

## Fostering a State-Society Compact

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“S ince the end of the Cold War, every President has been forced – sometimes proactively, sometimes reluctantly – to conduct war in a fragile state. Each time, the U.S. has tried a different strategy in an attempt to learn from past mistakes. Yet regardless of the particulars—composition of forces, leadership, and international engagement—in each case the states remained fragile or failed and required ongoing international intervention for years to come. After a quarter century, it appears to many that, in the fragile states where the U.S. has committed the most money, blood, and effort, there are no solutions.

Why are these countries not able to rebuild, as Germany and Japan were able to after World War II? Why have none of our largest interventions in the post-Cold War era seemed to work?

In fact, as James Dobbins and Laurel Miller of RAND have found, international post-conflict efforts have been on the whole far more successful than is generally acknowledged.<sup>1</sup> But recent high-profile U.S. failures have been particularly

costly to the idea of U.S. leadership and effectiveness.<sup>2</sup> The reality is that the U.S. has tended to focus on rebuilding state structures through outside assistance. But in the absence of an inclusive state-society compact, post-conflict states are extremely likely to return to conflict.<sup>3</sup> It’s time to shift our focus from outside state-building to helping societies rebuild themselves from the inside.

### THE PROBLEM: ENDING CONFLICT GENERALLY CREATES NON- INCLUSIVE, FRAGILE STATES

As the Fragility Study Group report acknowledges, terms like fragility, or weakness, are in many ways misnomers. They imply that the problem with these countries is a deficit, a lack of strength, money, or government capacity. More often than not, these states are not “ungoverned” or impoverished. In fact, while poor countries are more at risk for

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The **Fragility Study Group** is an independent, non-partisan, effort of the Carnegie Endowment for International Peace, the Center for a New American Security, and the United States Institute of Peace. The chair report of the study group, *U.S. Leadership and the Challenge of State Fragility*, may be accessed here: <http://www.usip.org/fragilityreport>. This brief is part of a series authored by scholars from the three institutions that build on the chair report to discuss the implications of fragility on existing U.S. tools, strategic interests, and challenges. The complete list of policy briefs may be accessed here: <http://www.usip.org/fragilitypolicybriefs>.

- **Bosnia** – President Clinton attempted a multilateral NATO mission to end an escalating and ongoing conflict; nation-building was largely handed to the United Nations. Decades later, the state remains unstable and unable to forge a lasting and inclusive political settlement. An international presence is still necessary to maintain the fragile peace.
- **Afghanistan** – President George W. Bush engaged in a two-pronged U.S. and NATO effort to fight the Taliban and al-Qaeda while rebuilding the Afghan state. NATO members were assigned responsibility for various sectors based on perceptions of knowledge in problem areas– for instance, Italy’s carabinieri police were seen as akin to the national paramilitary force Afghanistan would need, so Italy was given responsibility for building the police force. But a Taliban resurgence and escalating violence forced the U.S. to take responsibility for failing sectors like policing years after the window of opportunity for progress had closed and problems had become more entrenched. The depth of these problems is so great that U.S. forces are likely to remain in Afghanistan for the foreseeable future.
- **Iraq** – President George W. Bush undertook a military-led effort, with the support of a modest coalition of smaller allies, to overthrow the government of a fragile

state held together by a dictatorial strong man, Saddam Hussein. Attempts to cleanse the government of former Baathists created spoilers, while the U.S. lacked “nation-building” tools after years of foreswearing such activity post-Bosnia. Attempts to create new tools in real-time, such as the Provisional Reconstruction Teams and the Office of the Coordinator for Reconstruction and Stabilization/Bureau of Conflict Stabilization Operations (S/CRS/CSO), fell prey to political rancor and other problems that reduced their effectiveness. The U.S.-trained Iraqi military failed to fight when confronted by ISIS, and U.S. troops are now helping the Iraqi military retake ground thought to be secured a decade ago, fighting our third war in the country in a quarter century.

- **Libya** – President Obama crafted a light-footprint approach in which allies would lead the military mission with assistance from the United States. The U.S. did not undertake any nation-building efforts, believing the United Nations, with the support of key allies, should and could handle them. Warring militias carved up Libya, which is now a failed state and a refuge for ISIS and other terrorist groups. U.S. attempts to train elite units for enclave missions largely failed, while bases were overrun, and equipment sold or stolen.

fragility, plenty of poor countries are not fragile or beset by conflict, while fragility affects multiple middle-income countries.

Fragile states are mis-organized – not disorganized or unorganized. The structures required to govern have been repurposed to serve the goals of individuals, parties, particular ethnic, class, or religious groups, or elite portions of the state. The result is countries that teeter on the edge of conflict, poorly serve the whole of their citizenry, and must

constantly contest control over governance with non-state actors in portions of their territory. These states are fragile, not because of a deficit of money, knowledge, or structure, but because of a deficit of trust between the government and society.<sup>4</sup>

The reasons for such mis-organization after conflict are clear. With guerrilla wars and insurgencies nearly impossible to win decisively, peace negotiations or newly elected governments must convince various different groups wielding force to put down their weapons.<sup>5</sup> Efforts generally follow two tracks. First, peace negotiations or more subtle conversations over such things as political participation and party creation must often offer impunity or improved opportunities for the force-wielding group. The state may be forced to provide warlords or guerrilla commanders with the ability to hand out patronage appointments to their troops, or provide them with government positions and access to state resources, or other sweeteners. Alternatively, the new government might engage in

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armed tactics or otherwise use force to attempt to shut others out of power, leading to killings such as those committed at the end of Sri Lanka's war against the Tamil Tigers or the Shia death squads in Iraq. In either case, the state that ensues tends to be skewed towards some groups or elites, rather than formed to serve the general population.

Avoiding these outcomes in the short-term may be impossible.<sup>6</sup> Before a country can rebuild, it must have peace, and in the absence of strong and continual third-party enforcement such as exists to this day in Bosnia, these sweeteners or armed tactics are likely to prevail. The international community has become increasingly skilled at offering third-party commitments that help negotiated peace treaties last, and at making these treaties more inclusive – but to end war more quickly, treaties must often lean more towards “peace” than “justice.”<sup>7</sup> That may mean putting warlords in positions of power, providing impunity to those who have committed war crimes, and other choices that enable peace in the short term – but can create such a deep sense of injustice that they unravel peace in the years to come.

For a country to move from a fragile and flawed peace to a more stable path forward, it must build an inclusive government, a government “of the people,” “by the people,” and “for the people” that includes all groups. The international community has already greatly improved its track record at forging peace settlements. To make peace last and avoid constant and ongoing involvement in these countries, the U.S. must become better at the activities that turn a less-inclusive peace into a more inclusive state.

Typically, this step is known to the military as Phase IV operations, and to lay people as state-building. The conventional U.S. methods of state-building in response to fragility are a mixture of military and development aid, and the typical partisan fight is over which of these arenas should be primary. Yet the fight misses the point: the problem is one of governance. Consider the case of Colombia:

## **BUILDING STATE-SOCIETY RELATIONSHIPS**

As the Colombian case illustrates, what is needed is not actually to build the state, but to build the political relationship between the state and society

– to rebuild the state's legitimacy. Both military and development aid can be used to improve governance – but neither does so automatically. In fact, treating economic development as if it equates to legitimacy

### **Colombia Take III: Plan Lazo, Drug Wars, and Plan Colombia**

The U.S. rightfully prides itself on the role Plan Colombia played in helping to bring about greater security in Colombia. The country went from a bankrupt state overrun by drugs, guerrillas, paramilitaries, and organized criminal groups in 2000 to a tourist destination less than two decades later. While imperfect, Plan Colombia's security and development assistance, particularly that which helped Colombia's national government coordinate its security elements and subordinate the military to trained and savvy civilian authority, were crucial to this progress.

Less well known, however, is that Plan Colombia succeeded because the soil had finally been prepared for its roots to take hold – earlier, stunningly similar efforts had failed.

In 1959, the Colombian government invited a U.S. investigatory mission to address a far smaller-scale insurgency remaining in the country after the civil war known as *La Violencia*. The U.S. report concluded that Colombia's government needed to focus on restoring honesty and efficiency to its institutions for peace to take hold. The ensuing Plan Lazo and its Alliance for Progress counterpart programs undertook many of the activities that would be heralded as so successful under Plan Colombia. The U.S. provided the armed forces with helicopters, small arms, intelligence, and anti-guerrilla training. It worked to build a functional joint staff to coordinate security sector activities while training the national police and depoliticizing security sector institutions. Meanwhile, it helped to develop the state by assisting the Colombian government in road building, constructing water

wells, and developing medical school programs. It helped create the Institute of Land Reform to improve agriculture, and brought in the AFL-CIO to enhance labor unions in an effort to blunt Communist demands.<sup>8</sup> The idea was that by helping the government, particularly the military, offer these services, Colombians would regain trust in their state. And the Colombian military seemed to support the idea. General Alberto Ruiz Novoa, who became the Commanding General of the Colombian Army at this time, claimed for instance, that destroying guerrillas was not enough, and that the army also needed to “attack the social and economic causes as well as the historical political reasons for their existence.”<sup>9</sup>

Yet nothing changed the basic political settlement embodied in the state, which had been formalized in Colombia following its civil war in the 1940s and ‘50s as the National Front. Under this power structure, the two parties shared power among themselves. Both parties were controlled by elites, with no real representation for Afro-Caribbean, poor, rural, or indigenous Colombians. While the agreement ended the intense fighting of the civil war period, it never opened up to enable more inclusive government. This failure allowed extremists to gain support. The economic development programs, absent a change in this power equation, did not win hearts and minds. To the contrary – when the military stepped in to mop up the few hundred armed guerrilla fighters left over from the bitter and bloody civil war, those forces regrouped to form the FARC, which would eventually grow to be tens of thousands strong and thirty years later would control an area within Colombia the size of Switzerland.

Over the ensuing decades, Colombia and the U.S. government would alternate between development and military aid. From 1986-1991, for instance, President George H. W. Bush spent over \$700 million dollars trying to fight Andean drug cartels with emergency military aid, special forces training, and U.S.-provided planes, assault boats, and field gear.

Plan Colombia was the third major U.S. attempt

to help Colombia. It worked not because the U.S. package was fundamentally different than the previous two – but because Colombia was. In 1991, Colombians fed up with widespread violence took to the streets and demanded a constitutional referendum to create a new state-society relationship. The ensuing Constitutional convention was like nothing Colombia had ever seen, incorporating all of its citizens, recently demobilized guerrilla groups, and a mass effort at outreach. While impacted by drug cartel corruption, the convention nevertheless managed to break the narrow political compact that had governed Colombia since the 1950s. Independent politicians could now run for office, human rights were enshrined in law, and a Constitutional court was created to uphold laws and rights.

Violence after 1991 never returned to the levels seen that year, and while it took time, the constitutional changes rebuilt the legitimacy of the state and enabled independent politicians – from Bogota’s Mayor Antanas Mockus, to Medellin’s Mayor Sergio Fajardo, to President Alvaro Uribe himself – to devise more lasting solutions to Colombia’s violence and fragility.

When Presidents Pastrana and Uribe sought U.S. help in Plan Colombia, their country was different. The left had agreed that the state was legitimate, and no longer offered soft support to guerrilla action, which provided space for the right to step down from its support for paramilitaries. The business community was willing to accept a Security Tax that covered 95% of the ultimate costs of Colombia’s reform efforts, so that the U.S. contribution to Plan Colombia, large as it was, made up only a tiny fraction of the overall investment in the Colombian state. The citizens, having witnessed the failure of the guerrillas to accept a peace deal under President Pastrana, were ready to accept stronger military action, while the human rights entrenched in the Constitution gave citizens and their courts a legal and powerful way to fight back if and when the state slipped again into repression.

*That is what a more inclusive social compact looks like in practice.*

can actually backfire, as in parts of Afghanistan where attempts to “buy off” violent areas have provoked anger and insurgency.<sup>10</sup> Economic development tends to increase expectations, research suggests, so that its relationship to legitimacy is not linear.<sup>11</sup> Money can’t buy legitimacy; only a more inclusive political settlement can.

So, what can the U.S. do to improve our success in Phase IV, or enhancing the state-society relationship?

**First: Change our mindset so that the goal of external intervention is to put the state and society on an equal level and build a functional relationship between a government and its citizens.**

Making this the primary outcome goal of our interventions means that we must make our efforts to achieve other goals – such as building a strong military or delivering health care aid – serve this broader objective. However, that doesn’t actually mean these other goals are less likely to be achieved. Instead, we will more successfully achieve security and development outcomes by ensuring that these programs help advance the overarching goal of a functional state-society relationship, ensuring that the delivery and implementation of these other programs are undertaken in ways that serve that primary goal.

**Second: Invest in activities that force governments to interact on an equal footing with their citizens.** Platforms such as the Open Government Partnership serve this role. Other ideas could include:

- Tie all on-budget assistance for military or development aid to civil society assistance, so that governments must accept the latter if they wish to obtain the former.
- Earmark a small percentage of all security sector assistance for local civilian monitoring and oversight, so that the elected legislature and civilian monitoring groups are informed of all U.S. security aid being provided, and have a budget over which to exercise oversight. This would not only reduce corruption and increase state-society relations in the partner state, but would reduce government waste in the U.S.

- Increase general support for civil society, which currently receives just .2% of official development assistance, particularly for movements and organizations closer to the people than most large, formal NGOs that currently receive most U.S. funding. This may be best achieved through grants to third-parties that can redistribute to local groups.<sup>12</sup>
- Ensure that U.S. military as well as diplomatic visits to the country include meetings with civil society and regular citizen outreach, particularly to embattled minority groups and accountability and watchdog organizations that may face government harassment, and that if such outreach is blocked, the visits are cancelled.

Both military and development aid can be used to improve governance – but neither does so automatically.

- Send joint missions in which Combatant Commanders or Department of Defense visitors are accompanied by the State Department Assistant Secretary for Democracy, Human Rights, and Labor or other U.S. government officials responsible for democracy and governance issues, so that these goals are seen as having an equal importance to the U.S. government by those in the receiving country.
- Invest in efforts to combat the “closing of the space” for civil society, a phenomenon now spread to 90 countries worldwide that is making it more difficult for people in these societies to organize and give voice to their needs.

**Third: Recognize the pitfalls of all international post-conflict interventions, and attempt to avoid them.** External intervention does not start from a blank slate. Instead, external assistance often doubles down on pathologies within the non-inclusive governance structure that are driving the violence and fragility in the first place.

- Security sector assistance may help one ethnic or religious group over another, may embitter those who see security sector jobs going to rivals, and may lead groups to use violence to jockey for access to the stable jobs in the police and military, thereby creating resentment among groups cut out of such spoils. Attempt to provide assistance in ways that force security services to incorporate the full range of citizenry.
- Development aid can be diverted so that corrupt warlords and elites profit the most from the influx of funds. The need for development practitioners to hire private security forces can add funds to the coffers of warlords whose militias offer such protection. A better approach would be to create a reserve force within the U.S. military to protect State Department, USAID, and contracting staff so that these elements do not need to contract with local security forces. Or reinstate the Civilian Response Corps-Active to carry out expeditionary tasks in post-conflict settings. (Civilian Response Corps-Active included civilians with military training and the right to bear arms who could be deployed within 48 hours).
- Hiring practices among internationals drain some of the most trained and skilled individuals to serve as translators, drivers, and other international workers, pulling them out of roles in which they could serve to rebuild their own countries. Support efforts to reform U.S. aid, such as USAID Forward, to buy goods and contract locally to improve local economic opportunities.<sup>13</sup>

**Fourth: Invest in the civilian capabilities required to play these roles.** The United States has made a major investment in its military—and it has the world’s best. But no similar effort has been made in developing other critical instruments of American power and influence—including the largely civilian capabilities of peace-building, reconciliation, and conflict avoidance that seek to head off armed conflict, and the closely related capabilities of post-conflict stabilization, reconciliation, and social infrastructure reconstruction that are required to preserve the peace.

## CONCLUSION

It is fashionable now to foreswear “nation-building abroad.” And America cannot “build” another nation—only the government and people of that nation can do so. But America and its friends and allies can help. And it is in their interest to do so.

ISIS will ultimately be expelled from Syria and Iraq. But if stable, secure, and prosperous societies do not emerge there, these countries will inevitably fall prey to even more virulent terrorist groups -- as ISIS was a more virulent successor to al-Qaeda. And these groups will ultimately threaten the U.S. and its friends and allies.

So it is in America’s interest to help. The place to start is to help rebuild the social contract between these governments and their people.

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Since the Marshall Plan, the international development community has moved from “give a man a fish” to “teach a man to fish” to “remove the political and social obstacles that are keeping that man from fishing.” Yet post-conflict intervention and state-building today is stuck in the “give a man a fish” style of intervention.

Changing our idea of post-conflict intervention from state-building to helping a society rebuild its own state will make U.S. interventions in fragile states more successful. We have had success in the past, where countries have moved from being drains on American time and resources to being true partners

in trade and security, such as Japan, Germany, South Korea, and Colombia. To have success in the future, the U.S. must build the civilian capacity required for this vital mission. While the effort required is large, the payoff is far greater.

## NOTES

1. James Dobbins and Laurel Miller, "Overcoming Obstacles to Peace," *Survival* 55:1, February-March 2013, pp. 103-120, building on a series of RAND studies: "Europe's Role in Nation Building," "Overcoming the Obstacles to Peace," and "The UN's Role in Nation Building."
2. In fact, the RAND studies suggest that U.S. interventions have been less successful than those led by that much benighted organization, the United Nations.
3. Barbara F. Walter, "Why Bad Governance Leads to Repeat Civil War," *Journal of Conflict Resolution* 59:7, 2015, pp. 1242-1272.
4. The tenacity of entrenched local patronage networks that embody these elite privileges is one of the key factors cited by RAND in unraveling nation building efforts in their study James Dobbins et al, "Overcoming Obstacles to Peace: Local Factors in Nation Building," RAND Corporation, 2013.
5. Decisive wartime victories appear to be the most lasting form of peace in civil wars, though the side effects of allowing all out civil war to become protracted have significant negative effects. See Edward Luttwak, "Give War a Chance," Robert Harrison Wagner, "The Causes of Peace," in Roy Licklider, ed., *Stopping the Killing: How Civil Wars End* (New York: New York University Press, 1993), pp. 235-268, Roy Licklider, "The Consequences of Negotiated Settlements in Civil Wars, 1945-1993," *American Political Science Review*, Vol. 89, No. 3 (September 1995), pp. 681-690, and Fabio Andres Diaz and Syed Mansoob Murshed, "'Give War a Chance': All Out War as a Means of Ending Conflict in the Cases of Sri Lanka and Colombia" *Civil Wars*, 15:3, pp. 281-305.
6. For an overview of how civil wars end, see Monica Duffy Toft, *Securing the Peace: The Durable Settlement of Civil Wars* (Princeton, N.J.: Princeton University Press, 2010.)
7. Afghanistan, for instance, has taken the first tactic in its power-sharing agreement between Ashraf Ghani and Abdullah Abdullah; Ghani's choice of Abdul Rashid Dostum, a well-known warlord, as his Vice-Presidential running mate; and the earlier accords that brought warlords into the cabinet. Iraq's Maliki government chose the second option, with Shia death squads and militias enabled and empowered while Sunni tribes who had fought in the Arab Awakening were excluded from military and security posts.
8. Dennis M. Rempe, "Guerrillas, bandits, and independent republics: US counter insurgency efforts in Colombia 1959-1965," *Small Wars and Insurgencies*, 6:3, 1995, 304-327, pp. 312-314.
9. Dennis M. Rempe, "Guerrillas, bandits, and independent republics: US counter insurgency efforts in Colombia 1959-1965," *Small Wars and Insurgencies*, 6:3, 1995, 304-327, p 308, citing: Alberto Ruiz Novoa, *El Gran Desafio* (Bogota: Ediciones Tercer Munds, 1965), pp.53 and 85-88, as cited in Maullin (note 17), p.68.
10. Rachel Kleinfeld and Harry Bader, "Extreme Violence and the Rule of Law: Lessons from Eastern Afghanistan," Carnegie Endowment for International Peace, April 2014.
11. Claire McLoughlin, "When Does Service Delivery Improve the Legitimacy of a Fragile or Conflict-Affected State?" *Governance: An International Journal of Policy, Administration, and Institutions*, 28:3, July 2015, pp. 341-356.
12. A 2015 CIVICUS study and a new report published by the International Human Rights Funders Group (IHRFG) and Foundation Center found that in 2013, of the \$2.3 billion given by donors to support human rights, the amount allocated to grassroots organizing was a paltry 2%. See International Human Rights Funders Group and Foundation Center Report, 2016. <http://humanrightsfunding.org/>.
13. USAID Forward aimed to direct 30 percent of the agency's funding through local organizations rather than U.S. contractors, but by 2015, it had only succeeded in awarding about 17 percent of its funding in this way, due to the difficulties of negotiating Congressional earmarks and the clout of U.S.-based contractors.



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