



**CENTER ON
INTERNATIONAL
COOPERATION**

PROGRAM ON POST-CONFLICT STATEBUILDING

New Thinking on State Formation and Peacebuilding

Meeting Note

The Century Association, New York City

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At the request of the UN Department of Political Affairs, NYU's Center on International Cooperation organized a small meeting with UN staff, historians, political scientists, sociologists and anthropologists. The purpose was for academics as "outsiders" to provide a fresh and critical view of the UN's post-conflict state building mission, drawing on their knowledge of states, societies and their interactions with external actors across a variety of settings.

The Historical Process of State Formation

"Coercion", "capital", and "shared commitments" (legitimizing the exercise of authority) constituted the three resources whose distribution affected the relations between rulers and subjects in Europe and hence the pattern of state formation and state-society relations with the latter exhibiting varying mixes of patronage, evasion, patriotism, and repression.

The states that formed the core of this state system resulted from unintended historical developments, not intentional "state building" by leaders. The process was heavily path dependent: previous institutions largely determined the distribution of the three resources and thus cast a long shadow over the process. The formation of states took centuries and involved revolutionizing social structures by, for instance, marginalizing the role of kinship in public life.

Contemporary conceptions of the state are based on European views of the state and sovereignty as unitary or indivisible. Many pre-colonial empires were characterized by overlapping sovereignties across levels of authority and various territories and social groups. Colonial administrations imposed unitary states and monolithic views of sovereignty, though they often deconcentrated authority to colonial officers in the field. These doctrines and practices are part of the "debris of history" on which much state building occurs today.

It is wrong to identify colonialism, however, with centralization. In Africa the British, influenced by the Indian experience, moved away from direct rule by a centralized colonial administration and toward indirect rule through "decentralized despotism" with a local face. Post-colonial developments showed continuity with colonial policies.

In Uganda following independence, the peasants' experience of "the state" was the chief. Colonialism justified empowering chiefs as "customary practice" and made "customary law" into local autocracy. The achievement of Tanzania was to combine the debris of multiple customary practices and construct a common law judging all citizens without stigmatizing or excluding specific groups.

State structures, state strength

In post-colonial situations it is mistaken to identify centralization with outsiders and decentralization and layered sovereignty with indigenous interests. In Afghanistan, many want a strong central state as antidote to illegitimate local power holders characterized by “warlordism.” A national central state may be seen as a counterweight to illegitimate local authorities established with international or regional aid.

UN and other field workers in peace building operations need to understand not just the state in a limited sense, but the social structures with which it is articulated. Peace is profoundly social. It is maintained by enduring social arrangements that allocate resources and which include the state. Social arrangements go far beyond “civil society,” which is too often interpreted to mean only internationally funded NGOs. Social institutions include transnational networks, such as timber mafias, opium traders, and smugglers, as well as tribes, healers, spiritual orders, and other groups. Other social institutions are most important where states are weakest. A weak state may survive by becoming closely articulated with clans, secret societies, private military companies, international NGOs or MNCs.

Parts of the anti-colonial critique that were jettisoned after independence have acquired renewed salience in light of critiques of the post-colonial state. Europeans are exploring alternatives of layered and shared sovereignty through the EU, and these practices may also produce usable lessons. To some extent, however, the pendulum has swung in the other direction since 9/11. International pressure no longer focuses on shrinking states to make way for a “free market,” but on enabling them to develop capacities to control the entire national territory, including borders, and suppress and contain terrorism within borders, a task that can become synonymous with repression. The neo-liberalism driven by economic globalization and the neo-conservatism calling for an anti-terrorism agenda have potentially contradictory implications for the role of the state.

The modern, liberal state is the “industry standard” today; it is the state that is familiar to international organizations and bilateral donors and which they try to reproduce. International actors often prefer a strong center as a counterpart. States with layered sovereignty might find it difficult to meet international demands for border control, cooperation in fighting terrorism, trade standards, and meeting human rights standards. For this among other reasons, state construction strategies often work with an impoverished set of ideas.

A centralized state, however, is not the same as a strong state. It is not always obvious whether a state is “strong” or not; they have different mixes of capacities. States are composed of different organizations with different organizations and capacities. Nigeria has a stronger army than Costa Rica, but its ability to govern its citizens is far less, and it would be misleading to describe Nigeria as “stronger.” Many post-colonial or post-conflict states are centralized, weak states, often brutal ones; Portuguese colonies had both the weakest and the most brutal colonial administrations. States may misuse coercion to compensate for the lack of other governance capacities.

This does not mean, however, that “decentralization” in the form of federalism or devolution guarantees a more effective or accountable state. These goals may require reform of the center rather than decentralization, especially in aid-dependent states. Decentralization takes different forms and is not always preferred by “minorities.” Uganda has experimented with both geographic and ethnic decentralization. In Nigeria, where there is no national majority,

federalism has empowered regional majorities, and regional minorities have looked to the center as their protector.

UN Statebuilding Policy and Practice Today:

Different parts of the UN have different approaches to state building. The Security Council includes ex-colonial powers with ties to certain states. Permanent members facing secessionist movements do not want the UN to recognize such movements elsewhere. The SC hence tends toward the lowest common denominator rather than alternative models. An ethos of secularism and multiculturalism within the UN organization as a whole promotes a preference for state structures that do not formally recognize ethnic differentiation.

Most UN mandates that involve state building are based on avowed consent (“shared commitment,” in terms of the resources for state formation), with or without a formal peace agreement. UN operations have limited capacity for coercion. They take place in societies poor in capital and dependent upon foreign assistance. Security assistance and aid are focused on providing security for internationals, administering elections, and implementing DDR. The UN’s commitments are usually short-term, and both it and the major donor and troop-contributor states seek a speedy exit strategy. Hence the UN is far from the ideal organization to take charge of state building.

The UN does not have a doctrine or model for state building. Its peace building doctrine focuses on the one hand on implementation of agreements that tend to outline purely political processes of government formation and, on the other, on aid coordination. The UN has reservations about promoting decentralized models, which would require more complex and multi-leveled systems of monitoring and accountability. The UN has not even been able to promote more accountable institutions at the national level in many states and, more worrisome, it has not even been able to build accountability into its own internal operations.

Like all bureaucracies, the UN develops doctrines and missions to apply across situations. This replicability enables it to develop expertise and transfer it across situations, but it also renders the UN less able to tailor responses to conditions. State building is a form of development work, and many of the same critiques apply to both. Development professionals use their portable knowledge to implement standardized projects across different settings. Projects developed without attention to the institutional legacy and social context produce unintended political outcomes.

On the other hand, the UN is not monolithic, and different departments and agencies may have different doctrines. Furthermore, the UN is only one of several international actors in such operations. This multiplicity makes it less likely that a single doctrine will dominate. Some within a new generation of UN staff have experience in several such missions and are self-critical and skeptical of cookie-cutter approaches.

The imposition of big power preferences onto UN operations limits the ability of the UN to write more flexible policies into mandates. The relative autonomy of UN field operations, however, sometimes enables a UN mission to tailor mandates to specific contexts and the preferences of SRSGs. UN Field Missions are also often strongly susceptible to the preferences of local elites.

Such variation often happens by accident when doctrines are implemented on the ground in a context that makes its own demands. In Afghanistan, the UN proposed incorporating the Loya Jirga process into the Bonn Agreement because it lacked the legitimacy or capacity to impose a

consensus among elites, and Afghan actors had already developed a vague consensus around a version of this institution. This “traditional” institution, however, was completely reconfigured in practice along more democratic lines. The UN needs to be aware of the dangers not only of imposing foreign models but there are also dangers in misapplying and subverting local models.

The UN should:

- provide information about and encourage experimentation with various state models;
- look for ways to strengthen identities that cut across factions;
- develop a stronger and more systematic capacity to understand the local context and integrate local knowledge into UN planning, without necessarily privileging local over other voices or eliminating comparisons;
- aim for facilitation rather than imposition of ideas about the state;
- focus on establishing local mechanisms to foster deliberative processes of negotiation, rather than on setting up interim arrangements.

LIST OF PARTICIPANTS:

Academics:

Sugata Bose, Harvard University, History
James Ferguson, Stanford University, Anthropology
Mahmood Mamdani, Columbia University, Government/Anthropology
Anthony Pagden, UCLA, History/Political Science
Charles Tilly, Columbia University, Sociology/History
Katherine Verdery, University of Michigan, Anthropology
Leonard Wantchekon, NYU, Politics

United Nations:

Thant Myint-U, UN Secretariat/DPA
Chuck Call, UN Secretariat/DPA
David Haeri, UN Secretariat/DPKO Lessons Learned Unit
Salman Ahmed, UN Secretariat/DPKO
Mark Suzman, UNDP, Office of the Administrator

NYU/Center on International Cooperation:

Shepard Forman, Director
Bruce Jones, Deputy Director
Barnett Rubin, Director of Studies
Michael Barnett, University of Minnesota, Political Science
Madalene O'Donnell, Statebuilding Project Coordinator

International Peace Academy:

Elizabeth Cousens, Vice President