Theory and Practice of Interventionist State Building: Paradoxes and Limitations

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Abstract

The end of Cold War period significantly increased the frequency of civil war occurrences; resulting humanitarian and security challenges prompted the UN and international community to embark on a pro-active interventionist peace building and state building role in conflict states. Interventionist state building has developed as a major concern for the international state system in the last two decades. This paper argues that interventionist state building theory and practice is an extension of the contemporary state failure discourse. Since failed states are measured against Weberian criteria of stateness, state building is theorized as building of effective and capable formal state institutions and practiced as introduction of depoliticized, technical centralized institutions, including the security forces, a bureaucracy and judicial structures. It further stresses that the institutional model of state building when imposed in failed and conflict settings generates a set of paradoxes and dilemmas which complicates the attainment of state building goals. The findings of the paper suggest that paradoxes are generated because institution building aims at creating effective institutions, but its foreign control and component discourages local and indigenous ownership of the state building process and creates a culture of dependency. Institutional effectiveness is also restricted by coordination dilemmas resulting from involvement of multiple external actors in the restructuring of state institutions. Low resource commitments for institutional reforms and lack of accountability to the local populace by international transitional administrations create new sets of paradoxes. All this is further complicated by resource diversion to NGOs and failures to decentralize administrative and revenue practices. These issues are discussed in the light of contemporary evidence from post-intervention state building practice in the Balkans (Bosnia and Kosovo), Cambodia, East Timor and Iraq.

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Introduction

Weak statehood is a permanent feature of the international state system. Powerful states have intervened in weak states in the wake of spread of colonialism and established their models of governance on such states. Such an intrusive model of state building has witnessed a comeback at the end of the Cold War period. The surge in interest in the debates on intervention for state building in failed states has assumed much greater and larger proportions since the end of the Cold War. It is argued that the new international environment ushered in a novelty in the international state system by removing the ideological logjams that had prevented major powers from intervening physically in weak and failing states of the periphery. Resultantly, the post Cold War period saw a proliferation in international interventions for rebuilding state structures and institutions in failed settings. Whereas, the discourse on failed states has largely focused on transnational security issues and humanitarian fallouts, the theory and practice of post intervention state building revolves around building and strengthening state institutions and enlarging the scope of their functions and establishing democratic norms of governance and liberal market institutions.

The intrusive state building interventions grew out of a new post Cold War international environment, wherein, removal of ideological and political logjams of the Cold War period and a new appreciation of the concept of 'sovereignty as responsibility' helped the UN redefine its peace-keeping and peace-making roles. A sharp rise in civil wars and the humanitarian and security fall-outs of such conflicts presented the United Nations major challenges in delivering humanitarian assistance to conflict areas as well as the more daunting task of preventing a recurrence of such violence. The discourse on state's inviolable right to sovereignty and non-interference witnessed a major overhaul as renewed calls were made at different forums for the international community to intervene militarily to protect the local population from the scourge of war, violence and misery (Lund, 1996; Deng, Rothschild, Zartman, Kimaro & Lyons, 1996; ICISS, 2001; UN, 2004; Krasner, 2004). Here began the UN pro-active role in conflict prevention, translated in Security Council giving authorization for a large number of multilateral peace and state building operations. Resultantly, in contrast to the period 1945-1989, when UN undertook 13 peace keeping operations, in the post Cold War period, the figure rose to 41 new missions (Dobbins, 2006: 220). Majority of these interventions were launched in the last decade of the 20th Century. From 1989 to 1999, a total of 14 UN peace building operations were deployed, including: Namibia, Nicaragua-1989; Angola, Comboda, El Salvador-1991; Mozambique-1992; Liberia, Rwanda-1993; Bosnia, Croatia-1995; Guetemala-1997; and East Timor, Kosovo and Sierra Leone-1999 (Paris, 2004: 3). These

interventions have been followed by re-decivist operations in cases such as, Haiti, Democratic Republic of Congo (DRC) and Liberia, because there has been a larger tendency, almost a 50 % chance of countries relapsing into violence within the first 5 years of intervention (A WB study cited in Rondenelli and Montgomery, 2005: 16-17).

Transnational terrorism, civil wars, population displacement, declining standards of living, and disease spreads, among others are cited as some common ailments afflicting failed states that justify the paradoxical practice of contravening a state's international sovereignty for restoring its domestic sovereignty. The international state building practice is guided by the Western notion of a centralized, bureaucratized Weberian state that exercises a monopoly of power over violence within its territory. This conventional top down understanding of state building is in turn, manifested in attempts at constructing security sector apparatuses, a centralized bureaucracy for tax collection and service provision, and political institutions based on liberal democratic lines, such as a constitution, elections, a civil society and a liberal market economy. The UN peace and state building missions assumed extraordinary significance following the UN take-over of transitional administrations in conflict situations of Bosnia & Herzegovina (BiH), Kosovo and East Timor. The UN Security Council Resolutions 1244, 1272 and 1031, passed under Chapter 7, established United Nations Mission In Kosovo (UNMIK), United Nations Transitional Authority in East Timor (UNTAET) and the office of the High Representative (HR) and international presence in BiH (UN Resolutions, 1999). These International Transitional Authorities (ITAs), directly manned by the UN were entrusted (by Security Council Resolutions) with both peace building and state building tasks of making and enforcing laws, electoral and constitutional assistance, refugee resettlement, disarmament, appointment and training of public officials, health and educational management, fiscal and macroeconomic management, civil society building and other related functions. State building interventions in majority of cases (with the exception of Iraq) was launched by the international community under the supervision of the UN as a multilateral mission participated in by several states.

The objectives of international intervention in rebuilding centralized monopoly over violence by reconstructing coercive institutions, restoring service provision and managing economic capacities in failed settings has however remained elusive. The state building interventions in Bosnia, East Timor, Iraq and Afghanistan, have been termed as disappointing ventures by Paris and Sisk (2008: 1), who also criticize the so-called success of institutional reforms in Cambodia, Burundi or the Democratic Republic of Congo, as superficial rather than sustainable. For other's, such as Call and Cousens (2008: 5), the

state building record is mixed, though they also insist it depends on how high one sets a yardstick for measuring success of such exercises. These state building interventions have produced less than satisfying and in many cases disappointing results. Violence, conflict, active insurgency or very fragile peace and low state capacity mar the intervened states. The main question guiding this research paper is therefore: how conventional state building model is theorized and practiced in post-conflict intervened states in the light of state failure discourses? What state building paradoxes are generated as a result and in what manner, such paradoxes affect the outcome of state building interventions?

This paper argues that a Weberian understanding of failed states in contemporary literature inspires a state building practice focused on reviving functioning formal state institutions and constructing liberal democratic and economic governance structures. Failed states in contemporary literature are either defined as lacking institutional, functional characteristics of a modern state (Zartman, 1995; Gros, 1996; Jackson, 1998; Woodward, 2004; Rotberg, 2003; Lambach, 2007; Di John, 2008; Grant, 2004; Brooks, 2005; Thurer, 2010; and The African Studies Centre, 2003) or deficient in liberal democratic and economic features (Fukuyama, 2004; Dorff, 1999; Eizenstat, Porter, & Weinstien, 2005; Carment, 2003; USAID, 2005; Torres and Anderson, 2004; WB Fragile States Report, 2006; Cammack, Mcleod, Menocal & Christiansen, 2006). This institutional and liberal understanding of failed states is extended to the state building theory and practice.

As failed states are understood to be functionally and institutionally incompetent, state building is theorized as reconstruction of capable and strong state institutions and practiced as introduction of depoliticized, technical centralized institutions, including, army, police, bureaucracy, and judiciary. State failure is further identified with deficiencies in liberal political and economic order; therefore, state building is posited as strengthening of democratic forms of political participation and liberal market institutions. In practice, efforts are made to bring in Western democratic forms of governance practices, including constitution, elections, political parties, civil society and macro-economic management based on property rights, free trade and free market principles. Such state building model when practiced in failed settings generates institutional and liberal paradoxes. This paper attempts to investigate the institutional paradoxes that arise from a state building practice focused at developing functional competence of formal state institutions, such as the military, police, bureaucracy and judiciary.

State building as institution building rests on certain assumptions: effective institutions can be built through dependency on foreign technical and material

support; engagement with a second civil service (non-governmental organizations) for service provision can build capacity of state institutions; multiplicity of actors is beneficial to building institutional capacity; institution building can be matched with low resource commitment; there are no successful pre-governance institutions in failed states and therefore a situation of tabula rasa; and effective institutions can be constructed within a limited time frame. These assumptions guide the state building institutional practice and generate paradoxes. Institutional paradoxes emerge from either capacity building practices that generate dependency in state structures (capacity building vs. dependency), or from top-down technocratic and formal exercises in institution building that are alien to local culture and fail to develop a constructive relationship with informal practices of governance (technocratic/formal vs. informal). This paper explores the capacity building vs. dependency paradoxes in the building of formal state institutions as a part of the broader state building exercise in intervened states.

This paper investigates the capacity building vs. dependency paradox in the light of contemporary evidence from post intervention state building practice in the Balkans (Bosnia and Kosovo), Cambodia, East Timor and Iraq. The paper refers to 'interventionist state building' as the process of building the state's institutional framework on a model provided and funded by international actors, in a process that follows international intervention and cessation of hostilities. It argues that the capacity building vs. dependency paradox results from problems in the creation of formal institutions, resource gaps and infrastructural deficiencies, lack of devolution to sub-national structures and authorities, coordination dilemmas resulting from multiplicity of actors and agendas and donor assistance to the growth of a second civil service. In the building of formal institutions, paradoxes emerge because as a result of the above issues, capacity building exercises end up making the state structures less functional and more dependent on outside help, control and finances. Such dependency defeats the very purpose of state building intervention, which is restoring effective statehood in intervened failed states.

The framework of the paper is divided into four sections. After a brief introduction, section two explores the concept of state building as institution building. Section three investigates the capacity building vs. dependency paradoxes in the building of formal state institutions in case studies of the Balkans, Cambodia, East Timor and Iraq and the last section provides the conclusions.

State Building as Institution Building

State building's theoretical understanding as the creation of formal government institutions and strengthening of their scope of functioning is focused on by several scholars and donor agencies. The following table provides the institutional/functional definitions of state building:

State Building as Institution Building

Zaum (2007)	State building is establishing institutions of the government in a society.
Chandler (2006)	State building signifies reconstruction of institutions of governance capable of providing citizens with physical and economic activity.
Call and Cousins (2008)	State building consists of 'actions undertaken by international or national actors to establish, reform or strengthen the institutions of the state'.
Caplan (2005)	State building is reconstructing, or establishing effective and autonomous structures of governance in a state where such capacity never existed or was seriously eroded.
Ghani, Lockhart and Carnahan (2005)	Post conflict state building include ten essential state functions: security, administrative control, public finance, human capital investment, creation of citizenship rights and duties, infrastructure provision, market formation, state asset management, public borrowing, and rule of law.
DFID (2008) and DAC/OECD (2010)	State building priorities need a focus on a basic agenda: security or the ability to command violence; revenue mobilization; justice or rule of law; basic service delivery and employment generation.
Biro (2007)	While state formation is the emergence of modern state at the end of Middle Age in Europe from the contestation and collision of various actors, state building is the corresponding processes of the 20th and 21st Centuries with the 'intentional character of designing the desired form of polity around the features of modern state.'

State building, in the mainstream scholarly and aid agencies literature is understood, as exemplified by the above definitions, as building of institutions, primarily the formal government ones and improving their capacity to perform

services; their absence, in effectiveness or erosion, cited as the most important reason for state failure in the first place. Such explanations while citing institution building as the mainstay of any state building priority hardly outline the names of such institutions. By implication, it can be argued that these prioritize building of formal government institutions, especially those dealing with the physical security requirements of a society i.e, law and order, justice and security, over other more mundane but equally significant departments of social welfare and economic development. Such an approach translates, when put into state building practice in developing central coercive and administrative institutions of the army, police, bureaucracy, judiciary and the like. These explanations reflect an understanding among scholarly, donor and policy making literature on giving a Western and Weberian orientation to state building priorities in failed and conflict settings. Scholar's non-citing of institutions reveal differences over the question of what basic functional priorities interventionist state building may imbibe. A strong Western and Weberian bias in setting institutional and functional priorities (Ghani et al., 2005), is demonstrative of approach that emphasizes functions exclusive to a developed Western state (given their scope of available resources). But, when applied to a post conflict situation where the state may be left with little by way of resources and infrastructure, it is hardly surprising that such an approach to defining or explaining state building functions can be too ambitious in its scope for application.

A more practical approach to defining state building functions is provided by donors (DFID, 2008; DAC, & OECD, 2010), where a priority focus on basic state building agenda-security, revenue generation, justice and employment generation is more in tune with ground institutional reality in post conflict situations. Debate over prioritization of state building components reflects an understanding among policy making circles that focus on ambitious goals and ignoring state capacities will result in unfulfilled goals and lead to disenchantment among the population. The World Development Report (2007) argues for matching a state's role to its capabilities and identifies minimal functions (pure public goods) for low capability countries to include, law and order, property rights, macroeconomic management and public health. These so-called 'survival functions' (in donor literature) of security, rule of law and public finance, can in later stages of state building be expanded to include other 'expected services', such as, health, education, infrastructure, justice and others (whites, 2010; Fritz & Menocal, 2007).

Citing examples of Rwanda and Uganda's positive strengthening of political settlement and control of security, Hasselbein et al., also support the argument that focus on survival functions may work best in post conflict situations (Hasselbein, Mutebi, & Putzel, 2006). The emphasis on survival or

basic functions needs to be complemented with an assessment of state structures, institutions and capacities that have survived war and conflict and the different mandates of specific post conflict missions. Low state functionality may be the starting point for any post conflict state building mission, but some sectors are always in need of reforms on a priority basis than others, such as, security, disarmament, and humanitarian emergencies. Since state building is primarily seen in the light of building effective state institutions and improving upon their functions, therefore, institutional functional approach to state building translates in either building or creating anew, where absent, or reforming present state structures. Since an immediate requirement after every intervention is establishing public order and safety and preventing recurrence of violence, therefore, all state building interventions focus on establishing coercive, administrative and judicial apparatuses and strengthening their functioning.

After a brief debate on how state building is understood institutionally and functionally in contemporary international literature, the following para's debate the paradoxes that emerge from state building practice based on institutional and functional understanding.

Capacity Building vs. Dependency Paradoxes

The institutionalist/ functionalist approach to post conflict state building's starting point is the state as the provider of positive public goods. It posits foreign/external support, and supervision in establishing and sustaining formal state institutions for service provision, including reconstruction of security sector and other service providing institutions. This external control, support and supervision over domestic institution building is subject to severe criticism by scholars domestic population alike. Foreign component of externally driven institution building process creates, what some scholar's call, the 'sovereignty paradox' (Zaum, 2007). International intervention is justified for the sake of restoration of effective statehood in the wake of absence of effective formal institutions. Sovereignty paradox is generated because such intervention violates the state's sovereignty and self government, for the purpose of paradoxically, restoring its self government. Violation of self government is essentially stark in cases where the UN established International Transitional Administrations (ITAs), for carrying out governmental tasks under UN mandate and with the involvement of international military and civilian administration. The ITAs were established in the wake of military intervention in the Balkans in mid 1990s as international bodies engaged in governmental functions for reforming intervened territory's political and social institutions (Zaum, 2007: 51). Notoriously exemplified by cases of the Balkan Republics (BiH and Kosovo) and East Timor, such state building exercises affected

institution building exercises negatively in at least two ways: by creating a culture of dependency among local institutions on foreign support; and by weakening the accountability link between the rulers and the ruled.

Foreign control over local institutional processes proves discouraging to the goal of local capacity building for running state institutions. Such external control over executive decisions and law making downplays domestic political processes by denying responsibility to the locals for reaching compromises and learning from mistakes (Chandler, 2007: 71-85). Chandler, calls such practice exclusionist and argues that in cases of Japan and Germany (more successful examples of interventionist state building), interveners had not only ensured participation of locals in socio-economic and political projects early on, but handed over power completely to local authority in a very short time period, which was 4 years for Germany and 7 for Japan (Chandler, 2007: 71-85). On the other hand, the case Bosnia, Kosovo and East Timor suggest that prolonged foreign control over domestic decision making relieves the local leaders from taking critical and difficult decisions on their political future. For this reason such suspension of local control and exercise of decision making by international actors needs to be temporary with clarity over why local control was suspended, and when it will be revived (Chesterman, 2005: 342). Scholars insist that local institutional participation is inevitable, even during initial transitional period for creating 'parties, alliances and structures that will allow them [locals] to take responsibility for making their states work' (Ignatieff, 2007: 68). It becomes a light footprint vs. heavy footprint dilemma; absence of a heavy international presence is supposed to make political and economic reforms suffer, and conversely light presence may be more desirable to allow local political processes to evolve on their own terms, without intrusive outside interference (Paris & Sisk, 2008: 8).

External control over institution building, not only sacrifices local ownership of the state building process, but also works to wane state builder's accountability to the ruled. Accountability may be defined as norms, practices and institutions for holding public officials and other bodies responsible for their actions to prevent abuse of power (Caplan, 2007: 108). Since the local's are denied control over the state building process especially in the initial transition period, they are also denied the opportunity to be accountable to the local people. But paradoxically, the local people are not allowed to hold even the international administrators accountable for the exercise of their authority as transitional administrators. The cases of Bosnia, Kosovo and East Timor suggest that domestic mechanisms for making international administrators accountable were absent in all three interventions: the external administration could not be removed by the locals; their decisions were not challengeable in any domestic court of law; they enjoyed legal and diplomatic immunity for

protection against liabilities; and were endowed as in the case of Higher Representative (HR) of BiH with powers of dismissing elected representatives and appointed officials on the plea of obstruction to the Dayton Accord (Caplan, 2007, 109-21). The legal immunity to the International Transitional Administrations or ITAs is obtained under international law regulations, including, Vienna Convention on Diplomatic Relations, the UN Charter and the Convention on Privileges and Immunities of the United Nations (Caplan, 2007).

Since the international administrators are entrusted with carrying out wide ranging governmental tasks with the objective of restoring effective statehood therefore, these are needed to be accountable to locals for their working. There are however, scholars who argue otherwise on the position of holding international administrators accountable by the local population. Bain, for example maintains that the ITAs cannot be criticized for lack of accountability because these should be seen as 'trusts,' which involve one party creating a second as a trustee for the benefit of a third party that is incapable of entering into a contract because of some incapacity on its part, implying consenting parties and obligations. In the case of ITAs, the first party is international society, the trustee is international administration and the beneficiary is the territory and peoples that are to be administered (Bain, 2007: 168-81). However, it needs to be stressed that such a position is tenable only for very short durations of time, when the locals are in a mood to allow international administrators to administrator their territories in a transitional period as 'trusts.' The scope and length of 'trusteeship' power should be circumscribed by local consent and some form of control over their actions. There are suggestions for ensuring greater accountability of ITAs by limiting their executive jurisdiction and giving local ombudsman, High Court and appeal boards (creating new ones in case of absence) power to hear complaints relating to ITAs working, to review their directives if incompatible with local laws and giving sanction to their administrative decisions (Caplan, 2005: 245-50; Caplan, 2007: 119-21; Zaum, 2007: 67-69 and 238-39).

Capacity building of bureaucratic, judicial and security institutions provide for an interesting case study in institutional paradoxes in the case of the Balkans, East Timor and Iraq. In bureaucratic capacity building exercises in intervened states, three trends are visible. First, where local administrative system remained intact, or survived the war (Eastern Slovenia in former Yugoslavia), foreign restructuring of bureaucratic bodies was minimal and there was reliance on existing structures to run the administration. In majority of cases, bureaucratic institutions were weak, either by function of history or war, or they carried legacies of association with past regime's political ideology. In cases, where the question of legacy and past regime influences stood, as in

Iraq, the interveners dismantled the existing bureaucracy by dismissing 30,000 Iraqi civil servants under a de Ba'athification campaign. This de Ba'athification of bureaucracy, not only caused a direct rise in unemployment, but also made disgruntled former officials join the resistance against invasion, complicating peace and security building for the invaders (Forman, 2006: 204-05).

In cases, where bureaucracies survived with weak capacities (Balkans and East Timor), challenges confronting the state builders involved creating a new civil services law, establishing cadres, and other appointment and promotion rules, setting up infrastructure, and providing the bureaucracy with resources. For such cases, capacity building reforms that ran administration on a hybrid basis were more successful, than those fully owned by foreign administrators. This hybrid model, either combined services of international administrators with local community members selected for their merit and competency, or, created parallel internal structures, for monitoring enforcement of financial (custom) revenues and transfer of relevant skills. Both these strategies were successfully employed in Bosnia, where the Independent Media Commission, the Central Bank and the Human Rights Ombudsman, all worked with distinction (Caplan, 2005: 88-90). Other hybrid examples in Bosnia and East Timor involved Joint advisory, administrative and implementation bodies (involving local representatives and foreign administrators), which were entrusted with the task of running day to day administration. Local administrative participation in such cases provided opportunities for training and sharing decision making responsibilities with the local representatives. This is not to suggest that such a practice was without complications. In Bosnia, for example, a highly charged ethnic environment (domestic context) subjected the selection process for hybrid institutions to serious ethnic and political competition. And therefore, representation on ethnic basis made cooperation on sensitive administrative and political matters difficult. A further issues pertained to the limited reach of hybrid administrative structures; their working was mostly confined to the capital cities, ignoring predominantly rural areas and urban suburbs. Creation of parallel administrative bodies resulted in additional problems in East Timor. Resources at the disposal of foreign transitional bodies, such as the Governance and Public Administration (GPA) of the United Nations Transitional Administration in East Timor (UNTAET), were highly resented by the ETTA –East Timorese Administrators (composed of local administrators), who resented working with serious resource handicaps (Caplan, 2005: 86-108).

Another state building practice, which is paradoxically beating efforts to grow formal administration, is donor preference for service delivery through Non Governmental Organizations (NGOs). Donor preference to channel services

through NGOs stems from a weak indigenous formal institutional capacity to absorb grants, perceptions about potential indulgence of formal structures in corrupt practices and lack of patience on the part of donors for time consuming formal capacity building exercises. This results in a plethora of foreign contractors and international and local NGOs mushrooming to provide humanitarian assistance, rebuilding infrastructure and provide services to the locals especially in health and education sectors. Such a practice, to use Fukuyama's words, sucks out the state institutions capacity, in place of building it (Fukuyama, 2006: 6-8). This practice maligns state builder's rhetoric of indigenous institutional capacity building for self government. It has received severe criticism from Ghani & Lockhart (2008), Call (2008: 70), and Fukuyama (2006: 235-42), who stress channeling aid through national budgetary process as a requirement of capacity building, even if these are perceived to be corrupt or inefficient. However, they also argue for balancing the channeling of funds through state structures with necessary checks and balances for avoiding misappropriation of donor funds (Ghani & Lockhart, 2008; Call, 2008; Fukuyama, 2006). Formal institutional capacity building is seriously handicapped, not only as a result of bypassing of larger amounts of donor funding in favour of the NGOs, but also in turn NGOs attracting better qualified and trained locals on the basis of higher pay scales and other facilities. The state institutions are left with less qualified or trained personnel, which in tandem with resource deficiencies, heightens to create legitimacy deficit for the state.

In judicial capacity building, international state building practice is focused on reviving institutions, either by building them from the scratch or reforming those, which survived the conflict. In Kosovo and East Timor, for example, judicial structures bore the brunt of the conflict, which necessitated their building anew, although structures that survived were also relied upon to dispose-off judicial cases. In both cases, concerns about judge's susceptibility to bias and intimidation, led to appointments of international judges and prosecutors to try cases of sensitive nature. Such appointments raised the dependency vs. capacity building paradox. Foreign judicial experts were either too busy to adequately train the local judges, or suffered from language barriers for imparting the same. These problems were confounded by UNMIK (Kosovo) and UNTAET's (East Timor) decision to use local laws of adjudication, only when these laws did not contradict International Human Rights standards, the UN mandate or regulations issued by the transitional authorities. This resulted in a backlog of cases, because local judges were not much conversed in international human rights practices to know the difference (between international and local laws) and international judges, though conversant in international legal practices, were often ignorant about local laws and their incompatibility with international standards. One obvious

manifestation was that in the case of East Timor, the entire judicial staff was disqualified within two years of independence, owing partly to the new language requirement of Portugese, spoken by only 5 % of the population and partly to the new requirements for legal appointments (Caplan, 2005: 60-67; Zaum, 2007: 82-112).

Security sector capacity building in interventionist state building exercises have concentrated on either disbanding the old (pres-intervention) security structures or building new ones in their place, or reforming the remnants of old weaker structures. These reforms have been carried out under the umbrella of Disarmament, Demobilization and Reintegration (DDR) campaigns. In the case of Iraq, the US imposed transitional administration –the Coalition Provisional Authority (CPA) in May 2003, undertook as one of its earliest tasks, the disbandment of 400,000 strong Iraqi army. This highly flawed strategy had two negative implications; first, it made redundant directly 7 % of the work force in Iraq, which along with their families, constituted 10 % of the total population; second, this move swelled the ranks of resistance groups and diminished US forces capacity of gaining intelligence information through local security informants (Forman, 2006: 204-05).

In Bosnia, attempts were made to re-structure the existing security institutions. However, this effort proved cumbersome because of local ethnic, nationalist and factional influences over existing security apparatuses. Learning from the Bosnian experiment, in Kosovo, efforts concentrated at building new security institutions instead of restructuring the old ones. This strategy had more successes, but the downside of the issue was that it took several years before the new security forces were competent to discharge security related tasks efficiently. The decision to build new structures for Kosovo was taken because its security apparatus was dominated by Kosovo Liberation Army (KLA) fighters, who had fought the Serbians and were acting as pseudo-police in Kosovo before the takeover of security responsibilities by the United Nations Civilian Police or the UNCIVPOL (Caplan, 2005: 45-60). In the disarming of militias, the case of Khmer Rouge in Cambodia and Kurdish militias in Iraq demonstrate extreme reluctance on local militia's part to disarm. The reluctance emerged out of local distrust of the transitional government, which in Iraq's case was a foreign imposed regime with little domestic legitimacy. Other factors, which compounded disarmaments issue in Iraq and Cambodia, were lack of resources for robust implementation of disarmament reforms and poor planning on the part of the central or transitional governments for a fuller implementation of disarmament and re-integration phases (Paris, 2004: 79-90; Diamond, 2006: 181-189).

Institutional reforms in decentralization and devolution to sub-national governments is heralded as a way of ensuring local's participation in the state building process though greater interaction with the state officials. It also serves as a bargaining arena for groups, especially minorities to get their grievances addressed, increasing legitimacy and penetration of the state among social groups (Brinkerhoff, 2011: 135). Decentralization experiments have been attempted in different state building interventions. Among these, the Bosnian and East Timorese experiences particularly stand out for uniqueness of cases. In BiH, decentralization experiment was undertaken through the creation of two parallel Republics under a federal arrangement and a very weak centre: the Republic of Bosnia and Herzegovina and the Serb Republic. This experiment in political decentralization backfired, because the centre was very weakly constructed, devoid of even basic taxation powers to meet its finances. A weak centre coupled with institutional mechanisms for ensuring equal distribution of power among the three principal ethnic groups-Bosnians, Serbs and Croats, practically paralyzed the functioning of an effective government (Caplan, 2005: 110-120). Criticism therefore emerged on intervener's policy of constructing a feeble centre and international guarantees to local ethnic groups, which gave them powers to resist constructive encroachments by the centre and in Bosnian case, even enabled them to obstruct the implementation of political features of Dayton Agreement (Brinkerhoff, 2011: 136). In East Timor, there was a delayed introduction of decentralization experiments, only when the governing authority- UNTAET was severely criticized for avoiding people's participation in local structures of government and state builder's ignorance of anthropological information about local structures and actors Chopra, 2007: 145-65). The decentralization reforms launched in 2005, by creating district administrations with wide executive powers were off to a slow start because the centre showed reluctance to devolving meaningful authority and committing resources to the district structures, in turn resulting in slow pace of service delivery. Decentralization steps were also criticized for creating political divisions among the local elites by introducing Western electoral system at the grassroots level and ignoring the indigenous customary governance institutions, which were adhered to in major parts of the state (Caplan, 2005; Boege, Brown, Clements, & Nolan, 2009: 89). These experiments underline the significance of a thorough knowledge on the part of state builders regarding the role of indigenous and informal governance structures in regulating service provision in localized contexts and the possible recognition of their integration in state building models.

Institution building in post intervened states is characterized by the involvement of multiple actors, states and organizations. Multiplicity stems from the complexity of the post 1990 interventionist state building enterprises,

the exorbitant cost of reconstructing formal structures in failed settings, negligible capacity of indigenous formal structures to perform a myriad of public services and the unlikelihood for a single state to shoulder the burden of intervention on legitimacy grounds (Caplan, 2005: 35). The 'new Imperial division of labour', as Ignatieff (2003: 95) sarcastically puts it, produces problems of coordination among donors and agencies involved in institutional restructuring. Coordination problems make the donors, adopt institutional reforms that are duplicative, non responsive to local needs and at cross purpose with one another and therefore entailing wastage of precious resources. In Bosnia for example, a large number of institutions and agencies operating under the general supervision of the High Representative (HR), created an unwieldy administrative structure composed of actors pursuing their goals under different strategies (Caplan, 2005: 33-35). Ineffective planning and lack of institutional mechanisms to handle post conflict reconstruction are also products of inadequate coordination among the intervention partners (Dobbins, 2006: 218-19). Coordination problems may also arise among the agencies of a single state, involved in multiple reform attempts. In the US case, for example, between the offices of Defense, State, USAID, Justice and the various civilian construction agencies, all involved simultaneously in the reconstruction efforts. Such problems may arise from low levels of coherence between military operations and the civilian reconstruction strategies, leading to failures on the state building front. This happened in the US invasion of Panama (1989), when military operation and civil restoration strategies were treated independent of each other. The result was ineffective planning, which ultimately led to high levels of violence, poor governance, corruption, and a phenomenal rise in unemployment (Pie, Ahmed and Garz, 2006, 73-77). Somalia's case seen from coordination lens suggests that its invasion failed because of confused command and control system between the US and the UN. This failed US engagement in Somalia impacted new presidential guidelines-Presidential Decision Directive (PDD) 56, for managing complex nation building operations, but went largely ignored in Iraq and Afghanistan (Flournoy, 2006: 86-94).

The UN and multilateral donor agencies have attempted to coordinate and attain specialization in post war institutional rebuilding, including the security sector, DDR, justice, refugee rehabilitation and economic recovery reforms. A number of institutional arrangements have been created for getting cross agency coherence, such as, joint assessment missions and planning processes for prompt and appropriate provision of financing. These institutional arrangements include: the US Department of State's S/CRS; the World Bank's Post Conflict Unit and Fragile States Group; UNDPs Bureau for Crisis Prevention and Recovery, Integrated Mission Task Force (IMTF) and others (Call and Cousens, 2008: 16; Caplan, 2005: 235-40). Despite such

institutional reforms for improving coordination among international agencies and governments involved in post conflict state building exercises, multiplicity of actors and agencies, in itself creates conditions for overlapping, confused lines of command, control and execution. A clear delineation of authority of all the agencies involved and placing them under a single agency or administrator may work to state building advantage. Prior planning for formal institutional reconstruction including, contingency planning for emergencies and unforeseen events, can further provide a helpful start to the state building project.

Another issue that confounds institution building in intervened states is resource dilemmas. The rhetoric of rebuilding states often falls short of matching the resources required for such purposes. A number of studies cite lack of adequate funding in men and material as a major cause behind the lackluster performance of state building interventions by international community. In Haiti for example, the US within a month of invasion (Sep 1994), cut its presence by half under domestic pressures. This put the UN in a difficult position to control violence or prevent repeated coups and irregularities in subsequent elections (Pie, Ahmed and Garz, 2006: 67-73). Resource inadequacy is matched by a lack of political will on foreign government's part to meet the requisite promised funding. Multiple examples form intervened state building exercises show either complete non-disbursals, or partial disbursals of funds, or delays in fund disbursements. Cambodia, for example, pledged $ 880 million at the Conference on Rehabilitation and Reconstruction of Cambodia in June 1992, was paid only $ 460 million by the end of 1995 (Chesterman, 2005: 346). The level of resource commitment is partly determined by the goals of intervention in the first place. Afghanistan's invasion was meant to end its status as a safe haven for terrorists and that of Iraq was promotion of democracy and stability. Resultantly, Afghanistan's $ 192 million initial disbursement and a limited 2300 US troops (on invasion) is declared as modest, when compared to much larger men and material commitment to Iraq (Fukuyama, 2006: 12). Goodson cites Afghanistan on a per capita basis to be the least resourced of all the US led state building missions in the last 60 years. The US committed 10 times more military manpower to stabilize Iraq (Goodson, 2006: 156-57). Even Iraq's military commitment was below the levels committed by NATO to stabilize Bosnia and Kosovo (Dobbins, 2006: 221-22). Some scholars, for example Diamond (2006: 176-81), claim resource commitment to Iraq to be quite low in comparison with the gigantic task of building a liberal political order and securing the Iraqi state. Low resource commitments resultantly, by adversely impacting security, prohibited further spending on humanitarian and state building sectors and created legitimacy crisis for the incumbent transitional regime.

The price of peace and state building is high; Bosnia received seven times the external assistance per capita, than did Germany in first two years of post-conflict recovery (Caplan, 2005, 2). A number of suggestions are argued in the context of overcoming the problem of prompt and flexible provision of resources to state building in post- conflict situations. A possible suggestion emphasizes reforming institutional structures at the international level to meet the resource deadlines. Paris (2004: 230-33), proposes a supra peace building agency over and above the UN, with a permanent post conflict governance and rehabilitation staff and a military force, contributed by member countries and regional organizations. Creating an agency completely devoted to the task of rebuilding failed states may be a welcome exercise; however, its implausibility arises in the face of already existing mechanisms in the UN to deal with post-conflict humanitarian and state building tasks. Ensuring resource commitment from major governments to this set-up would also be problematic, especially when there is question of non-intervention on strategic grounds. Chesterman (2005: 346), recommends setting up a trust fund for pooling resources, from local and international actors and devoted to the task of post-intervention state building. This suggestion is reasonable provided states are willing to contribute (without emergencies) on regular basis. Experience, on the other hand suggests that states are prompted into action in terms of resource provision to conflict areas only when the humanitarian crisis blows out of proportion, or in cases when the trans-national security threats start knocking directly at their doors. In the face of such issues, Caplan's (2005: 240-45) proposal in strengthening the existing UN institutional mechanisms, including the Department of Peace keeping Operations (DPKO), Office for the Coordination of Humanitarian Affairs (OCHA), and the Department of Political Affairs (DPA) is more plausible. These institutional arrangements require additional and prompt provision of adequate resources and personnel for assistance in post-intervention state building missions.

To sum up, this section explored the capacity building vs. dependency paradox arising from problems of external control over the institution building process, donor preference for service delivery through NGOs, resource inadequacies, failures in decentralization experiments and coordination dilemmas. Institutional reforms have secured more positive results in cases where the international state building efforts concentrated on building anew police and judicial structures or running the existing ones (bureaucracy) on hybrid basis. However, this cannot be generalized and different strategies have provided mixed results depending on the contextual situation and capacity of surviving institutions. This shows that state building strategies in constructing and reforming institutions should be context specific and

designed on the basis of thorough information on the condition of local formal institutions and their operating environment in the post conflict period.

Conclusions

The capacity building vs. dependency paradox has affected the post-intervention state building process in various state building exercises, including Bosnia and Herzegovina (BiH), Kosovo, Cambodia, East Timor and Iraq. The international experience with state building in the above cases demonstrate that foreign control over local institutional processes discourages the growth of indigenous ownership of state building exercise, develops a culture of dependency and discourages accountability of state builders to the local population. In the capacity building of formal institutions, three trends can be diagnosed, many generating their own set of limitations. In cases (Slovenia), where economy was strong and state institutions remained intact, especially the bureaucracy, it was relied upon by the interveners to implement reforms that were not very radical in nature. In other cases, where the state institutions were perceived to be burdened by past political legacies, these were completely dismantled and new forms were created (Iraq). And in cases where state institutions were very weak or non-functional after war, a thorough over hauling of the same was done (East Timor and BiH). In the second case of complete dismantling of running institutions of bureaucracy and military, as in Iraq, the decision proved very expensive in terms of its negative fallout impact. Where attempts were made in overhauling, more successes were witnessed in running institutions on a hybrid basis, with the help of local administrators and foreign experts. But in hybrid cases, where discrimination was made in terms of facilities and resources between local and foreign administrators, it bred resentment among the locals.

The capacity building of formal institutions also suffered because of external state builder's practice of funding the creation and working of a second civil service-the NGOs. Most major post conflict exercises show that these received more funding as compared to the formal institutional reconstruction efforts. Besides depriving the state institutions of precious resources, this practice delegitimizes state structures by creating programmes that run parallel to state sponsored development ones. In the decentralization experiment, federation, when constructed with a weak centre and strong federating units with special safeguards to ethnic groups, did not work properly, as in BiH. In other examples, decentralization to sub-national levels was either launched very late, or lacked the political will from the centre's side to make it a success (East Timor). Institutional capacity building is further hampered by the involvement of a plethora of agencies, foreign governments and NGOs, often working with conflicting agendas and over lapping

programmes; duplicative reforms entailing wastage of resources. This has created problems in achieving a coherent and coordinated strategy (in funding and objectives) for institution building. Lastly, resource scarcity has profoundly impacted institution building priorities. Multiple examples from international state building exercises show lack of political will to either commit resources, or release the full amount of promised funds. All the above capacity building paradoxes harm state building goals by creating institutions that are less effective, uncoordinated, resource starved and dependent on foreign control, finances and guideline.

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