Chapter 5
Fragile States and Ungoverned Spaces

A Squeeze Play on Sovereignty?

Everywhere, it seems, the nation-state is under siege. Once the primary actors in the post-Westphalian world, states no longer have the stage to themselves. Throngs of nonstate entities clamor for a share of the limelight. From below, aggrieved national groups press upward, at times violently, in defiance of status quos decried as unfair or repressive. Meanwhile, from above, international bodies, regimes, or global advocacy groups press down on states, demanding greater accountability on everything from product safety and environmental protection to human rights, often conditioning assistance on domestic performance. And then there is the sideways squeeze: from global society's empowered private actors—both licit (for example, multinational corporations and trading and investment firms) and illicit (such as narcotraffickers, criminal gangs, and transnational terrorists)—who test the capacity of governments to control their own borders, arguably the first requirement of territorial sovereignty.

Why is state weakness such a glaring problem now, in the opening decades of the 21st century? After all, the accretion of state authority has never been very smooth or predictable over the course of history. In places such as China, Egypt, and Mesopotamia, civil administrative practices date back thousands of years, while in many other parts of Asia, Africa, and the Americas, the growth of civic governance is comparatively recent. Correspondingly, nonstate actors are hardly novel: whether plying the waters of the Barbary Coast, Shanghai, or lawless seaports in premodern Europe, these actors too have left their mark throughout history. That said, widespread anxiety over the quality and durability of national governance in our current era is not at all misplaced. Three factors help to explain why.

AP Images (Karel Prinsloo)

January 2009 capture of rebel leader Laurent Nkunda in Rwanda could increase chances for peace and stability in Democratic Republic of Congo

First, more than a generation later, global society is still coping with the aftereffects of 20th-century decolonization. From the Ottoman Empire's dissolution to the post–World War II eclipse of Europe's imperial dominions, the ranks of independent states more than tripled: from 43 in 1900 to 135 by 1970.[1] Although this trend was justified in terms of advancing human freedom, its startling speed came at the price of political stability, especially in cases where independence was accompanied by artificial borders, inexperienced or capricious leaders, incipient factionalism, or socioeconomic and political dispensations that could not hold in the absence of colonial patrons.

Second, the Cold War's onset in the late 1940s and its rapid subsidence nearly four decades later posed its own set of challenges. Without question, the superpower rivalry of that era had a stultifying effect on political development and modernization within certain regions situated along postimperial frontiers—in the western Balkans, Middle East, and Central and South Asia, most notably—and it provided a crutch more generally to those elites in the developing world who saw the benefits of trading loyalty to Washington or Moscow in return for support and assistance. Subsequently, as superpower disengagement began to pick up speed in the late 1980s, the retrenchment of foreign aid and proxies exerted far-reaching, albeit uneven, influence: in southern Africa, Central America, and Indochina, the disengagement on balance helped to bring stalemated conflicts to closure, while elsewhere the result was greater instability as erstwhile beneficiaries of the Cold War dispensation gained greater room for malign maneuvering (for example, Saddam Hussein vis-à-vis Kuwait) or simply foundered on ebbing external support (such as Siad Barre in Somalia).

A third, more contemporary challenge to state governance is the quality of interconnectedness that now extends to even the most underserved parts of human society. Again, the impacts defy easy characterization. Take communications: if fishermen, say, in the Bay of Bengal can use their cell phones to alert Bangladesh coast guard units to pirates who are looting their nets, that is a boost to local policing. It also helps the local economy if those same fishermen can get price quotes on their catch from local markets before they make landfall back in port. Yet if social agitators in Kenya, for example, can send text messages to incite their supporters, their efficiency is also improved; surely protests or mass violence can be targeted much more quickly than in the days when printed flyers, couriers, or radio broadcasts served that catalyzing role. And speed of communications is not the only metric here. Public health profession-

AP Images (Esteban Felix)

Children harvest potatoes in Nicaragua, the second poorest country in Latin America

als the world over are well aware that the global air transportation network can deliver a disease-carrying passenger to almost any destination in the world before symptoms present themselves.

Faced with unresolved legacies of bygone eras and a quickening pace of social interactions in many spheres of life, it is no wonder that many governments should feel beleaguered. Even where political elites may have the will to govern well, the way to do so may still be extraordinarily difficult. But lest all this anxiety inspire nostalgia for strong governance capacity, it is worth remembering how much state strength has contributed to humanity's burdens in the past. As a response to war, revolution, and economic depression, the 20th century's shift toward stronger centralized states, as Francis Fukuyama reminds us, brought with it both extreme experiments in left- and right-wing totalitarianism, and continuing struggles over how to balance the pursuit of economic growth and public welfare.[2] The lesson for 21st-century state-building, as Richard Cooper has argued, is that both the state and civil society are fragile structures—too little authority brings chaos and the loss of legitimacy; too much can crush the civil society that state institutions are intended to protect and nurture.[3]

Parsing the Problem

While many observers understandably regard dozens of struggling states spanning several continents as an unnerving specter, policymakers need to look objectively at the stresses and strains that state fragility places upon global society when answering the "why should we care" question. There is, to be sure, the plight of the immediately affected populations to be considered; the fact that over a billion people live in the shadow of pathologies that could be avoidable with the kinds of core services that functioning governments elsewhere normally provide—for example, public security, defense, basic social welfare, the rule of law/dispute resolution, natural resource management, and economic opportunity—poses a huge challenge in its own right. But what other issues must the global community confront beyond simply alleviating the humanitarian dimensions of the weak governance phenomenon?

There is, unfortunately, no easy answer to this problem. To start with, the quality of "weakness" or "strength" that a given state exhibits should not be measured against some abstract standard—it depends very much on the level of demand for service delivery or regulation that societies generate. If, for instance, a largely rural country is already endowed with some of the requisites for good economic performance, such as a fair distribution of arable land, a decent educational system, and sea- or airports that connect it to the global trading system, demands for state intervention into the economy may be less than in a case where a society is polarized by inequitable distribution of resources or educational opportunity. Likewise, states with relatively homogeneous populations and no persecuted or disaffected minorities may face less demand for affirmative governmental activism on political participation than in divided societies where such initiatives act as shock absorbers for managing pent-up social resentments.

Second, even when gaps are clearly evident between demand for good governance performance in a given sector and its supply, cross-sectoral dynamics make it difficult to postulate how "weak" a state really is. Thus, for example, we have an expanding public policy literature that analyzes the attributes or indicators of state weakness and, increasingly, attempts to rank countries according to those measures.[4] As indicated in the strategic atlas in this chapter, there is widespread agreement on who the worst performers are; those states toward the bottom rungs are invariably low-income countries also engulfed in conflict or emerging from it, and face all the familiar pathologies associated with the aftereffects of mass violence. Where the indices begin to diverge are in cases where a state may have resource wealth or other endowments that give it a measure of economic viability—for example, Angola, Bangladesh, and Lebanon—while its political system may be crippled by deep-set factionalism or soft authoritarians. Whether that socioeconomic viability tends on balance to inoculate a governing elite from unrest with which it would otherwise have to deal, or actually dampens the pressures that otherwise might press factionalized elites from working together—or both—is hard to say.

Toll-takers, Hitchhikers, Incubators?

As for the kinds of perils that weak states pose for their neighbors and the global community more generally, here too one must tread with care. Oversimplifying cause-and-effect relationships between weak states as a group and the universe of "spillover" threats often attributed to them is, as Stewart Patrick has argued, a poor basis for public policy decisionmaking.[5] That said, looking across various sectors, it is possible to discern several types of perverse functionalities that, to varying degrees

and in various places, fragile states may aid and abet. One is a toll-taking role: instances where state weakness has the effect of imposing costs upon the global trade network. Sea piracy is an apt example: at critical nodes along global shipping lanes—for example, the Straits of Malacca, the Gulf of Aden, or the Gulf of Guinea—piracy threats heighten the insurance and related costs of transregional shipping. In the same vein, rebel groups in the Niger Delta or violent jihadists operating in Saudi Arabia's eastern provinces can pose threats to the flow of oil or gas to already stressed global energy markets, spiking prices as a result.

Along with taxes on licit trade, state weakness aids and abets the phenomenon of illicit hitchhiking. These are cases where trafficking in illegal commodities—most notably, drugs, small arms, undocumented migrants or slaves, and ill-gotten gains from transactions in these commodities—spans out across global society, often using existing trade routes and infrastructure to turn a profit. As Moisés Naím has observed, these trade networks may overlap at critical points and are driven by unsatisfied demand in the private sectors of wealthy states (or wealthy rebel groups, in the case of small arms), buoyed in turn by huge international price differentials for the services or commodities in question and the cost advantage of illicit production that acts as a magnet for potential suppliers.[6] At various points along these well-trodden routes, whether West Africa, the West Balkans, or along the U.S.-Mexican border, one finds ill-equipped law enforcement agencies working under the shadow of physical threats, poor coordination across borders, and the corrupting influences of the trade in question.

Finally, there is the incubating function that weak states may serve. Spanning the economic and sociopolitical worlds, incubating environments provide fertile ground, sometimes literally, for the growth and maturation of a particular transnational phenomenon or commodity. Again, not all weak states are equally complicit as incubators. Andean Ridge countries account for most of the world's cocaine harvest, while poppy fields in Afghanistan now account for the bulk of the world's opium; traditional sources for human trafficking include South and Southeast Asia, Africa, and former Soviet lands; and persistent conflict provides its own form of incubation, whether in the form of fleeing refugees or the growth of groups seeking to advance political agendas through violent means. When Soviet forces invaded Afghanistan in 1980, they triggered an influx of mujahideen fighters from throughout the Muslim world, as well as support from wealthy Middle East oil producers and the United States. After the Soviets withdrew in 1989, a chaotic, Taliban-dominated Afghanistan and adjoining areas of Pakistan became hospitable venues for the continued training, recruitment, indoctrination, and team-building of violent jihadist groups whose resentments would be focused elsewhere. To cite George Tenet's memorable formulation: "Afghanistan was less a state sponsor of terrorism than a state sponsored by terrorism."[7]

While the 9/11 terrorist attacks dramatized the potential hazards of state weakness for a global audience, the search for remedial solutions has been challenging. Indeed, the fact that the Iraqi and Afghan stabilization campaigns so thoroughly dominate the landscape poses a huge dilemma for policymakers. Just as each highlights the imperative of striving for good governance as a requisite for success, they also command the lion's share of attention and resources. That fact, plus growing public fatigue in the United States over the burdens of long-duration commitments and the lingering memories of Vietnam and Somalia, makes the task of identifying and mobilizing support for broader priorities a daunting one. As the following discussion makes clear, the United States and the international community more generally are still in the early stages of developing the kinds of tools necessary to turn the corner on this pernicious problem.

Ungoverned Areas: Who's in Charge?

From the Andean Ridge to the Celebes Sea, the existence of territories located within the formal boundaries of a state but beyond its effective control is an age-old problem. Governments everywhere have struggled for centuries against the use of lawless areas as sanctuaries from which unruly tribes, criminals, and rebels could organize and launch raids on neighboring settled zones. Thus, the most acute manifestation of state weakness is found not only in its dysfunction but also in its complete absence from places where it should be.

With the resources afforded by globalization and modern technology, terrorists or other groups are able to take advantage of law enforcement vacuums to organize, train, plan, command, and launch operations at far greater range and exponentially greater destructive effect than the bandits and brigands of the past. For example, a number of major terrorist plots have been planned and coordinated from the ungoverned areas along the Pakistan-Afghanistan

border, including one in 2006 that would have destroyed seven transatlantic airliners had it not been thwarted by British police. Extremists have used these sanctuaries to launch attacks against government and coalition forces in Afghanistan and to carry out a wave of suicide terror bombings in Pakistan itself.

Underlying the sanctuary problem is another drama: the contest for local loyalty. Organizations that are either actually affiliated or simply ideologically aligned with those who launch attacks against outside targets exploit the lack of public services in ungoverned areas to establish rival political structures that enhance their credibility as alternatives to the status quo. The mere deficiency of services in these areas, combined with the hostility that often exists between local populations and neighboring groups or state authorities, generates grievances that radical propagandists can use to mobilize violent action. Indeed, the existence of disorder in significant portions of any country undermines the credibility of the recognized government. At best, this erosion of legitimacy jeopardizes political reform and economic development; at worst, it can aid and abet transnational criminals, pique anxieties over public health, and threaten the survival of the state itself.

Beware the Stereotypes

When people hear the term *ungoverned area*, they usually think of an isolated region of inhospitable terrain, where a weak central government lacks the wherewithal to enforce its writ. The prototypes would be tribal territory along both sides of the Pakistan-Afghanistan border, or former Khmer Rouge areas in northwestern Cambodia, or the eastern provinces of the Democratic Republic of the Congo. This concept is, however, at once too narrow and too broad. Ungoverned areas exist not only in fragile, failing, and failed states but also in inaccessible border regions of fundamentally well-governed states. For that matter, many places that are far from remote—some of them in the hearts of capital cities and in the migrant- and immigrant-populated slums that sometimes surround them—are also effectively ungoverned.

At the same time, it is essential to realize that not all areas of land outside the effective control of the nominal, internationally recognized state authorities are truly ungoverned. Few inhabited areas of the world are absolutely without some kind of government. It is entirely possible for the de facto possessors

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Migration: A Symptom of Conflict . . . or a Cause?

Social friction arising from the migration of mostly poor job-seekers from the developing countries of the global South to better-off nations of the South or to the industrialized countries of the global North is already a source of conflict in many parts of the world, and is likely to become even more so as environmental change begins to boost the number of "climate refugees." Although the arrival of affluent, well-educated migrants does not usually provoke widespread hostility, opposition is growing in both developed and underdeveloped countries to the inflow of poor and destitute newcomers, who are often seen as threatening the jobs and livelihoods of native workers. This, in turn, has led in some cases to spontaneous mob violence against migrants, the rise of ultranationalist organizations that have periodically targeted immigrants for violent attack, popular demands for intensified patrolling of borders and coastal waters, and other moves that impinge on the mission, structure, and activities of law enforcement and military organizations—a trend that is certain to gain momentum with time.

Although precise data are often hard to come by, it is evident that the world is witnessing a mammoth flow of human beings from the poorest lands of the global South to less impoverished nations in the same areas and to the global North. According to the World Bank, the developing world now houses approximately 74 million "South-to-South" migrants. Outside of the developing world, there are another 82 million "South-to-North" migrants—some residing legally in their adopted country, some not. While many considerations no doubt play a role in spurring this extraordinary human current, the allure of higher paying jobs in the destination country is probably the overriding factor. In Haiti, for example, per capita income in 2006 was $430, while in the neighboring Dominican Republic it was $2,910—a powerful magnet for cross-border migration, much of it illegal. Likewise, per capita income in Morocco—itself a lure for migrants from sub-Saharan Africa—was $2,160; across the narrow Strait of Gibraltar in Spain, it was $27,340. Similar income gaps can be found around the world, prompting poor and destitute individuals to leave their homes and, in many cases, face considerable hardship and risk in the search for better paying jobs.

Along with exploitation and abuse by unsavory employers and human traffickers—*coyotes*, as they are called on the U.S.-Mexican border—these migrants face an increased risk of violence at the hands of poor and unemployed residents in destination and transit countries. The fact that the migrants are often of a different race, ethnicity, or religion than those of their adopted country often adds to the hostility they face from natives. In some cases, the violence they experience is provoked by fears that migrants will claim jobs that are already in short

supply; in others, that they will somehow jeopardize the racial or religious "purity" of the homeland. A May 2008 outbreak of anti-immigrant violence in South Africa, for example, was evidently sparked by resentment among impoverished slum dwellers over high unemployment rates and rising food prices—with destitute migrants from Malawi, Mozambique, and Zimbabwe chosen as scapegoats. Whatever the cause, at least 42 people were killed and tens of thousands forced from their homes before then-President Thabo Mbeki ordered the army to reinforce overstretched police forces and restore public order.

Military and paramilitary forces are also being called upon to play an ever-increasing role as defenders of borders and coastal areas perceived as being under assault by economic migrants and "boat people" from areas less fortunate. In the United States, for example, Army National Guard units have been deployed along the U.S.-Mexican border to assist Border Patrol forces in stemming illegal migration from Mexico. In Europe, the European Union has formed a joint naval patrol in the Mediterranean, dubbed Operation *Ulysses*, to prevent small ships carrying illegal migrants from North Africa from reaching Spain, Portugal, and Italy. Although characterized as military operations other than war, such endeavors often employ equipment employed in low-level combat operations, such as aerial surveillance systems and coastal patrol craft.

These migratory pressures—and the resulting points of friction—are sure to persist as long as the gap in income levels between neighboring countries remains so wide. But the global flow of humanity is destined to acquire flood-like proportions as global temperatures rise and many once-habitable areas become uninhabitable due to persistent drought, recurring crop failures, and sea-level rise. "We judge that economic refugees will perceive additional reasons to flee their homes because of harsher climates," Dr. Thomas Fingar, Deputy Director of the National Intelligence Council, told the House Select Committee on Intelligence on June 25, 2008. "Besides movements within countries, especially to urban areas, many displaced persons will move into neighboring developing countries, sometimes as a staging ground for subsequent movement onward to more developed and richer countries with greater economic opportunities." More often than not, he continued, likely receiving countries "will have neither the resources nor interest to host these climate migrants."

The increase in migratory pressures as a result of global climate change—and what is sure to be a corresponding rise in anti-immigrant sentiment in receiving countries—will be felt throughout the world, but is likely to be especially pronounced along the southern boundaries of both the United States and Western Europe. "[T]he United States will need to anticipate and plan for growing immigration pressures," Dr. Fingar testified in 2008. Although climate change is a slow-moving and long-term development, "extreme weather events and growing evidence of [coastal] inundation will motivate many to move sooner rather than later." This is particularly a concern for the United States, he noted, because "almost one-fourth of the countries with the greatest percentage of population in low-elevation coastal zones are in the Caribbean"—a relatively short distance by boat from American shores.

Europe faces a similar challenge, according to *National Security and the Threat of Climate Change*, a 2007 study by the CNA Corporation that notes, "The greater threat to Europe lies in migration of people from across the Mediterranean, from the Maghreb, the Middle East, and sub-Saharan Africa." Environmental stresses may not be the only factors driving migration to Europe, but "as more people migrate from the Middle East because of water shortages and loss of their already marginal agricultural lands . . . the social and economic stress on European nations will rise." A greater reliance on quasi-military means to stem the human tide and an increase in anti-immigrant violence are likely results.

The violence arising from increased human migratory pressures may be small-scale and sporadic, but it is growing in volume and frequency and is extending to more and more areas of the world. With the divide between rich and poor expected to remain wide and more regions being rendered uninhabitable by global warming, the impetus among affected peoples to move across international boundaries can only grow in intensity—despite the risk of meeting an increasingly hostile reception. Migratory conflict will, therefore, become an ever more significant problem in national and international security affairs.

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of what Edmund Burke called the "quantum of power" in a community beyond the reach of the recognized government to govern the territory under their control almost as well if not better than the de jure authorities in their own part of the country. This applies especially not only to areas ruled on a practically permanent basis by secessionist or autonomist movements, such as Iraqi Kurdistan under Saddam Hussein or Transnistria and South Ossetia today, but also to less formally defined zones under the effective control of tribes or even organized crime gangs.

Finally, from a practical point of view, it is necessary to pick and choose which ungoverned areas are sufficiently problematic to demand urgent international attention and action, and among those requiring attention, which ones are primarily challenges to human development and which are clear and present security dangers. As outside powers consider whether to get involved in dealing with the multitude of ungoverned areas, they will inevitably find themselves having to differentiate between them by deciding whether the risk of "ungovernedness" is mainly to the people living in the area, to other citizens of the country concerned, or to other states. With this requirement to differentiate and prioritize in mind, policymakers should be careful to avoid setting unrealistic goals or creating inflated public expectations that all ungoverned areas, or even all terrorist use of such ungoverned areas, can be eliminated.

Evaluating Strategic Options

Regardless of how well a de facto power structure may control a particular territory, the fact that it is neither connected nor accountable to the nominally sovereign authorities can create certain problems for the international community. The international state system is predicated upon the assumption that each sovereign state is capable of wielding effective power in the territory it purports to govern. Each state is obliged to keep its territory from being used to attack other states, and in particular to prevent its use for purposes of terrorism. If some states are unable to fulfill these obligations because they do not, in fact, wield effective power throughout their territory, there will be considerable pressure on others, whose people are targeted by terrorists enjoying sanctuary in ungoverned areas, to take matters into their own hands.

Perhaps equally important, especially in the post-9/11 context, is that the problem of ungoverned areas serving as terrorist safe havens is inextricably tied to the wider globalized insurgency, rooted in a radical interpretation of Islamic political theory, that rejects the legitimacy of the international state system itself. Anything that calls into question the willingness and ability of the members of that system to provide for

UN (Fred Noy)

Nomads watering camels in Sudan

human needs within their respective territories is potential fodder for this extremist campaign. All of these considerations imply a rebuttable presumption that the best way to deal with ungoverned areas is to bolster the will and enhance the capacities of the de jure state so that it can extend control over the territory in question. It is precisely this approach that is embedded—apparently uncritically—in most existing strategy and policy on ungoverned areas.

Clearly, many countries do suffer from weak state institutions, so a policy of strengthening state capacity makes a great deal of sense as a general proposition. Actual ungoverned areas, however, do not exist as general propositions but as unique geographic, economic, social, and, above all, political environments, each characterized by a set of facts that may well rebut the presumption underlying the general policy. Thus, before setting out to help the recognized government establish better control over an ungoverned area, we must ask ourselves three questions.

Why is the area ungoverned? Ungoverned areas are ungoverned for a reason, but not all of them for the same reason. Governance deficits may exist because an area is physically hard to reach, or because criminal gangs have seized control against the wishes of the local population, or because state authorities in the area have been co-opted, corrupted, or intimidated. In all these cases, a strategy of strengthening and expanding governmental capacity would be a sensible response to the governance deficit. By contrast, some areas are ungoverned because the state's ruling elite has, for one reason or another, chosen to disregard the interests and welfare of the inhabitants. Finally, some are ungoverned because the people who live there like it that way. This obviously applies to many of the most problematic cases, such as the tribal areas along the Pakistan-Afghanistan border and in the Yemeni countryside. In these areas, trying to introduce central government control may well increase, rather than decrease, popular support for insurgent and terrorist groups, perhaps even turning latent insurgencies into active ones.

What kind of governance would central authorities impose? While ungoverned areas create many problems, they affect the international community most severely in the context of the struggle between competing visions of political legitimacy. Ultimately, therefore, how an area is governed matters just as much as the fact that it is governed. Assisting a police state to establish repressive authority over additional elements of its population might be effective in preventing an area's use as a terrorist sanctuary in the short term, but at a long-term cost of alienating people who might otherwise be neutral or even potential allies in the struggle against extremism. This is particularly true when dominant segments of the country's population see inhabitants of the ungoverned area as inferior or alien, or when governance is weak because inhabitants prefer not to be ruled by outsiders.

Will outside involvement make things better or worse? As difficult as it can be to extend state authority into a previously ungoverned area without alienating the local population, the problems may be multiplied exponentially if that authority is imposed under foreign pressure. Recent experience in Pakistan's Federally Administered Tribal Areas (FATA) is a case in point. Again, whether outside involvement is productive or counterproductive depends on the case at hand, the type of assistance provided, and the strategy being pursued by the central government. In the best case, the provision of technical assistance, training, and equipment may enable the central authorities to compete more effectively for the hearts and minds of the contested population. In the worst case, outside involvement can stoke the fires of insurgency, reinforce popular sympathy with terrorist ideology, and undermine the legitimacy of the very regime the policy is intended to bolster.

The answers to these three questions may well lead to the conclusion that direct encouragement and assistance to the central government in extending control over the ungoverned area are the best course of action. If so, the process is still far from simple. Political consensus for action must be created in the host state. Institutional capacities that are often inadequate even to meet the needs of the relatively well-governed areas of the country must be enhanced. Above all, it is essential to develop detailed, up-to-date intelligence on the geographic, social, economic, military, and political realities in the area to be controlled. Depending on the situation on the ground, the financial outlays and commitments of expertise can be substantial, well exceeding those involved in traditional development assistance programs, and requiring much closer integration of a wide range of skills from various departments and agencies of the countries providing assistance.

If, on the other hand, the answers to the questions above lead to the conclusion that direct extension of state authority into the ungoverned area would be counterproductive, then a range of other options must be considered. These might include:

■ Working with leaders in both the central government and the ungoverned area to regularize the area's status within the larger state. For example, in exchange for external economic development assistance or political concessions, local leaders may be open to limited but sufficient cooperation with government officials to curtail criminal or terrorist activity.

■ Pursuing deals with the de facto power structure in the ungoverned area independently of the de jure central authorities. The development of cooperative relations between U.S. forces and Sunni tribal sheikhs in Iraq's Anbar Province may provide a rudimentary model. In the long run, this course may lead to support for formal independence for the (formerly) ungoverned area.

■ Internationalizing the issue under the auspices of the United Nations (UN) or a regional security organization. Britain's Lord Robertson and Lord Ashdown specifically referred to the possibility of UN-mandated action to deal with ungoverned areas when they advocated the creation of more effective military forces under the auspices of the European Union in June 2008.

None of these courses is without peril. Past reliance upon locals to police themselves without effective incentives to do so effectively is, in some measure, the reason why areas such as Pakistan's FATA are practically ungoverned today. Choosing the wrong local power brokers to work with runs the risk of empowering warlords and creating what amounts to a giant protection racket. Clumsy attempts to buy off local populations by trading economic incentives for compromises on highly charged cultural or political issues can easily backfire by sparking moral outrage. Supporting independence for populations in formerly ungoverned areas will certainly create enemies in the rest of the country, probably provoke international condemnation on grounds of interference in the host country's internal affairs, and potentially lead to irredentist conflict in the future.

Ultimately, the degree of danger posed by the continuing lack of governance in the area in question will determine whether these risks are worth taking. If the area is being actively used by terrorist groups with global agendas and global reach, outside players may well judge that getting effective control in place is paramount to any other objective. If so, the choice may come down to which side to back: the official central authorities or the people in the region itself. If we truly believe, as our rhetoric would have it, that governing people fairly and in a way consistent with their own desires and expectations is the surest path to preventing the use of their territory by terrorists or other illicit actors, then the choice will become that much clearer.

Pandemics: State Fragility's Most Telling Gap?

A nation-state's capacity to govern effectively faces no stiffer test than its ability to manage infectious disease crises. Pandemics require unprecedented multidisciplinary and multi-agency communication, expertise, and collaboration at the state, regional, and international levels, all of which are crucial for containment of the disease and mitigation of its consequences. Andrew Price-Smith has argued that

AP Images (Bikas Das)

Indian health officials cull birds to curb spread of bird flu

"as disease intensity grows it will correspondingly reduce state capacity, increase economic deprivation, and deplete the reservoir of human capital within seriously affected states."[8] A strong correlation also exists between a population's health, as measured by life expectancy and infant mortality rates, and that state's capacity to govern. Disease management is a critical element in this equation.

Countries beset by poor governance and low levels of state capacity have failed in today's world to contain and manage the spread of a contagion and mitigate its economic and political toll. The data

here are compelling: 75 percent of epidemics during the last three decades have occurred in countries where war, conflict, and prolonged political violence have crippled their capacity to respond, leaving their neighbors and the world vulnerable. Gaps in state capacity are defined as the protective public health infrastructure (water, sanitation, food, shelter, fuel, and health) and the systems that support and manage this infrastructure on a daily basis as being either insufficient, absent, not maintained, denied, or politically influenced, interfered with, or vulnerable to corruption.

Disease and State Weakness: A Vicious Cycle

Epidemics and pandemics are always public health emergencies. They easily elude a compromised health system and can rapidly cause confusion, fear, and chaos, and send populations fleeing across unprotected borders. An estimated 6.4 million people die each year from AIDS, tuberculosis, and malaria. An additional 1.3 million children die from diseases preventable by vaccine. AIDS, a pandemic whose spread and morbidity are directly fueled by (though by no means limited to) weak states and ungoverned spaces, has demonstrated how an infectious disease can "disrupt and destabilize" governance, becoming a major issue in national security debates. It has taught us how quickly an infectious disease can spread worldwide, and how poor and unrepresented populations are most affected.

In 2003, Severe Acute Respiratory Syndrome (SARS) highlighted the importance of broad outbreak control measures and information-sharing for mitigation and prevention efforts, when China's initial failure to disclose the epidemic resulted in its spread to over 40 countries around the globe. It required the World Health Organization (WHO) to aggressively expand advisories, real-time information-sharing, and broad outbreak control measures. This was an unprecedented measure, which in turn prompted a World Health Assembly resolution to revise old International Health Regulations (IHR) initially used to control smallpox, cholera, plague, and yellow fever decades before. The dated regulations had limitations such as a restricted surveillance capacity and inadequate mechanisms for swift assessment and investigation within sovereign countries that, if not revised, would fail to contain modern-day diseases across land borders and via air and sea travel and trade.

In 2005, WHO authority and surveillance capacity expanded when human rights principles were added to the criteria for measuring public health interventions to stop pandemics. These changes represent a major development in the use of international law for public health purposes. The resulting international treaty of June 2007, which applies to "public health emergencies of international concern," ensures maximum security against the international spread of diseases, while addressing the need to minimize interference with trade and travel to mitigate the economic tragedy that prevails with any pandemic.

The management of the deadly avian influenza A virus (H5N1) outbreak that followed the SARS pandemic and that occupies our concerns today confirms that well-governed countries do have the capacity and will both to eliminate SARS and contain H5N1. Yet poorly governed countries remain endemically threatened by newly emergent and re-emergent bacteria and viruses. While the H5N1 virus is of global concern because it mutates incessantly and gains resistance the longer it remains unchecked, countries with poor governance tend to resent measures, even if designed by treaty to protect state and global populations, that appear to threaten their own national sovereignty. This can be a deadly combination: hidden repositories of disease may occur in any country, but fragile states and ungoverned spaces, with massive migration and displacement of human populations, represent an "ideal home" for any future viral mutation and propagation, and would elude the best intentions of the WHO and IHR. These diasporic populations are at risk for the transmission of disease and resistant organisms that are poorly identified and controlled, while they also jeopardize the global surveillance required under current international mandates. Finding a means to optimize global surveillance and to contain highly lethal and aggressive diseases remains a global priority.

AIDS, SARS, and H5N1 viruses and drug-resistant tuberculosis underscore how important it is to transcend conventional concepts of sovereignty if global pandemics are to be prevented or at least contained. The 2005 IHR is already under threat from trade, political, and social inequity concerns. In late 2006, Indonesia chose not to share with WHO live H5N1 virus samples from new cases; WHO hoped to carry out a genome study to determine whether a more lethal mutation had occurred, which is necessary for successful vaccine development. Fearing that expensive patented vaccines produced in rich countries would be less accessible to poorer countries, Indonesia suspended the transfer of live virus samples, claiming sovereign ownership of the

virus itself. Other countries threatened the same action, challenging WHO authorities, the World Health Assembly, and the global health community to guarantee every country access to vaccines and equal protections and coverage.

Globalization, which has provided great economic gains in many Asian countries, has also increased discrepancies in health outcomes between the "have" and "have not" populations in the same country. A paradox of globalization is that state resources are often directed toward building private capacity resources at the expense of maintenance for public hospitals, health facilities, and systems, on the grounds that when the economic situation improves, health security will follow. Yet populations have increasingly seen their access to health care and medications diminish, and for many, health has become a major security concern. Megacity populations—most of whom are under age 25, poor, uneducated, and discontent—often occupy dense and disaster-prone areas in the developing world, devoid of public health infrastructure and protections, including surveillance capacity. Pandemics may prove to be the politically catalyzing event that exposes such vulnerabilities in otherwise promising economic globalization initiatives. The current crisis of insufficient health care workers in 57 poor African and Asian countries severely impairs their ability to provide even the most essential daily and lifesaving interventions. This crisis will make state sovereignty a moot point when an undetected epidemic in a fragile nation-state accelerates into a continent-wide pandemic.

Engaging the Problem

The existing 2005 IHR is not without legal disagreements and controversy, especially as it relates to fragile states and ungoverned spaces. David Fidler, who has led efforts to strengthen global capacity through international law, reminds us of more desperate legal limitations for fragile states and states with ungoverned spaces, beginning with the fact that neither the IHR nor other international legal instruments applicable to public health defines the terms *fragile state* or *ungoverned space*. International law does not recognize the right of a state, directly or indirectly, to infringe on another's sovereignty simply because it is "weak and experiencing difficulties effectively governing all parts of its territory." The fact that a state is weak or "fragile," or has less effective governance in some parts of its territory, does not dilute its rights as a sovereign state under international law.[9]

Rights and obligations under the 2005 IHR with respect to fragile and ungoverned spaces are unclear because the terms' lack of definition fails to inform such provisions under the existing law. The surveillance provisions in the 2005 IHR nevertheless are relevant:

- First, they require all state parties to report to WHO all events within their respective territories that may constitute a public health emergency of international concern (Article 6.1). This includes governments of fragile states or those with ungoverned territories.
- Second, the provision (Article 9.1) allows WHO to receive reports of disease events from sources other than governments, such as nongovernmental organizations (NGOs) or the media, and to seek verification of these reports. The expansion of WHO's ability to collect, analyze, and pursue epidemiologically significant information would allow WHO to raise surveillance awareness about disease events in fragile and ungoverned areas.
- Third, the IHR (Article 9.2) requires a state party to report within 24 hours evidence that it receives of a disaster event occurring within the territory of another state party, which could produce reports of "a public health risk" occurrence in fragile and ungoverned areas.

Taken together, these three surveillance provisions in the IHR serve to increase transparency and the flow of information where governance has broken down. The IHR does not, however, grant any state party or WHO the right to intervene without the affected state's permission. Put bluntly, international law presently gives a state the right to let its people die even when help is at hand—a grim reality highlighted when Cyclone Nargis devastated Myanmar's Irrawaddy Delta area in May 2008, leaving more than 140,000 people dead or missing.

Short- and Long-term Solutions

Ultimately, the IHR is only as strong as its weakest link, and those weakest links worldwide clearly belong to infected populations from fragile states and ungoverned spaces. Peace-building that opens the door to improved governance requires sustained initiatives that move beyond rhetoric to strengthen nation-state institutions and modernize a country's political system.

A first step can come from building capacity in public health (surveillance and proven community

containment and mitigation strategies) as an incentive for fragile states to accept improvements in basic governance. Such successes occurred through the "Health as a Bridge to Peace" initiatives that were implemented by WHO in conflict and postconflict zones, and are now being re-explored by WHO as possible models elsewhere. Another means is to link the guarantee of trade opportunities, security, surveillance, and public health infrastructure and systems development to values that speak to a common respect for global protection and security.

The IHR is far from perfect. In fact, from a clinical perspective, the IHR falls miserably short of what is responsibly required to control a pandemic, especially one that is aggressive and lethal to the human host. Additionally, decisionmakers rarely consider how indecision on health insecurity and the transmission of disease undermines their responsibility to global health. Fragile states and ungoverned spaces by definition have little or no public health protections.

U.S. Navy (Jason R. Zalasky)

Armed Somali pirates aboard MV *Faina* observed from U.S. Navy ship after they attacked, seized, and forced cargo ship to anchor off the Somalia coast, October 8, 2008

Strengthening the IHR would best come in incremental ways that ensure appropriate language, guarantees, and individual nation-state buy-in. The right to sovereignty does not come without the responsibility to protect one's population, a correlation that is currently being promoted under the "Responsibility to Protect (R2P)" initiative's guiding principles, which hold that a state is entitled to full sovereignty so long as it abides by norms established by the international community. The R2P concept, however, is restricted to cases involving large-scale, violent atrocities, such as genocide and crimes against humanity.[10] In June 2008, the Indonesian health minister decided to restrict his office's reporting on avian influenza in humans to every 6 months, leading to concerns that such a delay could lead to a pandemic if important mutations are not detected in a timely manner. Indonesia's action challenges both the IHR and the R2P, leading experts to question whether the IHR can stand up to such pressure.

Yet a cognitive link can be made between a potential pandemic of global genocidal proportions and the R2P, especially if many of the worst outcomes are preventable. By incorporating emerging disease control as part of an international "right to health," the IHR can help ensure that infectious disease control becomes a human rights issue.

In the long term, the global community's disaster diplomacy must strengthen and leverage this unique opportunity in international law, as an initial step toward an expanded IHR, or as a model for further global health initiatives under existing United Nations Children's Fund (for example, vaccine initiatives) and other accepted health mandates (for example, U.S. International Partnership on Avian and Pandemic Influenza). A retooled globalization model must address the world's worsening health discrepancies and include a mandated health security requirement under future UN Charter reform. The worldwide health care worker crisis is arguably making all the good intentions of the IHR debatable. The protective shield begins with the global community, which has the responsibility to promote and support both short- and long-term nation-state and regional education and training infrastructure, and provide incentives for health care workers that emphasize public health, preventive medicine, and primary care.

State Failure: Devising Effective Responses

Since the 9/11 attacks, American policymakers have highlighted fragile and failed states as the central security challenge of our time. In fact, many Western countries have begun to address these situations, as it has become clear that some of the principal threats to their vital national interests—such as terrorist networks, illicit arms markets, counterfeiting, human trafficking, money laundering, and narcotics cartels—are drawn to failed states where these activities can

operate with impunity, in the absence of state structures to control them. Many developed countries have begun to make structural and programmatic changes in their foreign policy apparatus to address the challenges they face from the consequences of these failed states. These changes are still in their infancy and appear to be inadequate to the task: poorly funded and staffed, with uncertain authority.

Within the United States, policy advocates frequently invoke the centrality of defense, development, and diplomacy as the primary instruments of power needed to address the challenge from marginal or failed states. Yet a profound discontinuity exists between the bureaucratic position, organizational strength, size, budget, and staffing of these three instruments of national power, and their relationship to the threat of fragile and failed states, which are principally caused by a failure of development. Sadly, it is the developmental instrument that is comparatively the weakest in the U.S. arsenal, and yet it is the one most needed to address the problem.

Setting aside these discontinuities of organizational power within the United States and other governments, what do we know about the nature of state fragility and state failure? While no two situations are precisely alike, failed states do tend to share five characteristics:

- collapse of the authority of the central government, particularly outside the capital city, manifesting in a breakdown in the provision of public services, the efficacy of the criminal justice system, and the enforcement of law and order
- macroeconomic collapse with double-digit unemployment, high rates of inflation, a deterioration in the value of the currency and its convertibility, and a decline in the gross domestic product
- widespread civil conflict and human rights abuses
- mass population movements into refugee or internally displaced camps, to escape the civil conflict
- rising morbidity and mortality rates from malnutrition and sickness as food security and access to water break down and communicable disease spreads among the general population.

Devising effective responses to these interconnected problems is a daunting task for outside would-be interveners. The immediate temptation is to tackle all of these at once—an understandable reaction, but one that risks squandering scarce resources. Where, then, should priority be placed?

Emergency Response: The Humanitarian Imperative

The most visible and most immediate set of challenges these states face is humanitarian in nature: food insecurity, disease epidemics, and population displacement. During the 1990s, the humanitarian response systems through which the United States, other donor governments, and international institutions reacted to the crisis of state failure went through a profound evolution in doctrine, management, structure, and standard setting. Spending increased for emergency response to what aid agencies were calling complex humanitarian emergencies, their term for the crises that occur as a result of state failure. An extensive body of academic research and practitioner study has developed over the past two decades that analyzes the architecture of the humanitarian response system, its weaknesses, its strengths, what works well and what does not, and how it might be reformed or improved.

UN (Robert Sullivan)

UN personnel help displaced persons return to homes in Pristina, Kosovo

To start with, authority in the international response system is very diffuse: clusters of institutions have developed with increasingly defined roles, but with no clear hierarchy for unified decision-making. Decisions tend to be made by consensus, a cumbersome and inefficient process. While the UN Office for the Coordination of Humanitarian Affairs, charged with the coordination function in the international system, has improved its leadership

capacity and technical competence in providing a management framework since its creation in 1991, it neither controls funding, nor can it give orders to other actors even within the UN system, including the five specialized agencies where humanitarian resources are concentrated: the World Food Program, UN High Commissioner for Refugees, UN High Commissioner for Human Rights, UN Children's Fund, and the UN Development Program. The second institutional cluster is composed of international NGOs, of which perhaps two dozen dominate the system, in addition to three international organizations not formally part of the UN family: the International Committee of the Red Cross, International Federation of Red Cross and Red Crescent Societies, and International Organization for Migration. Finally, the bilateral response agencies of donor governments are also major actors in the system, since they provide over three-quarters of the total funding spent in humanitarian operations; these donor agencies usually have a field presence as well.

The response agencies have developed a set of principles or norms that are widely, but not universally, accepted: aid should be allocated by emergency based on need, separate from the political interests of donor and recipient governments and those of the contestants in the conflict; aid should be distributed to the population without respect to political ideology, position in the conflict, race, ethnicity, religion, or gender; aid should be used to encourage the rapid recovery of the population from the crisis and avoid the dependency syndrome; aid should be provided in a way that allows the population to have some control over its own recovery and that helps resolve rather than exacerbate local conflicts; and aid is provided in a way that respects the culture and values of the people receiving it.

In the 1990s, a coalition of European and American NGOs and international organizations developed a set of technical standards in the major emergency disciplines (food and nutrition, water and sanitation, shelter, and public health and emergency medical care) called the Sphere Project standards, which the signing organizations agree to follow in their programming.[11] It is not clear to what degree NGOs in practice conform to these standards, as the enforcement mechanisms, which rely on peer pressure and self-reporting, are relatively weak. But the standards have existed now for more than a decade. While efforts have been made within aid agencies to bridge the operational and programmatic gap between emergency response and long-term development programs, known as the relief-to-development continuum, these efforts have achieved limited results at best. A greater focus on finding means to achieve success in this area would speed the recovery of failed states in the reconstruction phase.

The U.S. Government's humanitarian aid functions continue to be divided organizationally between the Department of State and the U.S. Agency for International Development (USAID). Within State, the Bureau of Population, Refugees, and Migration and the Bureau of International Organizations mainly provide block grants to multilateral bodies and have no operational capacity. Within USAID, the Democracy, Conflict, and Humanitarian Assistance Bureau's various units—including the Office of Foreign Disaster Assistance, the Office of Transition Initiatives, the

AP Images (Shah Khalid)

Pakistani trucks await security escort to deliver supplies to U.S. and NATO forces in Afghanistan

Office of Conflict Mitigation and Management, Food for Peace, and the Office of Military Affairs—possess the capability to deliver money, commodities, and programming into crisis areas that the international aid system sometimes avoids. Problems are compounded in the United States when Congress and the Office of Management and Budget (OMB) earmark humanitarian response funding by office, program, and sector. A consequence of conflicting approaches and earmarks is that frequently too much money is provided for some programs and emergencies, while others are underfunded.

Obstacles to Reconstruction and Development

As difficult as emergency response may be, in the United States it has traditionally been much better and more consistently funded over sustained periods of time than recovery and reconstruction, which are usually funded in supplemental budgets proposed by OMB and approved by Congress. The regular allocation for these emergency response accounts in the State Department and USAID budgets totals nearly $3 billion. By contrast, efforts to resource the follow-on phase through the regular budget of the State Department's Office of the Coordinator for Reconstruction and Stabilization (S/CRS) have been unsuccessful thus far, as Congress has refused to fund fully either the President's budget for S/CRS or the civilian reserve corps. Continuing tensions between S/CRS and the regional bureaus of the State Department, where policy and bureaucratic authority have traditionally been concentrated in the department, have exacerbated the difficulty.

Even with more resources, the conceptual issues are staggering. Oxford professor and former World Bank director Paul Collier, whose book *The Bottom Billion* has drawn much international acclaim, has identified four so-called traps that his empirical research suggests are all too common among the poorest performing states, complicating recovery and reducing the chances for success of international state-building efforts.[12] Collier proposes some remedies to these traps, and describes the results of his research on the efficacy of various interventions. His diagnosis and prescriptions are telling.

The conflict trap. Collier reports that 73 percent of the 1 billion people who live in fragile or failed states have "recently been through a civil war or are still in one." Conflict is more likely in the absence of economic growth, and it has a significant depressive effect on growth. Civil wars typically cut growth rates on average by 2.3 percent per year. Destitute, unemployed young men can be recruited into criminal gangs or rebel groups. The more instability there is in a country, the less foreign or domestic investment it will attract, and the less investment, the less growth, which leads to more instability and conflict. According to Collier, "There is basically no relationship between political repression and civil war" or, for that matter, income inequality and war, based on a number of empirical studies. What does make a large difference in the risk of war and its duration is the country's income at the onset of conflict: the poorest countries have the highest risk. Additionally, much research has shown that countries that end civil wars through political settlements have a 50 percent chance for relapse, depending on how quickly economic conditions improve. The economy matters.

The natural resource trap. Dependence on primary commodity exports such as oil, diamonds, and timber "substantially increases the risk of civil war." Democracy and natural resource dependency do not mix well: resource rents undermine checks and balances because the influx of money increases the propensity for corruption. Only when there are powerful constraints on abuse (competitive bidding of public projects, for example) do the economies of resource-rich democracies grow. This does not mean, however, that autocracies flourish and democracies do not. Neither grows absent strong oversight, which is why natural resource wealth can be a serious impediment to growth in either case.

The location trap. Geography counts a great deal, in Collier's view. Being landlocked does not condemn a country to poverty, he reports, but 38 percent of the people in the bottom billion live in countries that are. If a landlocked country has good, unfettered access to a port that gives it an opening to international markets, the negative effects of being landlocked disappear. But without that access, and especially if hostile or uncooperative neighbors contribute to the problem, the economies of landlocked countries do not grow.

The bad governance/small size trap. Poor governance has long been recognized as a poverty trap in poor countries, but it is the most destructive, in the Collier analysis, in small countries. The three factors that increase the chances for a turnaround in a failed state are: if a country has a large population; if a large portion of the population has a secondary education; and, counterintuitively, whether the country has recently emerged from a civil war (after which entrenched vested interests are possibly broken up long enough to allow a reform process to take root).

How can countries break free of these disabling traps? Collier's prescriptions lay great stress on credible long-term commitments from external actors for a peace-building presence; aid in the form of technical assistance to build skills among the depleted ranks of government professionals and service providers; reconstruction of critical infrastructure such as roads and trade corridors that help landlocked countries connect to the outside world; and the negotiation of charters between a recovering country's government and its international backers to foster greater transparency and acceptable norms of behavior in everything from business investments to budgeting, and the disposition of revenues generated by oil or mineral wealth. Collier's recommendations are both ambitious and innovative. Unfortunately, the U.S. Government is poorly postured to step up to the task at hand.

Getting Our House in Order

Reforming U.S. Governmental structures and processes is never easy, but it is essential if the United States is to improve its capacity for responding to state failure and postconflict recovery. The overarching goal must be to better integrate the political, humanitarian, economic, military, and developmental instruments of national power in a fashion that increases the effectiveness of U.S. Government responses. Several priorities should guide this effort:

- The initial emergency phase of humanitarian response should be structured in a way that facilitates economic reforms in the country at the grassroots level. At present, the response system does not rigorously, effectively, or consistently integrate economic interventions into its programming. A more systematic set of programs to stimulate economic activity and strengthen markets is a fundamental part of recovery.
- Food aid, under the USAID Food Aid and Food Security Policy (Title II), makes up nearly half of the U.S. Government's budget for emergency response, but is the least flexible of all the sources of funding. One action the executive branch should consider is to urge congressional support for reform of U.S. food aid policies, most notably a provision that would allow up to 25 percent of Title II aid to be bought in developing countries. If used effectively, this new purchasing authority would be a powerful tool that aid officers could use to help stimulate local agricultural markets and increase economic activity.
- More than any other element, economic growth, particularly early in reconstruction, appears one of the most important factors in a country's successful recovery. While growth can be stimulated by the careful investment of foreign aid resources, this avenue is not sufficient in itself. The reduction of trade barriers between a recovering state and developed economies can have a profound effect on growth rates if other factors are taken into account. A functional road and highway system, connection to ocean ports, and other infrastructure are important. Infrastructure and external aid must be combined with the lowering of trade barriers and the integration of a recovering state into the international economic order in the early stages of reconstruction. Finally, donors must contribute both funds and expertise to the creation of a favorable legal and regulatory framework for business development.
- Reform must come from within; it cannot be successfully imposed by external actors if there is no local will or leadership to carry it through. International and bilateral efforts at state-building have limits. Consequently, international agencies should try to search for, embrace, and fund the indigenous change agents or reform-minded leadership in fragile or failed states on the road to recovery, as these are the people who will increase the chances for their states to succeed. This means making an active effort to identify and support the work of reform-minded ministers and community leaders.

Beyond these specific steps is the paramount need for sustained funding. While funding over a long period of time (10 to 15 years) may not ensure success, a 2007 RAND study demonstrated that the absence of sustained funding ensures the failure of state-building.[13] The creation of a permanent, predictable reconstruction and recovery account in the USAID budget for conflict countries would be a useful first step. Absent this reform, making the emergency response accounts of the State Department and USAID more flexible, so that funds can be used for reconstruction, might be a more politically realistic option. Either way, real improvement in U.S. performance will be hard to achieve without a resource base on which to build.

Complex Contingencies: Can They Restore Governance?

In contemporary parlance, armed interventions aimed at quelling conflict in fragile or failing states are often framed in remedial terms. The core objective, we are told, is to "export stability" into war-torn regions. But what does that really mean?

Past interventions have aimed variously at giving peace a chance by interposing peacekeepers between warring factions that begrudgingly consent to their intrusion, or at delivering emergency aid to desperate populations, or at toppling capricious dictators who threaten their fellow citizens or neighboring countries. If, however, durable stability is the real focus, even if only as part of the exit strategy, then an additional ingredient needs to be factored in: reconstituted governmental structures that people accept as legitimate.

Building or rebuilding governments amid the tumult of complex civil-military operations is an enormously difficult proposition. The operations themselves may involve elements of warfare, counterinsurgency, mediation, and capacity-building, all within the same venue. Often, as seen in places such as Sarajevo or Baghdad, the initial jolt of the intervention itself may trigger an onset of problems—looting, retributive violence, a spike in street crime—that need mitigation. Moreover, even when the governance issue is squarely on the table, practitioners will bring their own biases when the question of how best to proceed is raised.

Competing Strategies and Critical Tradeoffs

In their initial phases, many complex operations are afflicted by a dearth of basic information when it comes to daily patterns of local governance. The first and most obvious question is: who is really in charge? Even in a failed state, power abhors a vacuum; is it filled by tribal councils, family oligarchs, key religious leaders, warlords who extort others for a living, rebel leaders who fight for a cause, or figureheads sitting in some faraway national capital? Second, what keeps these leaders in charge: seniority, tribal loyalty, electoral sanction, a widely feared praetorian guard, wealthy outside patrons, or locally exploitable resources? And third, and most important, how are these leaders viewed by their constituencies: as revered masters, defenders of their rights, predators, or self-aggrandizers? It can be a great benefit when a recovering or transitional country has a national unifying figure in its midst, such as a Norodom Sihanouk, Nelson Mandela, or Xanana Gusmão, but these cases are very much the exception, not the rule.

The next challenge is to fit the strategy to the socio-political context. Broadly, outside interveners may favor either stability- or reformist-oriented strategies. The former tend to be ex ante–focused—that is, recovery of prewar stability—and attach overriding importance to achieving short-term priorities, such as reestablishing a modicum of security, restoring traditional elites, and providing vital services in whatever ways those were delivered previously. The latter strategies, by contrast, are more ambitious and forward looking. They aim at cultivating and empowering civil society in ways that promote human rights and build the rule of law, and thereby create greater demands for accountable government; not surprisingly, democracy promotion is often a key component of this approach.

Ideally, one would want a blend of the two, but achieving this mix is difficult. Stabilizers are often criticized for acting with excessive expediency and for accepting unfair status quos or corrupt leaders in the interests of pursuing other goals (for example, counterterrorism), thereby sacrificing longer term improvements in governance. Reformers, on the

AP Images (Bernat Armangue)

Missile explodes in northern Gaza Strip during assault by Israeli warplanes, December 2008

other hand, invite criticisms for purported indifference or hostility to the issue of cultural acceptance, while pursuing civic initiatives that can polarize local communities (such as schooling for women in patriarchal societies) or create the fact of political winners and losers (for example, through electoral processes), thereby introducing a new set of instabilities even as old ones are resolved. Controversy can also attach to each strategy's sectoral choices. Stabilizers typically concentrate on building capacity in the military or police organizations, primarily to ease the operational burdens on the outside interveners. Reformers tend to focus on civil governance reforms, but they worry the governance structures may not be able to control the empowered security apparatus they may someday inherit.

Finally, there is an important "vertical" dimension to choices about governance-building strategy. Outside interveners, not surprisingly, tend to focus on the national level initially, with the aim of finding ways to consolidate legitimate state authority and extend its writ into the country's hinterlands. In such diverse capital cities as Kabul, Baghdad, Port au Prince, Monrovia, or Phnom Penh, post–ColdWar era interveners have sought to strengthen or rebuild national ministries and to regularize their budgets, thus both cutting down on corruption and boosting the skills of their staff cohorts. Even provincial level reconstruction activity, such as that carried out in Colombia, Afghanistan, or Iraq, has a writ-extending focus. Yet all these "top-down" approaches coexist uneasily with a "bottom-up" imperative in which the search for authority starts at the municipal level and may involve empowering local groups, such as Sunni militias in Iraq's Anbar Province, in the interests of countering or marginalizing locally based insurgents who feed upon the population's resentment of a national government whose legitimacy they contest.

Can't We All Just Get Along?

However the strategy is crafted, a basic question for any complex contingency is how well the interveners themselves can work together, not only at the inception of the operation but also through unit or personnel rotations that occur over long-duration missions. Especially in the governance arena, the civil-military character of these operations requires more than just the deconfliction or loose coordination of activity, but a full integration of effort between professionals from different institutional cultures with their own operating styles. Not surprisingly, stereotypes on each side abound; diversity within each community is often missed as a result. Just as civilians can be put off by the military's penchant for rigid operational routine, military

AP Images (Rafiq Maqbool)

Afghan police destroy opium poppies during eradication operations

personnel are frequently frustrated by what they see as a haphazard or less-than-focused routine among their civilian colleagues. Somewhat ironically, it is in the more dangerous operating environments where civilians and military cadre tend to get along the best; there is no choice but to do so. As the setting becomes more permissive, internal coalition management becomes a more demanding task.

As the foregoing discussion on strategy suggests, the drama of capacity-building for governance usually unfolds on two levels. At the national level, the prime venue is found in the various ministries—interior, defense, trade, education, finance, and so forth—where policies are set, civil servants are recruited, and resources are matched to service delivery requirements across critical sectors (such as security, health, and commerce). For outside interveners, the key objective is to provide technical assistance and oversight, usually attained via the technique of embedding personnel directly into various ministries. These embedded personnel may have physical challenges such as getting to and from their ministries safely, but it is the cognitive domain that is the most difficult to penetrate. Learning how a given institution really works—its budgeting, personnel, and programmatic activities—and knowing how to be most effective in assisting positive growth in capacity, while challenging fraud, waste, and abuse, are daunting tasks, even for personnel who are already schooled in the local language and culture.

Generally, the civil-military dynamics at the national capital level are most likely to play out in terms of critical choices over security sector reform and its funding. The job of aligning policing and military tasks between the key ministries can be a contentious one, especially where the government faces an active insurgency and a huge demand for the protection of critical facilities (such as the energy grid). Beyond that, funding delays and program management shortfalls for civil police training, equipping, and advisory programs have been sore points for military commanders who find themselves hard pressed to staff their own training elements—a traditional arena for special operations forces pre-9/11—without the added complication of "mission creep" pressures they may find difficult to fend off. However, these challenges may pale in comparison to civil-military challenges at the second level of governance capacity-building, the provincial level.

Provincial governance challenges are often seen as the Achilles' heel of complex operations, and not without reason. The political terrain can be rife with local power brokers and their armed loyalists, corrupt or unpaid civil servants, and dilapidated infrastructure, all amidst public expectations for improvement that the intervention itself has inflated to unrealistic levels. To meet these expectations, military commanders will seek to mobilize quick-impact programs with contingency funding explicitly intended for this purpose. What they have lacked, and chronically so, are rapidly employable technical experts who could advise them, say, on how best to fix a local irrigation system with longer term developmental priorities in mind, or what steps need to be taken to ensure that rebuilt community schools or health clinics will actually have teachers or doctors and nurses to staff them. The dearth of expertise and agile funding to bridge quick-impact programs and long-term recovery has been a huge challenge for complex operations.

Improving Field Performance

Without question, the array of challenges facing complex contingencies is enormous. Perhaps the biggest challenge, to embellish upon Reinhold Niebuhr's prayerful plea, is to somehow muster the courage to overcome those obstacles that can be surmounted, the skill to discern those that are impervious to remedy and work around them, and the wisdom to know one from the other.

Which obstacles can be overcome? In brief, it would be those that appear most responsive to infusions of greater knowledge, resources, or the right mix of skills. Four steps are critically important.

Fill information and analytic deficits. Despite recent improvements, U.S. agencies still have a long way to go in building a better knowledge base for likely operating venues. Improved situational awareness will help shape the terms of entry (for example, for forceful or negotiated entry) and generate better estimates of how interventions will reshape conflict dynamics within the country or region in question. That in turn will help to recapture the concept of ripeness as part of the U.S. Government's calculus for targeting expeditionary operations. Moreover, once they are deployed, information-sharing between military and civilian elements remains difficult. Procedures should be developed that enable the humanitarian and developmental data collected in stabilization missions to default into "common user space" unless affirmatively sorted into a classified channel for counterterrorism or counterinsurgency.

Enhance self-knowledge. Though it is often paid lip service, good analysis of lessons learned remains hard to do. Within the defense community, despite recent improvements in the joint arena, after-action reporting remains the preserve of specific commands and the military Services, while on the civilian side, the endeavor is still in its infancy. What is needed is a well-honed interagency lessons learned process that can cull out and review incoming assessments from a growing array of sources—blogs, commissioned studies, debriefings, and so forth—using an agreed methodology. Such a process could be a valuable corrective against the risk of "over-learning"—proffering up one experience in one venue as a best practice with broad applicability—as well as a good means to sort out instrumental from environmental explanations in determining the factors behind a given success or failure.

Improve capacity-building at the retail level. Since their unveiling in the early phases of the Afghan campaign, provincial reconstruction teams have proved their worth as useful vehicles for small-scale reconstruction projects, as well as for capacity-building for village- and district-level governance and police reform. They still remain constrained, however, by a lack of diversified expertise across all the areas—rule of law, engineering, agriculture, and police, among others—to which they could potentially contribute, and the task of identifying priorities across the sectors of governance, security, and development remains idiosyncratic. A fourfold approach is needed: clearer interagency guidance for the planning and execution of projects; new funding streams for civilian-led stabilization comparable to those already available to military commanders; less reliance on contractors for key assignments where local engagement requires a U.S. Government presence on the expeditionary team; and more extensive team-building opportunities prior to deployment, so that the break-in time for newly arriving staff is as tightly compressed as possible.

UN (Mario Rizzolio)

United Nations offered Burundian refugees in Tanzania cash grants and food packages as incentives to return home

Address equipment and service shortfalls. Meeting the equipment needs for expeditionary elements in nonpermissive field settings is an ongoing challenge, as is ensuring comparable support for the medical and other needs of civilian field personnel and contractors deployed by various agencies. Complex operations tend to draw heavily on areas where the United States has traditionally found it hard to match supply to requirements, most notably with respect to armored vehicles, nonlethal weapons, rapidly deployable explosive ordnance disposal, air defense countermeasures, and improvised explosive device countermeasures that work in multinational settings.

And for those obstacles that must be worked around? Broadly, they fall into an area characterized by differing institutional equities that drive predicable patterns of behavior and create friction along the way.

Resolve tensions between diplomatic mediators and expeditionary planners. Whenever the United States takes the lead role in negotiating the terms of entry for expeditionary forces into an operational arena, such as Bosnia (the Dayton process) or Afghanistan (the Bonn process), there is going to be an inherent tension between those who negotiate a settlement and those who plan and resource the subsequent operation. This is perfectly understandable. Mediators must zealously guard their talks from malign outside influence; they therefore tend to be exclusive. Planners by contrast need every available player with legal authority and funding at the table; they perforce must be inclusive. The problems are predictable: planning is delayed; the quick onset of an agreement produces pressures for near-instantaneous decisions on forces and resource commitments; and implementers then begin to pick apart the agreement at its weakest points. The best way to contain these tensions is to insist that the negotiation team be seeded with a few capable planners who can advise on the practicality of settlement provisions before the final deal is cut.

Balance the stabilizers and reformers. When it comes to managing tensions between short-term and long-term priorities, complex operations planners have no choice: they need both perspectives. The question is how to ensure those tensions have a creative rather than a destructive result. Faced with initial stabilization imperatives, the operation's leadership should insist on capacity-building programs that keep pace with operational needs. For the reformist camp, that means some measure of compromise—that is, accepting programs that might not make the cut if long-term development were the only goal. By the same token, the leadership's injunction to the stabilizers should be that quick-impact projects that fail to achieve their promised results—for example, a schoolhouse with no teachers—are not a good investment, and that individual projects should be accompanied wherever possible by a transition plan that keeps long-term sustainment in sight. This is especially challenging in the governance arena, where the institutions that cushion the shocks of electoral alternation need to be put in place.

Tolerate differences between partisan and impartial actors. Certain civilian actors in the expeditionary environment, especially humanitarian relief providers, regard neutrality as a key to their operational effectiveness, so there is always going to be some level of tension between them and U.S. or coalition personnel whenever the latter are seen as partisans on the political landscape. The challenge here is to keep a good two-way dialogue, so that each knows what the other is doing and, where possible, to create agreed rules of the road. It remains the case, however, that the factors encroaching on NGO impartiality are numerous and are broader than simply guilt by association with the U.S. military. If NGOs cannot secure their protection by standing out as neutrals, as UN peacekeepers try to do, they must either blend in or armor up. Both options have their drawbacks in terms of gaining access to populations in need that are scattered across a dangerous landscape.

Manage competing lines of authority. In complex operations, it is a fact of life that the mission's leading civilian official and military commander will work up through their respective chains of command. Even in cases where the former has presidentially conveyed chief-of-mission authority, the latter can and will submit a reclama on decisions deemed risky, unwise, or wrong. This pattern has always been the case in multinational operations, where assigned national units cross-check directives coming down the operation's chain of command against guidance from their own capital. There is no way around this fact of life; what we can reasonably aim to achieve is a greater unity of effort, if not a complete unity of command, forged by a shared view of core policy objectives, the strategies to achieve them, and the efforts of compatible personalities. This places an absolute premium on the need to build leadership teams.

In the end, policymakers have good reason to be wary of launching complex contingencies into weak or failing states, given how polarizing nation-building and counterinsurgency missions have been over the past half-century. Nevertheless, prevailing strategic conditions are not likely to let U.S. policymakers off the hook of tough decisions on whether to lead or support these kinds of missions in the future, given the mix of national security, political, diplomatic, and humanitarian interests that may be at stake. For this reason, the United States must do what it reasonably can to prepare for such missions. Greater preparedness in this area need not be seen as a license for wasteful, ill-advised interventions, but rather as a safeguard against them. **gsa**

NOTES

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