The AFL-CIO formed an affiliate called the American Institute for Free Labor Development. It operated under funding from the U.S. government and later with AID. In the late 60's interest in Africa union development resulted in the formation of another affiliate called the African American Labor Institute (AALC). AALC got involved in SA in the 60's to thwart the growth of communist leaning unions. The South African Communist Party SACP was closely aligned with the major unions in SA. For several years AALC funded CUSA in an effort to undermine communist influence. To make a story short, CUSA and AZACTU refused to join COSATU in 1985 and this was perceived in COSATU as a U.S. led effort to thwart them. Our program, started in 1986, began its efforts while this perception was front and center in the minds of COSATU leadership. Needless to say they were not receptive and, if fact, indignant. In an introductory meeting in 1986 with Jay Naidoo, a top official in COSATU and an outspoken political leader, we were given a volatile lecture on the failings of U.S. policy. We listened, laid out our program but made no headway. One of our tactics was to go to affiliates and work with them. This was somewhat effective but while I was in

South Africa, we weren't able to crack COSATU. This was, in part, due to the history of U.S. involvement in the labor movement and in part due to AALC's refusal to recognize the importance of COSATU and the fact that it was not a communist union. I met several times with the AALC representative to try to convince him that this was a mistake, that their continued support of the unions opposing COSATU was a big roadblock to implementing U.S. policy under the CAA. I made no headway with him. This was a source of great stress for me because of the importance of cooperating with COSATU to realize the objective of the CAA and the belief that the American labor movement was going to be on the wrong side of history. Everyone was aware that the Cold War was largely over except the labor unions.

Again, to make a long story short, in a remarkable turnaround the AFL-CIO, in the late 80's began to face reality and recognized the importance of COSATU. Mandela and Chris Dlamini, of COSATU, a well-known supporter of the SACP were feted at AFL-CIO headquarters a few years later. This turnaround was too late to enable AID headway with COSATU.

The COSATU issue and the Eastern Cape incident were two of the toughest situations we faced. COSATU, a powerful credible force would not work with us and the Eastern Cape leadership had turned down our grant. I recall looking over the now Nelson Mandela Bay in Port Elizabeth, despondent about two factors over which I had no control, a U.S. labor movement still fighting the Cold War in South Africa and an unpredictable Congress. Note that we were making headway with some affiliates of COSATU.

4. The Eastern Cape and "Necklacing."

Eastern Cape was an important symbolic target for AID's mission in South Africa because it was the birthplace of Nelson Mandela, Albertina Sisulu, Steve Biko and Thabo Mbeki. Each of these people played key roles in the history of Black resistance and liberation in South Africa. While the Eastern Cape was not the most important political center during the late years of Apartheid, it was perceived as the birthplace of resistance, largely due to Nelson Mandela. Cognizant of history we were determined to engage community leaders of the Eastern Cape. This would add to our credibility since being somewhat of a backwater but stiffly opposed to U.S. policy, their involvement in the CAA program would be positive. We worked diligently with a number of church groups and eventually through some cajoling by some of our high level contacts in Cape Town, they submitted a proposal for funding. We were elated. After the project was approved, Carlos and I flew to Port Elizabeth to present the check. At this same moment a Conservative Congressman, I believe Dan Burton, proposed amending the CAA to require an AID grantee to denounce the practice of "Necklacing" as a condition to the grant.
Necklacing is the practice of extrajudicial execution of a suspected informant by placing a rubber tire around a victim's neck, filling it with petrol and setting it on fire. It was mostly used to punish persons who were suspected of collaborating with the South African police. This brutal practice occurred at the time of the passage of the CAA prompting the Congressman's proposal.

When we arrived in Port Elizabeth, we were told that the organization would not accept the grant because the new legislation was interpreted as a form of humiliation of Black South Africans as uncivil and barbaric and to quote one official, you think we are all necklacing people and you've got to say you are not a necklace before you get this money. Of course, necklacing is a brutal, unacceptable act, but in the highly charged political environment of SA to imply a grantee was prone to necklace someone was more than a casual slight. This was exacerbated by its source, a conservative Congressman who fought all sanctions and described the movement as a communist conspiracy.
Now, you can imagine the affect of a bill like that on a new staff trying to and so far successfully building relationships, one by one. We had skillfully and painstakingly got this organization located in the "birthplace of the resistance" to embrace what we were doing and with this act of Congress, the work was destroyed.

They didn't care about money. They cared about their dignity. We had worked with the most prominent people and religious groups in Port Elizabeth who provided the political leadership in that region. It was their plan to create civic organizations to organize the Port Elizabeth area.

We had to start over in that community. We ended up, many months later, placing the money, but it was only after working through other organizations, who could give us credence so that we could go back down there. Setbacks like this were very common but very tough on such a small staff committed to carry out the letter and intent of the CAA.

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5. The Homelands and Kwa Zulu Natal.

In the early 70s, in an effort to enforce Apartheid and consolidate its power, South Africa within its borders created 10 Bantustans or Homelands designed to be the nation states of South African blacks. Later the government enacted the Homeland Citizenship Act attempting to strip all South African blacks of South African citizenship and make them citizens of their respective homelands. Thus, no blacks would be a part of the body politic of South Africa. They were to become independent states and four were designated independent during the course of Apartheid. The international community roundly condemned this action and none of the new states were internationally recognized.

The most prominent of the homelands was Kwa Zulu Natal, locate along the southeastern coast of South Africa. During this period a politically astute Zulu chief, Mangosuthu Buthelezi was in power. Once a member of the ANC, due to a dispute, he formed his own resistance movement called the Inkatha Freedom Party ("IFP"). While widely viewed internally and externally as a puppet of the South African state, he spent considerable

time consolidating his power in the region and catering to groups that would support him. This included the AFL-CIO that worked with him to thwart alleged communist influence in Natal unions. This early association with the AFL-CIO led to further contacts with more conservative members of Congress who viewed him as an anti-communist asset in South Africa. So it was not surprising that early in my tenure I was encouraged to engage with Buthelezi and fund IFP affiliated groups. This pressure came from the State Department and the AFL-CIO affiliate AALC. Our view was that eventually we would be forced to make grants in Natal and some would go to IFP affiliates. However, we knew that if this occurred early in the programs history and with not counteracting activities in the region we would be viewed as funding organizations supportive of the status quo.

Our strategy was to begin meetings with the various anti-Apartheid factions and try to place initial grants with neutral (or non-Inkatha affiliated) groups. This was a very interesting process. Buthelezi had appointed Inka Mars, a mysterious German woman, as the point of contact for him. She was a capable person, well aware of all the nuances in the Natal region, but clearly Buthelezi's agent. We started with her as we did with all persons in leadership positions and sought her advice. In the course of this dialogue we made it clear that we couldn't fund Inkatha, or a direct surrogate, and the any funding in the region had to be to legitimate independent organizations. This alone, made it difficult for her to push us because virtually every organization in Kwa Zulu Natal was a direct arm of Inkatha. This greatly delayed any funding in Kwa Zulu Natal. Early funding in that region would have doomed our work elsewhere.

At the same time we engaged various community leaders in Durban, the capital of the province. The most prominent person at the time was Fatima Meer, a remarkable woman of Indian heritage, who from the age of 17 was a forceful figure in the anti-Apartheid struggle. She was the first non-white professor at the University of Natal, founder of the Federation of South African Women and a major contributor to the BCM. She was also the arch nemesis to Inka Mars. It was through Fatima that we quickly established community outreach and education projects in the Natal region. She was well aware of our overtures to factions loyal to Inkatha but had great trust in our judgment. Thanks to her we never faced difficulty in dealing in that region.

The pressure on us to work with Buthelezi was a big distraction in the beginning, but there were so many forces at play regarding the program that Kwa Zulu issue receded in importance.

There were pressures to begin work in the Homelands from Conservative members of Congress. I met with the heads of several of leaders of the Homelands, but there was virtually no follow through on their part and during my tenure; no grants were made to an organization in an Homeland except for Kwa Zulu.

6. The Private Sector program.

The Reagan Administration showed considerable interest in our development of the Black private sector. Apartheid had made certain that black enterprise was limited to the

black townships and kept fledgling. At our entry point the "private sector" was known as the handmaiden of apartheid in South Africa. Black leaders saw the private sector as carrying out the orders of the government. What the government didn't do, the private sector did. They did it by not allowing black enterprise, by not allowing black growth in the community. In every possible way, the black movement, the UDF, and the BCM, in its own way, felt that the private sector was just as much a part of the problem as the government itself. Were there great people in the private sector? Yes. Were there people that wanted change? Yes. But basically, the status quo is what kept everything afloat there.

The Administration's desire to grow the black private sector was real - it was viewed as a means to peaceful change. The Mission was determined to find a means to work on developing private enterprise but realized that it had to be in tandem and perhaps after we developed credibility with other projects more confrontational to the system.

Our strategy was to find legitimate Black leadership for the private sector program. We began our search by consulting with a man named Don McDonald, who worked with the Chamber of Commerce. He was very interested in changing SA and clearly saw the private sector as a partial solution. He brought us together with Dr. Motlana, a Soweto physician and famous political activist with roots in the ANC. Dr. Motlana, was impatient with the political class given their disdain for the private sector. It was a common political view to suspect and marginalize any black person with resources. Few had Motlana's courage. Notwithstanding that climate he vocally expressed how important it was for Blacks to have economic power and helped us to find worthy grantees.

The Administration sent a senior Commerce Department political appointee to review our program. Mind you this was six months after we set up shop and he expressed strong concerns about the pace of the program. I attempted to explain the strategy but he kept on insisting on immediate action and impact. During the course of this conversation I said that I was against using "Billboard Diplomacy" to advance the private sector program. What I meant was, given the political climate, we needed to proceed quickly but not force it down the throats of political leadership with aggressive overt presentations. He took great offense at this statement, reported it in Washington, and suggested I be fired. Fortunately, Ambassador Perkins would have none of it and the issue gradually died.

Q: Oh, my goodness. Explain that a little bit. How do you define billboard diplomacy?

What I meant was, given the political climate, we needed to proceed cautiously with private sector development activities. First, there were very few likely grantees and secondly, aggressive, overt action was unwise at a time when the private sector was viewed as "the handmaiden of Apartheid." Instead it was necessary to find strong partners and use their successes as examples. We were building an entrepreneurship program expeditiously and quietly. That was the best approach given the circumstance. He took great offense at this statement, reported it in Washington, and suggested I be fired. Fortunately, Ambassador Perkins would have none of it and the issue gradually died.

We were actively engaged with the Black Businessman's Association in Natal, an IFP leaning organization. We were providing resources to that organization to build capacity. The political appointee was interested in that because of the Inkatha connection but not satisfied we doing enough.

I want to mention a private sector project that early on revealed the complexity of working in SA and the importance of making deliberative decisions. This project involved providing assistance to the government sponsored black-led bank. It was set up as a showcase for Black empowerment. It had a sad history, with its most important Black executive sent to prison for corruption. At the urging of the SA government the Reagan Administration encouraged the Bank to seek our support. We agreed to do so but first wanted to do an assessment of the work and viability of the Bank. We selected a black American banker, famous for saving a black owned bank in Harlem. His successful turnaround of this bank was well known and his success was widely celebrated in New York business circles.

He was a thorough investigator. His report was staggering. The report showed how the South African government deliberately set up schemes that would entice executive corruption. He was dumbfounded by how clearly the schemes were explained in government documents. He advised that no American banker could survive in this atmosphere. He saw it as a means of keeping the black bankers on a leash. Do what we say or you will find yourself in prison. This is the very thing we were trying to avoid supporting and why we were proceeding deliberatively with the program. It may be hard to believe but the white government continuously worked to undermine any form of black leadership.

So, at every turn in the initial part of this program, you found that there were these kinds of things going on. We later learned that as we supported organizations, the South Africans were busy infiltrating these programs attempting to use whatever means necessary to show that black leaders were inherently corrupt. In other words, get them to misappropriate money, use them for the wrong things, that sort of thing. They would send in their own auditors, who would then identify wrongdoing.

Q: This is the 14th of December. This is the third interview with Timothy Bork, and last time we finished talking about Tim's service with the mission in South Africa, and we're going to talk at this point about his return to Washington and his activities after that. Tim, I'm going to turn it over to you.

Bork. John, there are a few other important aspects of the work in South Africa I think I should cover before turning to my return to Washington.

7. Relationship with Capitol Hill.

I want to talk a few minutes about our relationship with the Hill. The Hill had an interest in everything that we were doing. The ending of the Cold War laid bare the issue of Apartheid. Apartheid became an issue of World-wide focus. A Conservative U.S. Administration was in power and resisting the call to an immediate end to Apartheid. Conservative Republicans fully supported the Administration. Moderate Republicans and Democrats were frustrated with the Administration policy and embarrassed by the U.S. being the outlier on an issue of such international importance. This meant that both sides would be looking, critically, at what we were doing.

In order to try to deal with this interest I was scheduled to go to the Hill on a quarterly basis and meet with key Congressmen and their staffs. This meant seeing the congressmen for probably 25 or 30 minutes, and then meeting with the staff, sometimes for hours. I think their interest was two fold. They wanted to know the substance of the program to determine if we were implementing the CAA from their perspective and importantly, they wanted to be kept up to date on the political landscape in SA. It was such a hot issue that there was a visible competition amongst staff to know the latest political happenings.

Meetings were scheduled with Congressmen Gray, Dellums, Volpe and their staffs and sometimes Senator Kennedy and the Gerry Christianson, staffer for Jesse Helms. We also had a lot of contact over the phone during the drafting of the CAA.

The most important person that we interfaced with was Gregory Craig. Gregory Craig worked for Senator Kennedy. Greg was a very smart straight -forward guy with his eyes focused on the issues. Most staffers were quick to make judgments and were relentlessly trying to run the program from their desks in Washington, showing obvious distrust of AID. Greg wanted to know what was going on and sought advice as he worked on the CAA. In my meeting with him on the Hill, he sought information and offered balanced advice on issues of interest to the Senator. It was obvious he was pleased with the progress we were making in establishing contacts and trust in SA.

Q: At this stage, how old would he have been, do you think?

BORK: I think in his late 30's, probably early 40's. He was a known figure, because he was a lawyer, and he was always in one of the top law firms, and he always had big cases. He was a litigator, so he's one of the guys – There are so many of us lawyers, but the real lawyers are the guys who do litigation. It's the hardest, the most challenging, and he was really one of the best.

So, anyway, Gregory Craig was very down to earth. He was supportive of the AID program. He and I crossed paths earlier. I asked him to be on the board of a community group that I was helping, and he easily agreed. So, that's the kind of guy he was. He was very community-oriented.

Gregory Craig was kind of an ally. In fact, his office called us almost every day at our office in the embassy while they were working on the Anti-Apartheid Act. They wanted

to ensure the language they used was sensitive to the hyper political environment in SA. We were their best resource.

The other key staffers were Adwoa Dunn Moten, Steve Weissman, and Hazel Ross-Robinson for the Democrats and Gerry Christianson who worked for Senator Jesse Helms. All of these people were tough characters. Not only were they smart, but other than Craig, they were very leery of how we would implement the program. Note that Hazel Ross-Robinson was the spouse of Randall Robinson, the head of TransAfrica, largely recognized as the leader of the anti-Apartheid movement in the United States. Hazel worked for Bill Gray. Steve Weissman was staff on the Foreign Affairs Committee, and Adwoa Dunn Moten was, I believe, on the Africa subcommittee. So, those people not only interacted with me when I went to see the congressmen, but I spent a lot of time informing them. I thought it was important for us to be setting a supportive consultative relationship, because as I said before, it wasn't supportive in the embassy, and it wasn't supportive in South Africa.

Q: So, in that circumstance in the embassy, the ambassador didn't mind you talking directly to the staffers on the Hill?

BORK: Fortunately, in negotiations with the Embassy it was made clear that I would be in charge of implementing the CAA and that I would have continuous contact with the Hill. It was a clear division of responsibility and the Ambassador never questioned our programming or contacts. I briefed the Ambassador weekly and he was kept abreast of any significant issues relating to the Hill. Most issues related to the contacts we were making and the direction of our grants. We felt it imperative that we be transparent because of the intense interest in the program. There were issues that were important for the Ambassador to know about immediately, but that was rare since there was constant communication through my visits to the Hill.

The quarterly meetings on the Hill were excellent. Congressmen Dellums and Gray were respectful and had a keen interested in learning. Volpe on the other hand was more likely to question what we were doing. In my view he had more of a staffer mentality, which was directed at finding issues to report to the boss. I don't recall any directive feedback from any of theme.

Steve Weissman and Adwoa Dunn, as staff for committees were very interested in details. In my view Adwoa was more of a balanced person who just wanted to know what was going on. Steve was a very intelligent guy who had an angle. He knew a lot of people in academia in South Africa and at times became directive. I recall one instance where he called upset that we were not giving a grant to a contact of his. He was insistent we do so. We had decided to give the grant to a Black company after a competitive process. He was not happy. I will leave it at that.

Hazel Ross-Robinson was cordial but a well-informed, confident person who would ask questions that showed she had done her homework before the meeting. Hazel and the other staffers all had contacts on the ground in SA. You could sense that the questions

they were asking were emanating from those sources. Fortunately, for us we were working the entire country daily and it was our job to stay on top of any political development. The only thing I picked up on in my conversations with Hazel was a bit of resentment that we were doing things on the ground. It was an advantage of knowledge that somewhat bothered this capable person.

I believe our constant attention to the Hill and out total transparency worked extremely well with one exception. Gerry Christianson could be characterized as the stalking horse for the disenchanted Conservative element in Congress. He was certainly capable and knowledgeable but clearly felt it was his responsibility to watch the program for Conservative interests. Conservatives appeared convinced that the ANC, the UDF, Mandela were going to bring communism to South Africa. They became alarmed when they saw the direction of our programming and as described in the earlier dialogue relating to the necklacing legislation, they were looking for ways to avert our efforts. One evening, I received a call from the Embassy saying that I had received a list of 25 questions from Senator Helms (Christianson's boss) and that he demanded answers within an hour. The questions were designed to show that AID was supporting communist elements in South Africa. Some were directed at me personally. Fortunately, my legal background made it easy to detect the ultimate intent of the questioning. I am certain they were disappointed with the answers. It is my view that Jesse Helms was too busy to craft these questions himself.

8. Direct support to Black lawyers. Sharp-shooting from the U.S.

One of our earliest initiatives was to build capacity in the Black legal community. Black lawyers were often sidelined in the struggle, because resources were directed almost exclusively to white lawyers. The biggest funder of legal assistance was the SACC. They had little or no record of employing black lawyers to defend black defendants or institutions. The Legal Resources Center, the premier white led legal organization, also directed most of its resources to white lawyers. When we questioned this practice we were told that Apartheid was so good at destroying people, that there were few black lawyers qualified to do this work. Our research questioned that assertion. We quickly became engaged with the Black Lawyers Association (BLA) and were impressed with the talent of the staff and their membership. But it had little or no resources. We recognized this as our best opportunity to build legal capacity in SA. It took a long time to get their board to agree to take our grant. Ed Spriggs, the African American Regional Legal Advisor and I had spent countless hours consulting with the staff, the board and members. As we were preparing the grant, we were informed that the Lawyer for Human Rights (LHR) organization in Washington had advised them to not take the grant. They were sorry. They needed the resources but we had been discredited by an important U.S. organization.

This was shocking since I had made it a point to consult with the Director of LHR each time I travelled to Washington. In my next trip to Washington I explained the problem to the Chairman of the Board of LRC and he quickly worked to resolve the problem.

While I am unsure of the reason this occurred, I believe that the sudden, laser like approach AID had regarding such issues as legal assistance annoyed organizations like LRC. They had been supporting the anti-Apartheid effort for years. They perceived us as working on their turf. Because we were on the ground we could direct resources more effectively than they could and this must have been hurtful. LRC had channeled its funds for legal assistance through SACC for several years. And as I said before SACC did great work but didn't use Black lawyers. Our direct approach to the BLA may have temporarily upset LRC. I believe I detected this sort of resentment with many people who had worked for years on this issue but had little on the ground access.

Now, this might appear to be a small victory, but this program was hugely important, the U.S. was helping address one of the most serious problems South African blacks faced – almost total reliance on whites to fund and fight their battles. It was the U.S. through AID that went to South Africa and said, "Here is your opportunity to have black lawyers defend black defendants."

Our investment in BLA was very successful. Several of the people funded under the program assumed major positions in the new government. Our insistence that the role of black women lawyers be enhanced was embraced. One of the early recipients of our assistance became head of the International Electoral Commission and later the general counsel to the President of SA.

9. Directive to fund Israeli programs in South Africa.

Shortly after the program got rolling I received a directive from Washington to fund some of Israel's programs in South Africa. I have no idea who initiated this idea. On its face, it would appear innocuous if the programs fit our guidelines. However, the UDF and most other organizations were quite suspicious of the Israeli's role in SA. This was due to the perception that the Israeli's had a long history of working with the South African Police and the SA government.

Given this pervasive perception, I feared that carrying out the directive would deliver a serious blow to the program. Suspicions of our intent were alive and well and such funding would clearly stoke those fires. While I had no idea who initiated this idea, this kind of thing is usually a result of lobbying on the Hill. I felt trapped. I knew I couldn't prevent it and there appeared to be no way out.

I was put in touch with an Israeli who was acting in a development assistance capacity. His name was Shimshan Zelnecker. I later learned he had an extensive, military intelligence background. He was very solicitous and eager to discuss out strategy in SA. He was clearly motivated by our quick success, seeking an explanation of how we were able to do it. His apparent interest in our success gave me an idea – I would explain how we operated, how politically sensitive we were, how mistakes could destroy this progress. And then, ask him how he would handle the Israeli request if he were in my shoes.

Given his background, I was pretty sure he wouldn't want to be implicated in discrediting our program. Our discussions quickly turned to how we could make this work without harming the U.S. program. Eventually, we worked out a deal to use legitimate pass-through organizations. In essence, an initial grant was made to a South African entity that then passed the resources to the Israeli's who made a grant to the ultimate recipient. The Israeli's would get the full credit and accomplish their goal of shifting perceptions. Zelnecker, in effect, wanted to build relations in the Black community through a series of grants to people and organizations he perceived as having influence in the new nonracial SA.

I learned to respect him. He chose recipients carefully. He quickly understood the political downside of mishandling this issue and lived up to his word in all respects. As a result I was able to solve a very sensitive political issue with the potential to disrupt U.S. policy. I believe I earned my Presidential Award for U.S. foreign policy, through this and many other actions in SA.

10. Rehabilitation of the King Center in South Africa.

During the initial months of our existence is SA, the Martin Luther King Center had arranged a visit to South Africa. The Center wanted to play an on the ground role in the anti-Apartheid struggle. AID was prepared to help them, given the importance of King in the U.S. civil rights struggle. Coretta Scott King, MLK's, wife, had arranged a series of high level meeting which included then President of SA, Pieter M. Botha, Winnie Mandela, Allan Boesak and Bishop Tutu. The proposed meeting with Botha caused a huge uproar in the anti-Apartheid community. This led King to do a last minute cancellation of the meeting with Botha.

The Center was not well prepared for the thorny, strident politics of SA and the incident, in effect, discredited the Center throughout the Black anti-Apartheid community. This led to communications from SA anti-Apartheid leadership that made it clear that the King Center would not be welcome in SA.

In the Embassy staff meeting after the visit there was a lot of guffawing and unfavorable comments about the many mistakes the King Center had made. I was shocked at the lack of respect or concern for the King legacy. This was partly the result of the failure of the King Center to seek and follow Embassy advice. To me, this loss of credibility was tragic. The U.S. government had dragged its feet in supporting the anti-Apartheid effort and now one of the greatest symbols the racial struggle in the U.S. had, in effect, become a banned organization.

While the King Center had made serious mistakes, I felt that the King legacy had at least a symbolic place in pursuit of a nonracial SA. I took this concern to Beyers Naude, the most famous Afrikaner in the anti-Apartheid movement and the head of SACC. The SACC, in effect, set the ground rules for the nonracial element of the struggle. He gave me a lot of time to explain my position. I leaned on his understanding of how oppression had affected the people of SA and the importance of King in fighting against the

oppression in the U.S. I also asked him if he had led the King Center and wanted to work in SA, would he have recommended the trip be orchestrated by the U.S. Embassy. Surely, the Embassy may have helped them avoid some mistakes, but at the time the Center would also be viewed as insensitive of the movements antipathy to U.S. policy. He was sympathetic to their returning to SA, but under the condition that they work with the SACC to regain their credibility through a series of community consultations. I think he meant two things by this. First, to work in SA you needed to understand the environment and their trip indicated they did not and secondly they needed on the ground credibility and they did not. He suggested these issues could be addressed through a rehabilitation process involving extensive consultation with community leaders. Beyers agreed to undertake this project. Mrs. King was grateful. The Center successfully undertook the community consultations. There is now a King Center in South Africa.

I met with Mrs. King several times during this process. She was honest and straightforward and was eager to work to get the Center established in SA. She explained that she was very sorry and concerned about what had happened on their visit to SA but said she had a strong belief in dialogue, rather than violence. And hoped she could influence Botha. She agreed that as an outsider she had miscalculated and would work through the issues no matter how painful.

11. Life in the Mission – down the street from the Municipal Court.

Life in our own quarters was transformative. Morale was elevated. But the staggering workload continued. And if you recall, I earlier mentioned that the new mission was located near the Municipal Court and Jail, where Blacks were sentenced and detained. We had visitors from there.

I was standing outside of the mission after a visit to the Hill in Washington. I was rejuvenated and happy to get back to work. I noticed a figure moving toward me. He was struggling. He was disheveled, his clothes were torn, there were blood stains all over his body and clothing. I asked him what happened and he recounted this story.

The past Sunday, it was now Friday, he and his wife were picnicking in a park in Pretoria. At about three in the afternoon, the South African Police came and released three German Shepherds, which proceeded to terrorize his and other families. He was arrested on a trespassing charge, detained for five days. During that period he received no medical attention. He came in and left in the same condition. I wasn't shocked. This was an everyday reality during this period in SA. I brought him into the office, we took his details and referred him to a legal assistance program we were funding. My rejuvenation was short-lived.

We would witness things like this and worse on an almost daily basis. I recall telling this story to Carlos Pascal on a car trip to Johannesburg. After that he turned to me and said, “Tim, have you noticed that there is almost always a beautiful blue sky in South Africa.” And I replied, “No. I haven’t noticed it at all.”

12. Meeting with Winnie Mandela. While I had the opportunity to meet with most anti-apartheid leaders, my meeting with Winnie Mandela was unexpected.

She would have been a priority person to engage but she was imprisoned during part of the time I was in SA and after she was out, her life was tenuous at best. She was under intense scrutiny by the government and there were continuous efforts to discredit her. Certain of her actions eroded her leadership role. During my second year in SA, a famous activist of Indian descent, Amina Cachalia, who had become a quiet but effective supporter of our work, on her own initiative, arranged a meeting for me with Ms. Mandela. This was proof of the positive, trusting relationship we had developed.

At this time Ms. Mandela had a reputation of being unstable, haughty and erratic. I didn't know what to expect. I think the introduction by Amina went a long way toward making the meeting substantive, informative and pleasant. I found Ms. Mandela to be fully engaged, very thoughtful in her questions and comments. She appeared quite stable. Most of the meeting was a straight-forward discussion of the program. She wanted to know the details. She was clearly impressed with the depth and content of the program and the relationships we had cultivated.

Her advice was simple. She recommended keeping a low profile, avoiding publicity for the program. She thought that the government was tolerating our work, but if they were confronted publicly they would intensify efforts to thwart the programs. She also thought that publicity would dampen leadership support because it was too dangerous for them to be directly associated with the U.S. She said our focus on black led groups was “crucial” to the future of SA.

I met many people who provided all kinds of information about what was happening in SA. One of the most interesting was a meeting with a person who had documented some of the government efforts to discredit and cripple Ms. Mandela’s mentally. I have the document. It describes an encounter where a government agent shows her the hacked off leg of one of her associates to intimidate her. Having met Ms. Mandela and having spent time observing the actions of the government, I am suspicious of the accounts of her actions after she was released from prison. The intensity of government efforts to discredit leadership should not be ignored in research of the actions of many SA anti-apartheid leaders.

13. Meeting Nelson Mandela in my tennis whites.

I was no longer posted in SA when Nelson Mandela was elected President. But just before that happened I was at the ANC headquarters in Johannesburg for a meeting. I was there to talk to the head of the youth league, early in the morning after a game of tennis. He said it was ok if I came in my tennis gear. While waiting at the reception, Nelson Mandela walked in, introduced himself, and engaged in a half hour conversation about the upcoming elections and problems in SA. It was surprise to see him and I was a bit

embarrassed about my clay dusted tennis whites. He, on the other hand, looked me directly in the eye and engaged without hesitation.

I could go on forever recounting my experience in South Africa. I have tried to pick a few topics that give people reading this a pretty solid idea of what we did and why we did it.

To conclude, I believe the early work of USAID South Africa successfully laid the groundwork for the much larger programs that followed. Key accomplishments included reversing the deeply held belief of the anti-apartheid leadership that the U.S. was opposed to regime change; quickly identifying and cultivating the current and future political, economic, legal and social leadership of a nonracial South Africa; putting in place and executing a program perceived by anti-apartheid leadership, the Congress and U.S. anti-apartheid activists as responsive to the needs of the struggle; and fully implementing the will of the American people as expressed by the CAA. In his book on the SA transition Princeton Lyman, a later Ambassador to SA affirms these accomplishments.

My South Africa work led to several honors and awards including the Presidential Award for Superior Achievement in Foreign Policy and the Federal Executive of the Year Award.

Q: Wow. When you came back to Washington, let's go through that fairly quickly - the rest of your career?

BORK: After two rewarding but difficult years the AA/Africa asked me what I wanted to do. He thought that two years of what I had done was enough, and I knew in my heart in was the best thing to do. Unfortunately, in the foreign service you learn it takes about two years to become comfortable in a new environment, but this was not an ordinary assignment. The AA asked, "What kind of job do you want? Do you want to go overseas?"

I said, "No, I need to chill out for a while." So, I became the Director of Project Development for Africa. It was kind of an interesting job, because I'd been the legal adviser and that was the sort of people that I'd interfaced with for years. It was a very nice job, and I so much respected the people that had been in that job before me. I remember sitting there, talking to these guys. But it became a very difficult time for me, because having done something so exciting, and then coming into a job which was hard and, I think, important but it was a time of reorganization in AID.

The assistant administrator, Scott Spangler kept asking me, "How do we reorganize this place?" I'm a project guy. Lawyers are project people. So, what I saw happening was, you had project officers overseas and project officers in Washington, and it was obvious to me that there was a duplication that was, in my view, wrong. My South Africa experience made it clear that there was an enormous advantage in being on the spot. In my view, the contribution of Washington was tenuous, especially given the quality or project development staff. I said, " I think the field officers know what they're doing, and this office, the Washington project development office – It's wonderful to run it; look at

all of the great people I'm working with and everything. But I don't know if it's fair to the field for all of this second-guessing when they have adequate expertise there. We still approve the projects in Washington so why do we need to duplicate their efforts here." The AA agreed with me and so they did away with my job.

Q: You terminated your own office.

BORK: Yeah, and I'd say only a lawyer would do that. I have to say that people in agriculture and economics and education protected their turf at all costs. Well, it wasn't doing away with project officers. There were ample jobs for them; it was doing away with the overlap, which to me was huge. I mean, it was a big staff. And I think people in Washington felt that the second-guessing shouldn't happen.

After that the AA, Scott Spangler, asked me to be his assistant. I didn't have a choice. I had eliminated my job. It was fine. That assignment lasted for a while, and basically, I just went to him and said, "You know, this isn't my thing. I'm really an operational guy."

So, I was made the Director of the Office of Sahel and West Africa. That was an interesting job. We were in continuous dialogue with our French counterparts attempting to get them to rationalize their CFA policies, which we believed were harming the Francophone countries. In addition, I was able to do some reforms there. It was an opportunity to reorganize the way we interfaced with the French. We were second citizens in Francophone Africa. So, it was dealing with that reality. My major contribution was to establish an office in Paris to coordinate with the French. We needed a better understanding of what the French were doing in order to be effective in the region. Roy Stacy led the effort there.

After a year and a half in that post, I was made the Deputy Assistant Administrator for Africa. I covered the new areas of governance and human rights, and East and Southern Africa. It was an exciting job. The most important elements were to guide the programming of the missions in the region and to establish the governance and human rights program.

Having earlier done away with the project development office in Washington, the approval process at the DAA level was crucial. I was very comfortable in this role given my extensive project related experience while a lawyer, my years as the Director of Project Development and importantly, my role in developing non-project assistance for the Africa Bureau. Non-project assistance was the most important programming device during this period so it was easy for me to lead the reviews. The economists played a major role in these reviews, and because I had designed the process, I was able to effectively mediate between the powerful economist and less powerful sector voices. I recall many spirited debates, often inspired by Jerry Wolgin.

While serving as DAA I worked on creating a program that would engage American Embassies in the good governance process. It was my view that State Department needed to have a major role in promoting good governance. The State Department was notorious

for addressing short-term U.S. interests, but having little regard for longer- term interests. Democratic governance is a long term U.S. international priority. This would force the State Department to begin thinking more long term. State Department through its embassies directly engages the leadership of other governments. However, they have no role in promoting democratic governance. In my view they are a crucial actor to promote good governance because of their continuous interaction with leadership at the highest levels. While AID is excellent at providing project support to NGOs and nongovernmental actors that is only part of the equation. State Department engagement with government is the other.

The project I designed was to help create a good governance plan at each embassy. This would be a long-term plan of engagement with the host government. The project would provide tech support to design the plan and fund progress reviews by outside experts.

While I was happily carrying out my DAA duties I was approached by the Ford Foundation to become their Africa and Middle East Director.

Q: So, what year would this have been?

BORK: About 1991.

Q: So, Ford just sort of came out of the blue and said, "Are you available?"

BORK: Yes. There were a lot of people that I knew from Ford through the South Africa program. My reputation was really strong there. A person that had this same job in Ford Foundation while I was in South Africa read our program paper for South Africa and was quoted as saying it was one of the best programs he had seen. This was an honor, because places like Ford are notoriously critical of government and AID. So Ford was quite aggressive with me.

After I'd accepted the job with Ford, Brian Atwood, the Administrator of AID asked me to stay. I was very conflicted at this moment. Being the DAA for Africa was a wonderful assignment. I loved the job content, felt quite comfortable and thought I could continue to make contributions. However, I realized that I would be just delaying the inevitable and it was very hard to find comparable work in the development field. I made the decision to go.

Q: How old were you at the time?

BORK: 50-something.

Q: So, you'd had how many years in AID?

BORK: 19. Yes. I was attracted to Ford Foundation because it had nine field offices in the Middle East and Africa. So, it gave me a flavor of AID. I also was attracted to working in the Middle East. The negative were that the budget was much smaller, and

there was this arrogance of the people in the foundation, –especially Ford, which was the biggest foundation in the world at the time. Having spent years in AID, with such talented people, I wasn't impressed.

Ford Foundation had historically attracted and hired the top people in their field – and at that time, I was one of the top people in the Africa field. However, shortly after I arrived they began hiring younger people who were very bright but learning on the job. There were also many academics, few people with lengthy operational experience. This bothered me because I was used to dealing with people in AID with strong academic backgrounds and great operational experience.

That being said, Ford had a great reputation and was a nimble organization. For, example they did a seminal study on South Africa which is recognized as the means by which the ANC and the SA government began the external talks which were key to the demise of Apartheid. Ford began the first programs in the West Bank Gaza. These were compelling acts of leadership on major World issues. My budget was only $50 million per year but Ford could act quickly, innovate and provide leadership.

Q: Wait, Ford Foundation – You were living in New York for that?

BORK: Living in New York, yes.

Q: So, you moved there.

BORK: Yes. I was in New York three years. The first two years were spent reforming programming in the field offices. This was an arduous process because programming vision was almost exclusively a result of the narrow expertise of the staff. While attention had been given to general development needs, the staff had not been challenged to find ways to provide leadership – something for which Ford had historically been very able. For example, the Director in West Africa was a medical doctor with no prior development experience. So I spent a lot of time on development fundamentals and straightening out development plans. Some staff had development backgrounds, but it would be in a very narrow area and would be difficult to get them to look at their sector from a leadership perspective. The leadership angle is important for a foundation because there aren't sufficient resources to do major projects. But because you can act quickly without the bureaucracy of the big aid agencies, there is an opportunity to innovate and provide leadership.

An example of my efforts at Ford is provided by my interaction with Ford's international agriculture officer. His sole work in Africa was funding of regional ag research organizations. AID had been doing that for many years with very poor results and with much more money. I asked him why he continued to fund these centers when it had been proven that they were largely ineffective. I suggested that he consider, instead, initiating a major study on the future of agricultural development in the 21st century. Agriculture had lost its luster as a development sector while still being crucial to development. There was virtually no one in ag rethinking the role of agriculture in the development in Africa. Ford

was in a unique position to do it. Here is where we could provide leadership. I am certain this would have been a very useful role for us to play. The officer didn't have the energy or interest to try it.

Fortunately, Ford was quite willing to fund innovation if you could convince them it was the right thing to do. As Director of Africa and Middle East programs I was free to design my own programs. I was eager to take advantage of the resources Ford offered to all its officers.

I decided to act on my fear that in the post Cold War period, Africa would be even more marginalized. After all, much of the U.S and Western interest in Africa stemmed from Cold War tensions. Development experts on Africa could see clear U.S. economic and social interests in Africa, but there was little interest in Africa in the U.S. I also firmly believed that a growing understanding and appreciation of Africa was important to our national identity. It was my unscientific view that a negative U.S. view of Africa was also harmful to U.S. appreciation of a significant part of its cultural heritage, especially for children. With these reasons, I decided to try to raise the profile of Africa in the U.S. through an initiative I named "The Africa Policy Initiative" ("API").
The Initiative had four interrelated outreach projects. They were:

1. The National Summit on Africa (the "Summit"). The Summit's purpose was to mobilize concerned parties nationwide to engage in a vibrant policy dialogue leading to renewed interest in Africa and a new agenda for U.S./Africa relations.
2. A multimedia documentary series. Entitled "Hopes on the Horizon" the series was designed to feature the voices of Africa's leading economic, education, political, private sector leadership for the purpose of adjusting outdated perceptions and attitudes.
3. An African arts and cultural education program. This program was to engage broad public interest in Africa through strategic presentation of African performing and visual arts, complimented by sustained arts and cultural education programs. The centerpiece of this program was a multi-year festival and arts program, presented by the Kennedy Center for the Performing Arts, entitled, "African Odyssey".
4. A Study Commission on Africa. The purpose of this initiative was to created a venue which would produce in-depth policy studies on critical policy topics which resonate with the U.S. public.

I designed and then proposed these four programs, along with a fifth focusing on developing a publicity campaign to the President of Ford. The new President was desirous of big, visionary ideas was immediately attracted to the program and agreed to funding the four activities outlined. This involved potential outlays of $20 to $30 million. The publicity program was deemed to cost too much.

It's important to note that I wanted this program to reach out to Americans in a way that had not been tried before. All Africa related programs were policy based and they had generated little interest except amongst academics and a few policy wonks. That is why,

even the National Summit, which was policy based, was designed to reach out to community groups throughout the U.S. All of the programs had a strong outreach and education component. The purpose was to get people in the U.S. from various sectors interested, by hosting policy for a related to specific sectors. The only American who had successfully tapped broader America was Rev. Leon Sullivan. He organized teachers, health professionals and persons from other sectors to conduct activities in Africa. He would organize people from these sectors and plop them in Africa. It was a dramatic baptism but it worked to build a small but important constituency. Such activities get peoples attention and commitment. I wanted to use his model as a basis for the Africa Policy Initiatives activities.

I began the process of implementing the API while at Ford. My first effort was to get partners to pay for the program. Ford strongly believed in leadership through forging partnerships. This led to major Foundation commitments including $3 million from the Kellogg Foundation for Hopes on the Horizon. I secured another approximately $2 million from private sector donors. The second step was to find program implementers. For better or worse Ford had a policy of finding organizations to conduct conceived programs, with a hands-off policy once the organization was selected. This became a source of considerable anxiety for me because anything to do with Africa was filled with a lot of social (racial) and political pitfalls and altruism was often second to personal agendas. A general lack or resources played a big role in developing Africa NGOs.

As for implementers I sought seasoned neutral leaders. C. Payne Lucas of Africare was selected to organize the Summit. Alicia Adams of the Kennedy Center was selected to lead the arts and culture program and Henry Hampton, the renowned African American filmmaker was selected to head the multimedia effort. The first two selections worked out very well. Henry Hampton, immediately after his contract, was diagnosed with cancer and passed soon thereafter. This had a very negative result for the multi media activity. The Study program was deferred until after the other activities were implemented.

The Summit was a big success. But there were many issues. While extant Africa related organizations were initially excited about the Summit, there was a fear that the Summit would encroach on their turf, programmatically and financially. In order to counter this, I created an advisory board which included leaders of all relevant NGOs and academic institutions. This worked to temper a lot of resistance, but the turf issue remained throughout the process. A second issue was the choice of leadership. The program needed a charismatic and seasoned leader. The obvious candidates, C. Payne and Reverend Sullivan had their own organizations to run. Other NGO leaders offered little dynamic leadership possibilities. C. Payne chose a retired Army officer, MacArthur DeShazer. He was a marvelous person, but unprepared to deal with the infighting of the participating organizations and did not have the charisma or leadership record the position required. I didn't like this choice, but as I mentioned earlier, Ford was adamant about passing responsibility outside the Foundation. Eventually, we replaced DeShazer with Leonard Robinson, a more seasoned person, with adequate charisma. He did a good job of guiding the Summit to its conclusion.

The Summit was designed to build constituency and momentum by hosting regional Summits that would fold these issues and constituencies to the National Summit held in 2000. This was difficult, largely due to a different kind of turf issue. For example, the Midwest Summit, held in Chicago, showed different types of turf issues. I was advised that Jessie Jackson refused to help unless he was paid a large upfront fee. He refused to cooperate in spite of our pleas to his idealistic side. A second issue arose in the academic sphere. We enlisted Northwestern University to help because it had one of the strongest Africa programs. Inner city university activists considered this elitist and were largely unhelpful. The program received significant financial support from the Sarah Lee company and the Chief Executive helped open the program. The venues were spectacular. However, the program suffered from the turf issues described above.

The other regional Summits went very well, with support from the cities especially San Francisco and Denver. The National Summit was convened at the Washington Civic Center and was attended by over 8,000 interested parties. The program was opened by President Clinton and closed by Collin Powell. We held several cultural related events alongside the Summit, including a several thousand person concert with Youssou N'dour at the Kennedy Center and a huge art exhibit at the Reagan Building. The closing ceremony, presided by Colin Powell at the Kennedy Center, was attended by African Ambassadors, Congressional leaders and hundreds of Summit attendees.

Substantively, the participants put together a thoughtful policy agenda for the future of U S/Africa relations, sector by sector. It lacked some specificity but given the number of participants with divergent agendas, it was a remarkable feat. It was distributed throughout the policy community, universities, Congress and the Executive Branch. One outcome was a fairly strong consensus that there should be a means of following up the work of the Summit

The Kennedy Center African Odyssey program was also very successful. It included a year of Africa focused performances at the Center (including a concert hosted by Harry Belafonte), a website devoted to educating young people about Africa and three years of smaller Africa related performances. It proved the power of the arts in reaching a broader audience. The Kennedy Center approached this program seriously. They believed in the power of arts to educate as well as entertain. Each of their programs included educational components.

Of all of the activities I expected the multi media activity to be the most profound. There was little or no serious media coverage of sector leaders on the Continent. I believed that a documentary, in the style of Henry Hampton, would be well received by diverse audiences and could be a teaching tool for secondary schools and colleges. There was nothing like it in the World. However, the multimedia project proved very difficult.

After a review of possible U.S. and African filmmakers the project was placed with Henry Hampton, a renowned African America documentary filmmaker. Earlier he had produced a formidable documentary series covering the civil rights movement. We selected him because of his ability to dissect events and put them together in a

compelling format, with balance. One of our field offices, Kenya, resisted this move. They had found a filmmaker in Africa who had produced a series of well-received documentaries. Ordinarily, we would have wanted an African filmmaker to assume leadership of the project. However, we were making this for an American audience and wanted it to be balanced, devoid of a single socio-political viewpoint. We wanted a diverse cross section of individual Africans telling their stories. Our review of African filmmakers led us to the conclusion that we needed a competent American in charge. But our grant required that the American select an African partner to be a co-producer.

Unfortunately, Mr. Hampton was diagnosed with cancer shortly after the grant was executed. While his staff was competent they lacked his vision and authority and it was clear that loss of his leadership would hurt the project. Before his diagnosis Henry engaged a Ghanaian filmmaker to be co-producer. While Henry began declining in health, delegating responsibility to staff, the filmmaker was running circles around staff and spending huge sums of money, much of it wasted. Hampton's staff, contrary to Hampton, would not take direction. They were out of their depth, especially with the work on the ground in Africa. This led to a long period of little progress. I was heartbroken since I knew that a well-produced series had the opportunity to have the biggest impact on creating a more balance U.S. view of Africa. The project was eventually reorganized, much smaller and lacking Hamptonesque sophistication. It is rare that resources are made available for this type of activity. It fell far short of the mark of success. I recall encountering the person who directed it to finalization. She had no idea of the original vision for this activity.

The Study component of the API was to be folded into one of the extant organizations. However, none of them had the competence to undertake serious policy research. It was deferred until after the Summit.

Q: What years are we talking about?

BORK: 1997 to 2000

Q: Tim, the API was truly an extraordinary initiative. You were working with the premier American institutions and many of the most influential black Americans to raise the country's awareness of Africa. That's a huge undertaking that was very successful .

BORK: Yes it truly was. But let me step back a moment.

While I was in my third year at Ford, I and the other international directors, were called into the new President's office. She advised that she would be undertaking a massive reorganization of the Foundation and she had decided to eliminate the international program directorates. I recall her looking at me and saying "Tim, you're the lucky one. You've been designing this huge Africa program. You can pick where you want to go, and you can create the program, manage it and find something else that substantively satisfies you."

I wanted to go to Brookings. There was a wonderful African fellow there I wanted to work with, Francis Deng. Ford encouraged me to select a think tank that had a more diverse board. So, I ended up at the Carnegie Endowment for International Peace. I was there six years, and acted as a senior resident associate responsible for Democracy and Governance and Africa programs, including being the Director of the Africa Policy Initiative.

Q: Back here in Washington?

BORK: Yes. I spent most of my time at Carnegie implementing the API, overseeing and advising the program elements outlined earlier. The issues were at times overwhelming, but Carnegie gave me an excellent venue to convene and guide without being heavy handed. Since I earlier described what transpire with those elements, I'd like to spend a moment describing the events after the Summit.

As the Summit winded down, Leonard Robinson, the President and I, began sounding out the idea of creating a new organization, an organization dedicated to educating Americans about Africa, as a follow up. There was a lot of support for this amongst the non-Washington attendees. The Washington NGOs had mixed reactions due to turf and funding issues. As the person who started the Summit for the purpose of creating a more balanced, interested public, I knew that there was no extant organization that could assume this role. And that it would be a shame to let this momentum die.

Early on in developing the Summit, Don McHenry, a prominent African American who had been Clinton's U.N. Ambassador and a Ford Board Member, suggested we consider creating an Africa Society. This would be modeled after the Asia Society. The Asia Society model was an excellent suggestion since it fostered interest in Asia beyond politics and economics. It was a source of education and fostered understanding through the arts. My view was constituency development would never succeed if the typical Washington political model was used. Leonard and I discussed the model at length and settled on the creation of an Africa Society based upon the Asia Society model. Leonard and I visited David Rockefeller, who was a founder of the Asia Society. He was sympathetic but offered no direct financial support. He did motivate the Rockefeller Bros Foundation to provide a modest grant.

In order to be sensitive to outreach of the Summit we created a board made up of regional representatives. Our focus was to educate Americans about Africa. As a result we created a series of programs – policy, education and the arts. Perhaps the most interesting was a program called "Teach Africa". We created a curriculum on Africa for use in U.S. school systems. Programs were conducted with the support of the State Department to train teachers in the curricula.

While the original vision of the Society was commendable, the leadership of the Society, Leonard and staff, focused most on getting involved in policy. This is what they knew and were most comfortable working on. In Washington people tend to use these organizations to gain personal access to power centers, not understanding that if they

built constituencies outside Washington their access would be easier and much more meaningful to realize their organizational goals. Little by little the broader plans evaporated, in spite of my vigorous attempts to execute the education and cultural elements. The Society continues to exist and does some good work, but it has unfortunately not held on to its constituency and has not been able to fulfill its original mandate. It focus is almost solely political. As a founder, I am happy to see it existing but know it has fallen far short of the vision Leonard and I shared.

Too bad that the Society couldn't have picked up a bit of Reverend Sullivan's model. When he passed, it was a great loss to intelligent, meaningful constituency building. While Sullivan's ability to build a constituency was legendary, his programmatic implementation often faltered. He was really good because he brought together sectoral Americans on Africa. So, doctors, nurses, educators, lawyers, insurance agents – you name it, he brought them together.

Q: The Opportunities Industrialization program was Leon Sullivan's program, and it's mostly here, in the States, as I recall. But we had a program in Liberia, when I was there, and we had friends who worked with the program in Sierra Leone. In both of those places, they've done a great job. It's basically work force development. It was something that was needed in those countries. And he became – Was he head of HHS (U.S. Department of Health and Human Services)?

BORK: That's Dr. Louis Sullivan, the doctor who took over the HHS under President Bush. I actually flew around Africa on Air Force Two with him when I was in AID.

Q: Oh, did you?

BORK: Yes. He did a tour of Africa, largely focused on AIDS. I was the Africa Bureau representative on the trip.

Q: So did my wife. Was she with you? My wife was on one of those trips.

BORK: I am certain she was on the same trip. And I assume she reported some interesting incidents on that visit.

Q: So, you were at Carnegie. You enjoyed that work? Was that full-time, still?

BORK: Yes it was full time. As I said earlier in our conversation I worked for Carnegie for two purposes. The first was to implement the Africa Policy Initiative, the other was to act as the Carnegie expert on Africa and economic development and governance more broadly. The API kept me very busy during the initial years at Carnegie. However, as one of the few Africa experts in the think tank realm, I was continuously used as a resource for the news media - print, tv and radio. I occasionally, when I had time, wrote op-eds. Getting opinions in the media is a difficult business, especially when your focus is Africa. Africa was rarely a focus of attention, except in the case of famine (the Sahel drought), conflict (Rwanda, Burundi) or revolution (South Africa). So it was difficult to get op-eds

published. I succeeded with a few. One big one. Immediately after 9/11, I wrote an op-ed about our failed economic AID to Pakistan. It was the lead op-ed in the International Herald Tribune, prominently before an op-ed by Donald Rumsfeld. It was a coupe for Carnegie and good for me.

I attempted to get a book published on the private sector and economic development in Africa. My thesis was that post 9/11, development of the private sector should be a priority. The Bush Administration, in response to 9/11 dumped their private sector focus and began focusing on basic human needs. While the Clinton Administration was turning to the private sector as the means to development in Africa, this focus was reversed under Bush. I think that the fear evoked by the attacks on the U.S., created a knee jerk reaction that increasing basic human needs would help thwart third world reprisals against the U.S. In my view, we couldn't change the course of development when we poured money into basic human needs, how could we expect it to work with less resources. You can't buy friends as I pointed out in my op-ed on 9/11. Instead, we should use our lessons learned and focus our diminished resources in Africa's growing private sector interest.

Two factors sidelined the book. The first was the editor in chief of Carnegie. He was an ex-State Department lawyer with a very strong academic bent. He was also not happy that an ex AID lawyer had prominence in his field of interest – democracy and governance. He didn't block the project, but was not helpful in refining it. The second and more important factor was the perceived audience for development books. Two publishers, who showed interest in the book, advised that it was rare for such books to sell more than a couple of hundred copies. Only a few universities and development organizations would be interested. Thus, the book would have to be financed, in part, by Carnegie. Finally, the process would take about two years. At that point I decided to focus on getting the Africa Society launched. I dropped the book. And instead, I used the theme in op-eds.

Q: What's the title?

BORK: Very mundane. "Private Sector Answers to Africa's Economic Development Dilemma."

Q: Oh. So, you never did publish it?

BORK: I decided that the audience developed under the waning Clinton years had moved on. AID was much less a priority. And the era of AID leadership in development was over. Finally, the World Bank and IMF were developing strong private sector programs and were no longer looking to the U.S. for a significant role in this.

Q: This is the Atwood period?

BORK: Yes, and as a matter of fact, when I was writing the book, the private sector shift was being advocated by experts from the Democratic camp. I was shocked that the Republican leadership reached back to more traditional AID after the crisis. So, it's one

of these fascinating things that happens under the radar in government. My book was pointing out this anomaly and suggesting that this shift was a mistake and uncharacteristic of the party that so strongly respects private sector interests.

Q: Yes.
BORK: There were two other themes I attempted to promote during my last couple of years at Carnegies – the possibility of making AID a foundation and shifting private sector and democracy and governance programs from AID to the State Department.

The Foundation idea had been suggested earlier by Jesse Helms in a not-so-kind effort to marginalize AID. I view the idea as a means of insulating AID from continuous political wrangling. As time passed and after working in a foundation I thought there was merit in the foundation model. A foundation sets its priorities and provides grants to applicants who show how they would achieve the Foundations priorities. This is a much simpler system than AID uses. It would reduce personnel needs dramatically and place implementation responsibility on the grantees. Audits and impact studies are used to judge success or failure. This system was used successfully in the early South Africa program. In the post 9/11 period when the U.S. had less resources and showed no inclination to take a leadership role in development, the model would be a cost effective alternative and perhaps depoliticize AID. The idea gained little traction but I think it would be an even more relevant option today, given resource levels and its much lower priority.

The second theme was a proposal to move private sector and democracy and governance programs to State. I wrote a great article on this but did not get it published before I left Carnegie. In my view AID was a development agency made up of highly trained economic development experts. When democracy and governance and private sector programs became fashionable, AID staff resisted, mostly because the subject matter was unfamiliar. In my view these sectors would be perfect for the State Department. Their mandate it to protect U.S. interests, and private enterprise and democratic governance are the cornerstones of U.S. policy. Placing these responsibilities in State would greatly reinforce promotion of these interests. Anyone who has worked closely with Embassy staff is well aware of their short-term focus. In my view placing these responsibilities squarely in State would change this dynamic. The responsibility for conducting such activities in the host country would help forward our longer term national interests. Johns Hopkins wanted to publish it but I instead tried getting it in the Harvard Review. They showed initial interest but eventually dropped it. I regret that decision because of the importance of the issue.

The current administration has raised questions about the importance and relevance of the State Department. While some of this criticism has been careless, State clearly needs reform. Communication methodology has completely changed, our interests are not well defined. If this Administration is seriously interested in reform, they should consider shifting these responsibilities to State as a meaningful step.

Q: Now, after Carnegie, did you retire? What did you do then?

BORK: John, I don't think I will ever retire. While I was in Carnegie, I met my wife-to-be. Carnegie offered me an opportunity to spend a month in France to improve my French. I quickly became enchanted by a Japanese woman who was studying contemporary art at Sotheby's Institute in London. In less than a year, we were married.

Q: A "coup de foudre" (love at first sight), as they say.

BORK: Yes. And while this was going, I was thinking, "What am I going to do next?" While I was at Carnegie I was approached to be an Ambassador twice. In spite of support of Vernon Jordan, Mrs. King and just about every other person with an interest in Africa it came close but never happened. I recall Vernon Jordan at a luncheon saying, "Tim give me your resume. You're an Ambassador. I don't know where, but you're an Ambassador." With all this backing, including the personal intervention of the Presidents best friend, it didn't happen. This led me to the conclusion that I needed to make a break from policy and development. It was in fact an easy decision because my dream of becoming a father became a reality. I wanted to create a stable base for our small family. I carefully thought over options and decided that I would begin investing in real estate.

Q: Here in Washington?

BORK: Yes. I have always had a passion for architecture and buildings. I immediately began researching multi family and commercial building opportunities. Fortunately, I found some solid projects big enough in size to create a sustainable business. It is a capital intensive business so patience and perseverance is necessary.

Q: Office buildings or apartment buildings?

BORK: Office and apartment buildings. So, basically, did I retire? No way, but I gave up something that I dearly loved, and it's always been a struggle, because I could see opportunities. But I knew if I took one of those opportunities, it would be short-lived. Most of my former colleagues found work in consulting. That work can be rewarding provided it builds on your expertise. But it's not me. I wanted to build something of my own.

I maintained my connection to Africa through continued support to the Africa Society as the Vice Chair of the Board and as Vice Chair of the Board at the National Museum of African Art. I would also occasionally have a speaking engagement due to referrals from Carnegie.

Q: The Smithsonian?

BORK: Yes, the Smithsonian. I was made an Emeritus Vice Chair when I left the Board. So I have remained connected to the Museum. My wife was helpful in making me realize that my life was no longer international in scope but local. My wife kept saying, "Tim, you better – If you're going to live here, you'd better start becoming involved." This led

to my joining the Board of the Washington Ballet and the Board of the Post Classical Ensemble. Ballet and classical music are passions.

Serving on the Smithsonian Board was very helpful in making the transition to a life focused on DC. Most of the Board members were collectors of African Art and their knowledge of Africa was very limited. Since there was no real Africa expertise I was able to fill that role. Since the Museum was started by a foreign service officer with an Africa expertise, Warren Robbins, I felt I was following up for him. So, when I went there, I could really play a role. And, you know, when you've lost your love – in my case AID – you've got to find something that fills that void.

Q: Were you involved when it used to be on Capitol Hill, back then?

BORK: No.

Q: Only when it became a Smithsonian museum down on the mall.

BORK: Yes

Q: So, you're still on the board there, you say?

BORK: I'm Emeritus. I attend their galas and will try to work with the new Director. He's British, and I maybe I can give him some grounding in the United States.

Q: Wonderful.

BORK: Not so much Africa anymore, but part of my heart remains devoted to it.

Q: Very impressive. Well, just going back to – Let's just summarize, for a moment, as you look back on the AID part of your career. 19 years, you said. Do you still encourage young people, if you run into them and say, "I'm interested in working in international activities, and maybe Africa"? What do you encourage them to do now?

BORK: Well, you know, when I was a senior AID officer young people were constantly seeking advice about a career in development. I was encouraging but with caveats. I think those caveats are even more important today.

The first caveat relates to the relevance of AID in today's World. When I entered AID we were in the midst of the Cold War and AID was an important post Second World War tool against the encroachment of non-democratic regimes. It was also an outpouring of Americas post Second World War wealth in concern for the plight of the poor. This made AID a national priority with growing budgets. In my view, neither of those factors provide compelling support for AID today. While Bush increased AID in response to 9/11, again motivated by perceived external threats, that was temporary. What I am saying here is that in considering a career it's important to understand the context of the work. The context determines ones ability to achieve ones goals – personal and altruistic.

It also affects the work place climate. Finally, the context helps determine your future job options. Bottom line, I would only encourage young people with a very strong, selfless commitment to development to seek a career in AID. Even in the case of strong commitment I note the importance of developing their expertise and reputation before entering AID - as a hedge.

The second caveat is also contextual in nature. AID is a bureaucracy. Bureaucracies can cramp individuality and creativity. Since AID no longer has the resources to facilitate development leadership, the "bureaucracy effect" is greater than it was in the past. Committed people should consider NGOs, contractors and foundations as alternatives.

Thirdly, given the narrowing of AIDs mission, does AID provide opportunities in one's sector of interest. For example, the private sector is the most dynamic aspect of development now. The World Bank and the IMF are giving this a high priority. AID is not. AID would not be a good choice for a person interested in private sector development. Is the sector I am interested in a priority in AID? This is an important consideration for ones future.

Finally, working in government can be immensely professionally rewarding if you find the job and the context compatible with your interests. As a person who successfully found my niche in the government, I am immensely grateful for the opportunities AID afforded me. Having had an opportunity for a second career in the private sector, I am mindful or the financial realities of a government career. If you are a capable professional, you may be sacrificing financially for your lofty ideals.

In spite of these reservations, I still remember, many years ago when I was in Djibouti, eating a baguette out in a harsh desert area, with my colleagues, laughing and joking. We were the happiest people in the World, doing what we loved because of the juxtapositions of this crazy world." I loved working for AID.

Q: Right. You've got your French Foreign Legion out there and you've got your baguettes in the small AID program.

BORK: It's a wonderful thing to do, and I think doing good is wonderful, but I think the world is changing so much that I would just advise young people to be smart about their roots in their profession and keeping those going. Maybe coming in and out might not be a bad idea, rather than looking at it as a long-term career. But definitely, the service that you do to other people… there's nothing like it. AID is on the ground, and does good things, and that's special.

Q: Let me ask one more question, and I ask this in part because my son went to law school. What did having been to law school bring to you that was useful that other people might not have had during their career with AID? What legal training did you find that you used and was valuable to you?

BORK: Study of law should result in developing or strengthening analytical skills. An analytical thinker is able to resolve problems because of the ability quickly identify the issues that must be addressed to solve a problem. Going from point A to Z isn't easy if you are unable to see the obstacles clearly. Not every lawyer develops these skills and those that don't have a hard time passing the bar exam. The lawyers that do are usually very valuable in team setting where diverse views need to be focused.

In AID projects are developed to solve problems. Being able to define the problem and outline the steps to get there is a skill. Brilliant sectoral officers sometimes find their sectoral interests and prejudices hard to overcome in analyzing a problem or activity. The independent non sectoral analysis skills of a lawyer can be very useful in the AID environment. I think that is something that lawyers bring to AID. I felt this profoundly when I chaired meetings as the DAA. I felt my analytical skills helped save a lot of time and avoid a lot of disputes by laying out a clear agenda identifying the key issues for resolution and keeping people focused on resolving such issues.

Q: Well, thank you, Tim. I think, unless you have something else, we'll terminate this excellent interview.

End of interview